



Town of Barnstable Town Council

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Councillors:

Jessica Rapp Grassetti
President
Precinct 7

Ann B. Canedy
Vice President
Precinct 1

Eric R. Steinhilber
Precinct 2

Paul Hebert
Precinct 3

Frederick Chirigotis
Precinct 4

James H. Crocker
Precinct 5

William Crocker, Jr.
Precinct 6

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Sara Cushing
Precinct 10

Philip N. Wallace
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator to the
Town Council:
Barbara A. Ford

Administrative
Assistant:
Cynthia A. Lovell

MEETING AGENDA TOWN HALL HEARING ROOM

July 17, 2014

7:00 PM

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
 - **YMCA Cape Cod Representative Stacie Peugh – the Y Achievers Program**
 - **Presentation by Hyannis Armory Lessee Representative - David Lawler, Esq.**
- 6. ACT ON MINUTES (Including Executive Session)**
- 7. COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements**
 - **Chair Nancy Richards – Report of the Cable Advisory Committee**
 - **Chair Scott Fitzgerald – Report of the Human Services Committee**
- 8. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 9. TOWN MANAGER COMMUNICATIONS**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: August 7, 2014

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A. OLD BUSINESS

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B. NEW BUSINESS

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2015-002	Acceptance of a \$5,090.79 gift from the Friends of the Council of Aging to the Senior Center for the purposes of funding transportation services (a part-time van driver) for senior citizens at the Senior Center (May be acted upon).....	6 – 7
2015-003	Acceptance of a \$62,000 grant from Massachusetts Preservation Projects Fund for repairs to the U.S. Custom House, in Barnstable, MA (May be acted upon).....	8 – 9
2015-004	Ratification of a twenty-five (25) year lease of the Hyannis Armory between the Town of Barnstable and 225 South Street, LLC (May be acted upon).....	10 – 11

Approve Minutes – June 19, 2014

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 (Second reading)

BARNSTABLE TOWN COUNCIL

**ITEM# 2014-186A
INTRO: 06/19/14, 07/17/14**

2014-186A REAPPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

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

SHELLFISH COMMITTEE

Albert Surprenant, 262 Bridge Street, Osterville as a commercially permitted member to a term expiring 6/30/2017

SPONSOR: The Appointments Committee

DATE	ACTION TAKEN
<u>06/19/14</u>	<u>2014-186 divided, moved to 07/17/14</u>

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

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-001
INTRO: 07/17/14**

2015-001 ACCEPTANCE OF GIFT OF SIX (6) BEACH WHEELCHAIRS FROM THE SMILE MASS (SMALL MIRACLES IN LIFE EXIST) ORGANIZATION FOR KEYES (SEA STREET), KALMUS, WEQUAQUET, HAMBLIN’S, HATHAWAY’S AND SANDY NECK BEACHES

RESOLVED: That the Town Council does hereby accept a gift of six beach wheelchairs from the SMILE Mass organization (Small Miracles in Life Exist) to be used by the Barnstable Recreation Division for Keyes (Sea Street), Kalmus, Wequaquet, Hamblin’s, Hathaway’s and Sandy Neck Beaches.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-001
INTRO: 07/17/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: July 7, 2014
SUBJECT: Acceptance of gift of six beach wheelchairs from SMILE Mass for Keyes (Sea Street), Kalmus, Wequaquet, Hamblin's, Hathaway's and Sandy Neck Beaches.

BACKGROUND: SMILE Mass (Small Miracles in Life Exist) is a Massachusetts Chapter 501(c) (3) non-profit corporation. The mission of SMILE Mass is to help handicapped children and their families enjoy wonderful vacation experiences — for a day or for a week — that will create memories that will last a lifetime. For many of these families, this could be their very first family vacation.

Phase One of SMILE Mass's mission was to purchase and donate 100 beach wheelchairs to public beaches on Cape Cod. In 2012, they delivered 20 Mobi-Chairs to 20 beaches in 12 towns on Cape Cod. Last year, the Town of Barnstable received three additional chairs. This year, we were presented with six additional chairs.

Made by [Mobi-Chair](#), the wheelchairs look much like beach recliners and are fully equipped with shock-absorbing wheels that can handle sandy terrain and even allow for flotation.

RATIONALE: This gift will provide access to the beach and ocean for handicapped children and their families. The Mobi-Chair is a high quality, amphibious rolling beach chair that provides a seamless transition from the parking lot, across the sand, and right into the water. The aluminum frame and stainless steel parts are corrosion free from salt water and the flotation wheels and armrests provide an unprecedented experience due to their stable buoyant design. Each chair costs approximately \$5,000. SMILE Mass has donated six Mobi-Chairs to the Town of Barnstable. Chairs from past years were given to Covell's Beach, Craigville Beach, Kalmus Beach, Veterans Park Beach, Dowses Beach, Loop Beach and Millway Beach. This year's chairs will be going to Keyes (Sea Street), Kalmus, Wequaquet, Hamblin's, Hathaway's and Sandy Neck Beaches.

FISCAL IMPACT: There is no fiscal impact.

BOARD AND COMMISSION RECOMMENDATION: The Barnstable Recreation Commission and the Barnstable Disability Commission recommend acceptance of this gift.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends acceptance.

STAFF ASSISTANCE: Patti Machado, Director of Leisure Services

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-002
INTRO: 07/17/14**

2015-002 ACCEPTANCE OF A \$5,090.79 GIFT FROM THE FRIENDS OF THE BARNSTABLE COUNCIL ON AGING TO SUPPORT THE PART-TIME VAN DRIVER POSITION FOR THE BARNSTABLE SENIOR SERVICES DIVISION

RESOLVED: That the Town of Barnstable hereby accept a gift in the amount of \$5,090.79 from the Friends of the Barnstable Council on Aging to support the Senior Services Division's part-time van driver position.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-002
INTRO: 07/17/14

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: July 17, 2014
SUBJECT: Acceptance of a gift of \$5,090.79 from the Friends of the Barnstable Council on Aging to support the Barnstable Senior Services Division's Part-time Van Driver Position

RATIONALE: The Friends of the Barnstable Council on Aging recently received notification that it was the beneficiary of \$5,090.79 from the estate of Virginia Gorse of Centerville, who passed away on January 5th, 2014 at the age of 95. Mrs. Gorse was a longtime member of the Barnstable Senior Center and a regular participant in our programs. When she was no longer able to drive, she became a frequent client of the Senior Center's "Silver Express" transportation program and she often remarked how much of a lifeline the service was to her in maintaining her independence.

With the approval and support of the Friends of the Barnstable Council on Aging and the Barnstable Council on Aging, it was determined that the best use of the funds would be to help support our part-time van driver position. Since this position was established in 2011, we have relied on grant funding and the financial support of the Friends of the Barnstable Council on Aging to sustain it. Mrs. Gorse's bequest would allow us to continue funding the position through FY15. We are extremely grateful to Mrs. Gorse for her generous gift and to the Friends of the Barnstable Council on Aging for their continued support.

FISCAL IMPACT: There is no immediate financial impact to the Town's operating budget resulting from accepting this gift. However, in order to continue this service after the funds are exhausted the cost will need to be added to the Senior Services operating budget if another funding source is not obtained. Otherwise, the service will have to be eliminated.

STAFF ASSISTANCE: Madeline Noonan, Director of Senior Services

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-003
INTRO: 07/17/14**

**2015-003 ACCEPTANCE OF A \$62,000 MASSACHUSETTS PRESERVATION PROJECTS FUND
GRANT THE UNITED STATES CUSTOM HOUSE**

RESOLVED: That the Town Council does hereby accept a grant award in the amount of \$62,000.00 from the Massachusetts Preservation Projects Fund for repairs to the United States Custom House building in Barnstable Village and hereby authorizes the Town Manager to contract for and expend the grant for that purpose.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read item
- _____ Rationale
- _____ Council discussion
- _____ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM# 2015-003
INTRO: 07/17/14

SUMMARY

TO: Town Council
VIA: Thomas K. Lynch, Town Manager
FROM: Daniel W. Santos, P.E., Director, Department of Public Works
DATE: July 10, 2014

BACKGROUND: The Town of Barnstable Department of Public Works has been awarded a \$62,000.00 grant from the Massachusetts Historical Commission's Round 20: Massachusetts Preservation Projects Fund. The Massachusetts Preservation Projects Fund was created in 1984 to aid nonprofit agencies in the conservation of property, landscapes, and cultural resources that have been listed as Massachusetts State Register of Historic Places.

ANALYSIS: The acceptance of this grant will allow the Department of Public Works to contract for the removal of exterior paint; restoration of the brickwork; repair and replacement of exterior ornamental ironwork and; restoration and repair of front entrance elements, including granite steps. This is a continuation of work completed under the Capital Improvement Program and Community Preservation Act to repair, improve, and maintain this historic structure.

FISCAL IMPACT: The grant requires 50:50 matching funds of \$62,000. Matching funds are available from funds that were provided for this project by the Community Preservation Committee and approved by the Town Council (Council Order 2014-143).

TOWN MANAGER RECOMMENDATION: Town Manager Thomas K. Lynch recommends acceptance of this grant.

STAFF ASSISTANCE: John Juros, Town Architect

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-004
INTRO: 07/17/2014**

**2015-004 RATIFICATION OF TWENTY-FIVE YEAR LEASE OF THE HYANNIS ARMORY
TO 225 SOUTH STREET, LLC**

RESOLVED: That the Town Council ratifies the lease concluded by the Town Manager pursuant to Section 3 of Chapter 40 of the General Laws of the building and associated land known as the Hyannis Armory for a term of twenty-five (25) years to 225 South Street, LLC to operate a museum consisting of an archeological exhibit and education center to be called “Real Pirates” as recommended by the RFP committee.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

____Read Item
____Rationale
____Council Discussion
____Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM# 2015-004
INTRO: 07/17/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
DATE: July 17, 2014
SUBJECT: HYANNIS ARMORY LEASE TO 225 SOUTH STREET, LLC

BACKGROUND: Consideration of the future use of the Hyannis Armory has been the subject of considerable attention of Management and the Council over several years. After a Request for Proposals to lease the property was published, the result was a single bid received. The bid proposed to convert the property into an Archeological and Education Center named, "Real Pirates". The focus of the exhibits would be on the recovered artifacts of the pirate ship Whydah. The Request for Proposal established certain goals required to be achieved. The proposal was accepted by the selection committee, which was made up of town councilors, community members, and Town staff. The selection committee recommended acceptance of the proposal and that the Town should proceed with lease negotiations with the principals of the project. The Town staff has successfully completed negotiations for the lease of the property, which achieves the goals that were set out.

ANALYSIS: Some of the salient conditions of the lease include a term of twenty-five years, with the lease commencing on September 1, 2014, and the term commencing on March 1, 2015. The delayed commencement will allow for completion of tenant improvements at its cost.

The principal use of the property will be as a Museum focused on the pirate ship Whydah and it will be a state-of-the-art facility and will be operated in such a fashion to equal or exceed the standards and quality of the National Geographic Museum. The Museum will also appropriately commemorate the events surrounding the acceptance speech of President-Elect John F. Kennedy given at the Armory in 1960. The Museum may be closed for a maximum of 60 days per year.

The lease may not be assigned without the Town's approval, which may be withheld in the Town's sole discretion.

The rent schedule calls for \$24,000 for year 1, \$50,000 per year for years 2-5, \$80,000 per year for years 6-15, \$100,000 for years 16-20, and \$120,000 per year for years 21-25. There are two option periods for the tenant to extend the lease for 10-year windows, namely, at years 6 and 16. Starting in year two, rent will be reduced by the amount of real estate taxes paid to the town, but never to be reduced to less than \$24,000 per year.

The tenant will pay all utilities as well as repair and maintenance costs. The tenant will also be responsible for extensive insurance coverage and will indemnify the town for listed exposures.

TOWN MANAGER RECOMMENDATION: It is expected that the Museum will prove to be an attractive center for visitors and residents alike and will be a significant generator of direct and indirect economic benefit to the Town and Village of Hyannis.

The Town Manager recommends that the Town Council ratify the lease as negotiated.

STAFF ASSISTANCE: Department of Public Works, Procurement and Legal Departments