



Town of Barnstable Town Council

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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 MEETING AGENDA September 22, 2011 7:00 PM

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT (May be limited to 2 minutes)**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. ACT ON MINUTES (Includes Executive Session)**
- 7. COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS, STAFF, CORRESPONDENCE, ANNOUNCEMENTS AND COMMITTEE REPORTS**
- 8. ORDERS OF THE DAY**
 - A. OLD BUSINESS**
 - B. NEW BUSINESS**
- 9. TOWN MANAGER COMMUNICATIONS**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: October 6, 2011

A. OLD BUSINESS

2012-005	Adoption of the Town of Barnstable Multi-Hazard Plan (May be acted upon)	3 – 4
2012-012	Transfer \$950,500 from employee benefits & insurance into the Insurance Reserve Trust Fund for self-insuring the Workers’ Compensation Program (May be acted upon)	5 - 8
2012-016	Reappointments to a board/committee/commission (Second reading)	9
2012-017	Appointments to a board/committee/commission (Second reading)	10
2012-018	Authorizing the town manager to expend funds from the Comcast licensing fees for construction & maintenance of the Barnstable fiber optic network (BFON/I-NEI) (Second reading)	11 - 12
2012-019	Appropriate & transfer \$1,042,000 Community Preservation Act funds for structural historic preservation of the School Administration Building (Public hearing) (Roll-call)	13 - 14

B. NEW BUSINESS

2012-022	Designation of an acting town manager (May be acted upon)	15 - 16
2012-023	Acceptance of a \$7,758.40 grant from The Friends of The Council On Aging to fund a part-time van driver for the Barnstable Senior Center (May be acted upon)	17 - 18
2012-024	Acceptance of a \$61,200 Port Authority Security Program Award grant from the Department of Homeland Security (May be acted upon)	19 – 20
2012-025	Acceptance of MGL C.40 §13C establishing a workers’ compensation reserve fund and the designation of the director of finance to manage said funds (May be acted upon)	21 – 22

Approve Minutes —June 16, 2011, June 23, 2011, July 14, 2011, August 4, 2011, September 8, 2011

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 (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-005

INTRO: 08/04/11, 09/08/11, 09/22/11

**2012-005 ADOPTION OF THE TOWN OF BARNSTABLE MULTI-HAZARD
MITGATION PLAN**

RESOLVED AND ORDERED: that the Town Council hereby adopts the Town of Barnstable Multi-Hazard Mitigation Plan

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-005

INTRO: 08/04/11, 09/08/11, 09/22/11

SUMMARY

TO: Town Council
FROM: Jo Anne Miller Buntich, Growth Management Director
DATE: July 21, 2011
SUBJECT: Adoption of the Multi Hazard Mitigation Plan

BACKGROUND: Multi-hazard mitigation is defined as any sustained action to reduce and/or eliminate short or long term risk to life and property from natural disasters. Effective hazard mitigation planning provides benefits to the Town and its residents, including creating a safer community by protecting life and property; preventing the loss of property, infrastructure and natural and cultural resources; and increasing public awareness of risk and vulnerability to natural disasters.

The Federal Emergency Management Agency (FEMA) requires local governments to develop a hazard mitigation plan as a condition for receiving certain types of non-emergency disaster assistance. FEMA administers a number of grant programs to assist communities with hazard mitigation efforts, both prior to disasters and following a Presidential disaster declaration.

To develop the Barnstable Multi-Hazard Mitigation (MHM) Plan, the Growth Management Department worked in cooperation with many Town departments, emergency service agencies, and the Cape Cod Commission to identify and profile the town's risk and vulnerability to potential natural hazards. Specifically, the MHM plan assesses the potential impacts of hurricanes, winter storms, shoreline change/coastal erosion, earthquakes, drought/wildfire, and dam failure and identifies properties, resources, and critical facilities, which may be impacted by these hazard events. The plan outlines mitigation strategies and actions aimed at reducing the loss of or damage to potentially vulnerable property, infrastructure, and resources within the Town. A corresponding implementation plan is also included.

FEMA conditionally approved, for a six month period, the Multi-Hazard Mitigation Plan on February 18, 2011. A Town Council vote to adopt the Multi-Hazard Mitigation Plan will secure the Town's eligibility to apply for and receive FEMA hazard mitigation grant funds for the next five years.

FISCAL IMPACT: The fiscal impact of the plan adoption is neutral. Plan implementation would result in an overall positive fiscal impact.

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-012

INTRO: 08/04/11, 09/08/11, 09/22/11

2012-012 TRANSFER \$950,500 FROM EMPLOYEE BENEFITS & INS. INTO INSURANCE RESERVE TRUST FUND FOR SELF-INSURING WORKERS COMP. PROGRAM

ORDERED: That the sum of \$950,500 be transferred from the FY12 appropriation for Employee Benefits and Insurance under council order 2011-122 to the Town’s Insurance Reserve Trust Fund for the purposes of self-insuring the Town’s FY12 Worker’s Compensation Program.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-012

INTRO: 08/04/11, 09/08/11, 09/22/11

SUMMARY

TO: Town Council
FROM: John C. Klimm, Town Manager
DATE: July 13, 2011
SUBJECT: Transfer to Insurance Reserve Fund

BACKGROUND: Since fiscal year 2005, the Town had been purchasing an insurance policy for worker's compensation that covered all medical costs and lost salary from dollar one. This policy covered all active Town employees including those working for the School Department and enterprise funds. The policy premium costs have risen significantly due to a number of recent factors. First, an increase in workplace claims and severity of claims has driven up our experience rating which translates into higher premiums. Second, the market for worker's compensation coverage has changed making fewer carriers interested in the large payroll exposure of the Town. This has limited our options for carriers and creative programs that allow us better pricing. In the past, discounted programs have been an option for the Town but these are no longer available. Finally, the payroll and job classification rates, which determine our premium, have continued to rise. These are set by the State and we have little control over this change, which has translated into increased premium.

Despite these financial challenges, the Town's objective is to strive to create a safe workplace through appropriate supervision and safety education. We adopt loss control measures and offer training programs to limit potential losses, and we actively engage in developing a climate of safety for all Town employees. The reality for this current fiscal year is that a number of factors including an aging workforce, which can be more prone to accidents in the workplace especially in physically demanding jobs, have combined to result in a dramatic increase in our workers compensation premium for FY12.

ANALYSIS: The Town conducted an analysis of its current insurance program and major areas of insurable exposure in April 2011. It was decided to issue a competitive bid for all existing lines of insurance coverage including workers compensation. We invited several locally qualified and competent insurance agents to participate in the bidding process. There were no special services or capabilities that could not be provided from local agencies however, the Massachusetts Interlocal Insurance Association (MIIA), which is a non-profit arm of the Massachusetts Municipal Association offering risk management services, was invited to join the bidding process. The preparation of flexible general insurance specifications was prepared with the assistance of a consultant in order to create an open and easy process as well as leaving room for creativity. This also argued against a tightly drawn specification that might pose a barrier to participating. All participating agents were assigned markets (insurance companies) to approach in the order of their preference. Every agent was assigned their first choice of market with no conflicts. A secured website was used to distribute all documents requested by the participants including, but not limited to, historical loss runs, financial information, premium history, asset listing and employee classifications. The purpose of this was to provide primary source documentation to all parties directly in as expeditious a manner as possible. All participants were also invited to perform site visits.

Market conditions

Going into this exercise, one of the primary challenges we identified was the state of the insurance market and how it would respond to the Town of Barnstable. Some of the expected response is industry-wide, some is sector-specific (i.e. related to municipalities or public entities) and some is related to the Town specifically. The predominant issues in the market were identified as follows:

- A general hardening in the commercial market. Insured catastrophe losses, such as the earthquakes in New Zealand and Japan, as well as Japan's subsequent tsunami losses have put pressures on reinsurers and the rates they charge primary insurers. Deteriorating experience, reductions in capital and lower investment earnings opportunities have put pressure on rates, particularly in the commercial property area.
- The limited commercial market. The municipal market in Massachusetts is historically underserved by the commercial insurance companies. As a result, two alternatives were developed in the 1980 during a municipal insurance crisis. These alternatives, MIIA and the Trident/Metrogard program, dominate the Massachusetts market. For most medium to small municipalities (and counties), these are the only two markets to quote coverage.
- An aversion to wind exposed or seacoast locations. Over time, underwriters have become increasingly wary of their aggregate exposure to wind storm losses arising out of a single storm. They rely on a small number of so-called catastrophe risk modelers to develop their marketing and pricing strategies. A recent revision to the industry standards significantly increases the expected losses on Cape Cod, causing certain underwriters to avoid, reduce or restrict their underwriting on the Cape.
- Concern over increasing workers' compensation loss experience. This is an example of both an industry-wide and a Town specific concern. State-wide, underwriters are seeing increasing pressure from medical expenses rising as well as the longer absences among the aging workforce. Coupled with some adverse experience in the Town over the last several years, the incumbent insurer, Trident, non-renewed the coverage effective July 1, 2011.

Participants and responses

The following agents, brokers and sales representatives responded to the Town's invitation to participate. As mentioned previously each participant was assigned their first choice of market and in most cases had two or more markets available for each line of coverage. Furthermore, when reviewing all the assigned markets, we found that every insurance company that we knew of in the municipal arena was assigned to someone. Therefore, we concluded that the full market was approached. This was further supported by the number of questions and detailed requests that the Town received.

- **Dowling and O'Neil.** Dowling and O'Neil is the incumbent agent of the Trident/Metrogard program including the workers compensation coverage. They proposed a renewal with the incumbent program, a stand-alone Assigned Risk Pool (ARP) option for workers' compensation and an excess workers' compensation alternative. They also provided most of the optional quotes we looked for in the specifications. They did not propose on the Aviation Liability for the airport or on the Police Accident coverage.
- **MIIA.** MIIA was approached for a quotation. They were also assigned some additional markets for specialty coverages. However, MIIA did not submit a proposal, citing concerns from their excess carriers about the concentration of property coverage on Cape Cod (MIIA insures other municipalities on the Cape). They were unable to secure excess or reinsurance coverage for windstorm. They also declined the workers' compensation.

- **Olde Cape Cod Insurance.** Olde Cape Cod Insurance is the incumbent broker on the Aviation Liability and the Police Accident coverage. They did not request markets for the other lines. They provided a renewal proposal for these two lines of coverage.
- **Rogers and Gray.** Rogers and Gray has done some work for the Town in the past and is a well-known agency on Cape Cod. They were assigned a full complement of insurance markets for every line of coverage. Despite their efforts, all their assigned markets declined to quote, except in the marine (hull, protection and indemnity, and marina operators) area.
- **TD Insurance.** TD Insurance is a large regional broker with an office in Hyannis. One of their strengths is in alternatives to traditional insured workers' compensation. TD insurance was assigned markets for all lines of coverage and they approached a property specialist broker, Alliant Insurance Services, to explore a proprietary property program. All their assigned markets declined as well, citing the windstorm exposure and class of business.

Bid Results

The Town received limited proposals from the six participants that were involved. Essentially, those agents currently servicing the Town bid only on the current lines of insurance they provide and were awarded those lines. The premium on these policies falls within the FY12 budget that was approved. One proposal was received for a workers' compensation policy, a stand-alone Assigned Risk Pool (ARP) option with a premium of almost \$1.2 million. This is almost double the FY11 premium and well above the \$950,500 budgeted for FY12. As an alternative, the Town recommends self-insuring for this program and contracting with a third party administrator to manage claims and provide other cost control services. Town staff is currently in the process of attempting to procure an excess coverage policy to protect us against unusually large claims but the hardening in the market has made choices limited and expensive.

FINANCIAL IM PACT: The Town budgeted \$950,500 for workers' compensation insurance and \$1.3 million for all other policies in FY12. The awarded bids total \$1,270,000; excluding any workers' compensation, leaving a small balance for premium adjustments and deductibles that may occur throughout the year. It is proposed that the \$950,500 be transferred into the Town's Self-Insurance Trust Fund and any claims that arise in FY12 will be paid for out of the Trust. Any balance in the Trust at the end of the fiscal year will remain in the Trust and be set aside for claims incurred but not yet paid as well as future program costs.

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

STAFF ASSISTANCE: Mark Milne, Director of Finance
David Anthony, Chief Procurement Officer
William Cole, Director of Human Resources

A. OLD BUSINESS (Second reading)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-016

INTRO: 09/08/11, 09/22/11

2012-016 REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

BOARD OF ASSESSORS

Jeremy F. Gilmore, 27 Broken Dike Way, Centerville, as a member to a term expiring 06/30/2014

COMMUNITY PRESERVATION COMMITTEE

Lindsey B. Counsell, 1183 Old Stage Road, Centerville, as a member to a term expiring 06/30/2014

Terry Duenas, 690 Cedar Street, W. Barnstable, as a member to a term expiring 06/30/2014

DISABILITY COMMISSION

Linda S. Cook, 82 Gleneagle Drive, Centerville, as a member to a term expiring 06/30/2014

ECONOMIC DEVELOPMENT COMMISSION

Jeanine Marshall, 195 Willow St, W. Barnstable as a member to a term expiring 06/30/2014

HUMAN SERVICES COMMITTEE

Bill Doherty, Barnstable County Commissioner, 3195 Main Street, Barnstable, as a representative member to a term expiring 06/30/2014

Mary Pat Messmer, Cape Cod Child Development, 83 Pearl Street, Hyannis, as a representative member to a term expiring 06/30/2014

Roy Richardson, Cape Head Injured Person’s Housing, 9 Park Avenue, Centerville, as a representative member to a term expiring 06/30/2014

HYANNIS MAIN STREET WATERFRONT HISTORIC DISTRICT COMMISSION

Joseph A. Cotellessa, 65 Sylvan Drive, Hyannis, as a member to a term expiring 06/30/2014

Paul S. Arnold, 27 Foster Road, Hyannis, as an alternate member to a term expiring 06/30/2013

SCHOLARSHIP COMMITTEE

Janice A. Cliggott, 6 Tidal Lane, Hyannis, as a member to a term expiring 06/30/2014

ZONING BOARD OF APPEALS

Brian Florence, 126 Laurie’s Lane, Marstons Mills, as an associate member to a term expiring 06/30/2014

SPONSOR: The Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read item
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Second Reading)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-017

INTRO: 09/08/11, 09/22/11

2012-017 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

COMMUNITY PRESERVATION COMMITTEE

Paul R. Curley, 27 Lancaster Way, West Barnstable, as a Planning Board representative member to a term expiring 06/30/2013

SPONSOR: The Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read item
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Second reading)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-018
INTRO: 09/08/11, 09/22/11

2012-018 AUTHORIZING THE TOWN MANAGER TO EXPEND FUNDS FROM COMCAST LICENSING FEES FOR THE BARNSTABLE FIBER OPTICS NETWORK (BFON/I-NET).

RESOLVED: That the Town Council hereby authorizes the Town Manager to expend funds for the construction and maintenance of the Barnstable Fiber Optics Network (BFON/I-NET) from licensing fees provided in the cable licensing agreement with Comcast, as signed by the Town Manager on July 8, 2008

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-018

INTRO: 09/08/11, 09/22/11

SUMMARY

TO: Town Council
FROM: John Klimm, Town Manager
RE: Comcast Franchise Fees
DATE: September 8, 2011

BACKGROUND: When MediaOne and then Comcast began offering cable service in the Town of Barnstable their contracts offered a provision to build an Institutional Network (I-NET) for the town at a cost of \$17,000 a mile. The I-NET they proposed to build was to be a hybrid system consisting of copper and fiber. They would retain ownership of the I-NET and presumably, it could have been an item on the table when cable contract negotiations occurred. The funding would have been from the franchise fees the town collects from the cable provider. The proposed I-NET was much smaller in scope and not a pure fiber network and offered a limited amount of fiber pairs per building. The town instead made the decision to bank the franchise fees and contract out to build our own fiber optic I-NET.

In early 2006, having accumulated enough funds to begin the project, the town commenced with the steps necessary to reach its goal of building its own I-NET. Much of this process dealt with the utilities, Verizon and NStar, which require a pole to be "made ready" prior to issuing a license for the town to attach. It has taken more than four years, and approximately \$600,000 to make the utility poles ready for fiber cabling. As of July 2011, the town now holds licenses for all the utility poles required to build out the network. There are approximately 1,700 poles involved and 55 miles of fiber optic cabling.

Prior to signing the contract with the vendor to build out the fiber network, the cable franchise fees from the most recent contract need to be approved for the expenditure. The use of cable franchise fees are strictly governed by the Comcast contract, essentially stating that funding can only be used for Public, Education and Government (PEG) television channels and the I-NET.

FINANCIAL ANALYSIS:

Costs:

BFON – fiber network	932,390.43
Police Details	100,000.00 (Estimate)
Hardware	400,000.00 (Estimate waiting final)
Possible fall fiber price increase	<u>\$35,000.00</u> (Depends on timing)
Total:	\$1,467,390.43

The Town Treasury has been paid \$1,528,244 since the inception of this new license agreement through the fiscal year ending June 30, 2011 and these funds are available for the construction of the BFON.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of this resolve by the Town Council

STAFF ASSISTANCE: Dan Wood, Director of Information Technology
Mark Milne, Director of Finance

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-019

INTRO: 09/08/11, 09/22/11

2012-019 APPROPRIATE & TRANSFER \$1,042,000 CPA FUNDS FOR STRUCTURAL HISTORIC PRESERVATION OF THE SCHOOL ADMINISTRATION BUILDING

ORDERED: That, pursuant to the provisions of G.L. c. 44B, the sum of One Million Forty Two Thousand and No/100 (\$1,042,000.00) Dollars be appropriated; that in order to fund this appropriation Eight Hundred Forty Two Thousand and No/100 (\$842,000) Dollars be transferred from Undesignated Funds in the Community Preservation Fund and Two Hundred Thousand and No/100 (\$200,000) Dollars be transferred from the amount appropriated under Town Council order 2010-013 Appropriation & Loan Order Community Preservation New Town Hall; and that the Town Manager is authorized to contract for and expend the amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for design, repair or replacement of the roof, brick pointing, windows, soffits and gutters for preservation of the historic structural resources at the School Administration Building located at 230 South Street, Hyannis, MA (map 326 parcel 021).

SPONSOR: Town Manager John C. Klimm upon the recommendation of the Community Preservation Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-019
INTRO: 09/08/11, 09/22/11

SUMMARY

TO: Town Council
FROM: Community Preservation Committee
DATE: August 29, 2011
SUBJECT: School Administration Building – Historic Rehabilitation

BACKGROUND: The Community Preservation Committee (CPC) recommends to the Town Council through the Town Manager the appropriation of funds in the amount of \$1,042,000.00 for the Historic Rehabilitation of the School Administration Building in Hyannis Village.

RATIONALE: Listed on the National Register of Historic Buildings, the Department of Public Works seeks Community Preservation Act funds to assist with the efforts associated with the rehabilitation of the School Administration Building. The rehabilitation project is essential for its continued use by the public and its municipal employees. Funds requested will cover the design preparation, repair or replacement of the roof, brick pointing, windows, soffits and gutters. The project will ensure the historic building is preserved for future generations and addresses the urgency for rehabilitation and stabilization while providing a safe environment for staff, volunteers and patrons.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-022
INTRO: 09/22/11

2012-022 DESIGNATION OF ACTING TOWN MANAGER

RESOLVED, that the Town Council, acting under the provisions of the Charter of the Town of Barnstable, shall vote to designate an individual to perform the duties of the Town Manager as outlined in Sections 4-2 and 4-3 of the Charter for the Town of Barnstable.

This appointment is effective September 30, 2011.

SPONSOR: Councilor Frederick Chirigotis

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-022
INTRO: 09/22/11

SUMMARY

TO: Town Council
DATE: September 13, 2011
SUBJECT: Designating the acting town manager

RATIONALE: It is the responsibility of the Town Council to appoint a temporary Town Manager until a permanent Town Manager is contracted.

Discussion is anticipated before the nomination of that individual.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-023
INTRO: 09/22/11

2012-023 ACCEPTANCE OF A \$7,758.40 GRANT FROM THE FRIENDS OF THE BARNSTABLE COUNCIL ON AGING TO FUND A PART-TIME VAN DRIVER

RESOLVED: That the Town of Barnstable hereby accept a grant in the amount of \$7,758.40 to the Barnstable Senior Center for the funding of a part-time van driver.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-023
INTRO: 09/22/11

SUMMARY

TO: Town Council
FROM: John C. Klimm, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: September 12, 2011
SUBJECT: Acceptance of a \$7,758.40 Grant from the Friends of the Barnstable Council on Aging to the Barnstable Senior Center to Fund a Part-Time Van Driver.

RATIONALE: Understanding the importance of transportation for our elderly population, the Friends of the Barnstable Council on Aging have generously offered to fund a part-time van driver for our “Silver Express” transportation program. This position would transport clients to and from our Adult Supportive Day Program. The Friends will provide funding in the amount of \$7,758.40, which will fund this position for an average of 10 hours per week. The part-time driver would be available to provide coverage when our full-time van driver is on vacation or when a volunteer is unavailable to cover their shift. This coverage is usually provided by our Transportation Coordinator/Outreach Specialist, which can be disruptive to that staff person’s regular work schedule. The addition of a part-time van driver will alleviate the extra burden on our Transportation Coordinator/Outreach Specialist. In order to sustain this position beyond the first year, we would fund it through our Adult Supportive Day program revolving account and also seek additional grant funds.

The “Silver Express” provides seniors direct transportation to and from medical appointments, the grocery store, bank and other important appointments in a handicapped accessible van. This program also provides transportation to clients in our Adult Supportive Day Program. For many seniors who no longer drive, this program allows them to continue to live independently in their homes and is their primary link to outside services. Acceptance of this grant will allow the Barnstable Senior Center to enhance this invaluable community service to elders.

FISCAL IMPACT: None

STAFF ASSISTANCE: Madeline Noonan, Senior Services Director
Judy Redd, Transportation Coordinator/Outreach Worker

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-024
INTRO: 09/22/11

2012-024 ACCEPTANCE OF A \$61,200 FY11 PORT SECURITY GRANT PROGRAM AWARD

RESOLVED: That the Barnstable Town Council does hereby accept a 2011 Port Security Grant Program (PSGP) award from the Department of Homeland Security, FEMA in the amount of \$61,200. Of which \$51,100 is for upgrades to the Hyannis Harbor cameras and \$10,100 for additional accessories for the remote operate underwater vehicle (ROV) previously awarded.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-024
INTRO: 09/22/11

SUMMARY

TO: Town Council
FROM: John C. Klimm, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: September 12, 2011
SUBJECT: Port Security Grant Program (PSGP) Award in the amount of \$61,200

BACKGROUND: The 2011 Port Security Grant Program (PSGP) is an important component of a coordinated, national effort to strengthen the security of America's critical infrastructure. This project is supported under the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-083). The Harbormaster's Office has applied for and been awarded a PSGP Grant in the amount of \$61,200. The grant award includes two projects; first is to enhance our existing Hyannis Harbor camera system (to include replacing several outdated cameras, a new video storage system and increased bandwidth for connectivity) for \$51,100; second is to upgrade the ROV that was grant funded previously with a micro manipulator and longer tether for \$10,100.

ANALYSIS: Acceptance of this grant will allow the Town to enhance existing systems and be better equipped in responding to search and rescue and homeland security incidents.

FISCAL IMPACT: No matching funding is required for this grant. This grant allows us to enhance and upgrade our existing system further extending its life expectancy.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Joe Gibbs, Assistant Harbormaster/Mooring Officer
Daniel J. Horn, Director Marine & Environmental Affairs/Harbormaster

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-025
INTRO: 09/22/11

2012-025 ACCEPTANCE OF MGL CH. 40, SEC. 13C WORKERS' COMPENSATION RESERVE FUNDS & DESIGNATION OF DIRECTOR OF FINANCE TO MANAGE SAID FUNDS

ORDERED: That Section 13C of chapter 40 of the Massachusetts general laws is hereby accepted and the Town of Barnstable Director of Finance is hereby designated to manage said reserve funds.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-025
INTRO: 09/22/11

SUMMARY

TO: Town Council
FROM: John C. Klimm, Town Manager
DATE: September 13, 2011
SUBJECT: Acceptance of the provisions of Chapter 40, §13C Workers' compensation claims reserve funds

RATIONALE: The Massachusetts General Finance Law Chapter 40 § 13C reads as follows:
Any city or town which accepts the provisions of this section and has elected to self insure its worker's compensation may establish reserves to pay worker's compensation claims until said claims are fully paid. Said claims reserves shall be segregated by fiscal year and all funds so reserved shall be managed by a designated fiscal officer of such city or town. Any funds remaining after all claims are paid for a particular year, may be placed in another fiscal year's claim reserve fund, if needed, or returned to general funds. Costs of reinsurance, if used, and outside claims and safety services may be disbursed from said funds.

When a claim for workers compensation is filed, a reserve is established to cover the anticipated maximum potential liability. The use of a 3rd party administrator along with a claims auditor are used to ensure that the total claim reserve is accurate and that medical treatment is justifiable and not excessive. The total established reserve for each claim is periodically reviewed and adjusted based on the individual's medical treatment and progression in their rehabilitation. At the end of every fiscal year, there remain outstanding cases that will incur additional costs in the subsequent fiscal due the timing and severity of the incident. Accepting this section of the law will allow the Town to establish a fund balance reserve using any remaining funds from the current year's appropriation. If the funds remaining are insufficient to cover the remaining incurred but not yet paid liability the shortfall will have to be included in a supplemental appropriation request. If the funds remaining are in excess of the liability outstanding at the end of the year then they can be returned to the General Fund or transferred to another fiscal years claim reserve if it is insufficient.

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