



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM May 18, 2017 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

Frederick Chirigotis
Precinct 4

William Crocker, Jr.
Precinct 6

Jessica Rapp
Grassetti
Precinct 7

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:
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: June 1, 2017

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A. OLD BUSINESS

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B. NEW BUSINESS

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Approve Minutes –May 4, 2017

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.

Fiscal Year 2018 Operating Budget Appropriation Orders

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

BARNSTABLE TOWN COUNCIL

ITEM# 2017-112
INTRO: 04/27/17, 05/18/17

BARNSTABLE MUNICIPAL AIRPORT ENTERPRISE FUND

2017-112 APPROPRIATION ORDER IN THE AMOUNT \$6,508,537 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 AIRPORT ENTERPRISE FUND BUDGET (Majority vote)

ORDERED: That the sum \$6,508,537 be appropriated for the purpose of funding the Town's Fiscal Year 2018 Airport Enterprise Fund budget, and to meet such appropriation that \$6,141,354 be raised from current year revenues by the Airport Enterprise Fund, and that \$367,183 be transferred from the Airport Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-113
INTRO: 04/27/17, 05/18/17**

2017-113 APPROPRIATION ORDER IN THE AMOUNT \$65,216,084 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 BARNSTABLE PUBLIC SCHOOLS BUDGET (Majority Vote)

School Department

ORDERED: That the sum **\$65,216,084** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Barnstable Public Schools budget, and that to meet this appropriation that **\$64,985,778** be raised from current year revenues, and that **\$230,306** be transferred from the General Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-114
INTRO: 04/27/17, 05/18/17**

2017-114 APPROPRIATION ORDER IN THE AMOUNT OF \$13,835,845 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 BARNSTABLE POLICE DEPARTMENT BUDGET (Majority vote)

Police Department

ORDERED: That the sum of **\$13,835,845** to be appropriated for the purpose of funding the Town's Fiscal Year 2018 Barnstable Police Department budget; and to meet such appropriation that **\$13,785,845** be raised from current year revenues and that **\$50,000** be transferred from the Embarkation Fee Special Revenue Fund as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-115
INTRO: 04/27/17, 05/18/17**

2017-115 APPROPRIATION ORDER IN THE AMOUNT OF \$899,336 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 PLANNING AND DEVELOPMENT DEPARTMENT BUDGET (Majority vote)

Planning and Development Department

ORDERED: That the sum of **\$899,336** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Planning and Development Department budget, and that to meet this appropriation that **\$899,336** be raised from current year revenues as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-116
INTRO: 04/27/17, 05/18/17**

2017-116 APPROPRIATION ORDER IN THE AMOUNT OF \$3,555,185 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 COMMUNITY SERVICES DEPARTMENT GENERAL FUND BUDGET (Majority Vote)

Community Services Department General Fund Budget

ORDERED: That the sum of **\$3,555,185** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Community Services Department General Fund budget, and to meet such appropriation, that **\$3,267,185** be raised from current year revenue and that **\$288,000** be transferred from the Waterways Special Revenue Fund as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-117
INTRO: 04/27/17, 05/18/17**

2017-117 APPROPRIATION ORDER IN THE AMOUNT OF \$3,554,772 TO BE APPROPRIATED FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 GOLF COURSE ENTERPRISE FUND BUDGET (Majority Vote)

Community Services Department Golf Course Enterprise Fund

ORDERED: That the sum of **\$3,554,772** to be appropriated for the purpose of funding the Town's Fiscal Year 2018 Golf Course Enterprise Fund budget; and to meet such appropriation that **\$3,314,680** be raised from enterprise fund revenues, and that **\$175,217** be raised from the General Fund, and that **\$64,875** be transferred from the Golf Course Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</u>

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

A. OLD BUSINESS (Public Hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

**ITEM# 2017-118
INTRO: 04/27/17**

2017-118 APPROPRIATION ORDER IN THE AMOUNT OF \$3,379,599 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 HYANNIS YOUTH AND COMMUNITY CENTER ENTERPRISE FUND BUDGET (2/3 Vote – Capital Trust Fund is being used as a funding source)

Community Services Department Hyannis Youth and Community Center Enterprise Fund

ORDERED: That the sum of **\$3,379,599** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Hyannis Youth and Community Center Enterprise Fund budget; and to meet such appropriation that **\$1,183,000** be raised from enterprise fund revenues, and that **\$971,263** be raised from the general fund, and that **\$1,170,336** be transferred from the Capital Trust Fund, and that **\$55,000** be transferred from the Hyannis Youth and Community Center Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</u>

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

A. OLD BUSINESS (Public Hearing) (Roll call 2/3 vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2017-119
INTRO: 04/27/17, 05/18/17

2017-119 APPROPRIATION ORDER IN THE AMOUNT OF \$839,067 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 MARINA ENTERPRISE FUND BUDGET
(2/3 Vote – Capital Trust Fund is being used as a funding source)

Community Services Department Marina Enterprise Fund

ORDERED: That the sum of **\$839,067** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Marina Enterprise Fund budget; and to meet such appropriation that **\$721,700** be raised from enterprise fund revenues, and that **\$58,831** be transferred from the Capital Trust Fund, and that **\$30,000** be transferred from the Bismore Park Special Revenue Fund, and that **\$28,536** be transferred from the Marina Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-120
INTRO: 04/27/17, 05/18/17**

2017-120 APPROPRIATION ORDER IN THE AMOUNT OF \$1,018,462 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 SANDY NECK PARK ENTERPRISE FUND BUDGET (Majority vote)

Community Services Department Sandy Neck Park Enterprise Fund

ORDERED: That the sum of **\$1,018,462** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Sandy Neck Park Enterprise Fund budget; and to meet such appropriation that **\$968,462** be raised from enterprise fund revenues, and that **\$50,000** be transferred from the Sandy Neck Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-121
INTRO: 04/27/17, 05/18/17**

2017-121 APPROPRIATION ORDER IN THE AMOUNT OF \$811,627 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 CABLE TELEVISION PUBLIC EDUCATIONAL & GOVERNMENTAL ACCESS ENTERPRISE FUND BUDGET (Majority Vote)

Community Services Department Cable Television Public, Educational & Governmental Access Enterprise Fund

ORDERED: That the sum of **\$811,627** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Cable Television Public Educational & Governmental Access Enterprise Fund budget; and to meet such appropriation that **\$795,000** be raised from enterprise fund revenues, and that **\$16,627** be transferred from the Cable Television Public, Educational & Governmental Access Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-122
INTRO: 04/27/17, 05/18/17**

2017-122 APPROPRIATION ORDER IN THE AMOUNT OF \$2,037,938 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 REGULATORY SERVICES DEPARTMENT BUDGET (Majority Vote)

Regulatory Services Department

ORDERED: That the sum of **\$2,037,938** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Regulatory Services Department budget, and to meet such appropriation, that **\$1,826,838** be raised from current year revenue, and that **\$45,000** be transferred from the Wetlands Protection Special Revenue Fund, and that **\$166,100** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-123
INTRO: 04/27/17, 05/18/17**

2017-123 APPROPRIATION ORDER IN THE AMOUNT OF \$1,033,467 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 BUILDING SERVICES DEPARTMENT BUDGET (Majority vote)

Building Services Department

ORDERED: That the sum of **\$1,033,467** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Building Services Department budget, and to meet such appropriation, that **\$1,033,467** be raised from current year revenue as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-124
INTRO: 04/27/17, 05/18/17**

2017-124 APPROPRIATION ORDER IN THE AMOUNT OF \$9,437,141 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 DEPARTMENT OF PUBLIC WORKS GENERAL FUND BUDGET (Majority Vote)

Department of Public Works General Fund Budget

ORDERED: That the sum of **\$9,437,141** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Department of Public Works General Fund budget, and to meet such appropriation, that **\$9,366,571** be raised from current year revenue, **\$45,570** be transferred from the Embarkation Fee Special Revenue Fund and **\$25,000** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-125
INTRO: 04/27/17, 05/18/17**

2017-125 APPROPRIATION ORDER IN THE AMOUNT OF \$3,428,020 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 DEPARTMENT OF PUBLIC WORKS SOLID WASTE ENTERPRISE FUND BUDGET (Majority Vote)

Department of Public Works Solid Waste Enterprise Fund

ORDERED: That the sum of **\$3,428,020** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Department of Public Works Solid Waste Enterprise Fund budget, and to meet such appropriation that **\$2,979,500** be raised from the enterprise fund revenues, and that **\$448,520** be transferred from the Solid Waste Enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-126
INTRO: 04/27/17, 05/18/17**

2017-126 APPROPRIATION ORDER IN THE AMOUNT OF \$4,601,261 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL ENTERPRISE FUND BUDGET (Majority Vote)

Department of Public Works Solid Waste Enterprise Fund

ORDERED: That the sum of **\$4,601,261** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Department of Public Works Water Pollution Control Enterprise Fund budget, and to meet such appropriation that **\$4,601,261** be raised from the enterprise fund revenues, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-127
INTRO: 04/27/17, 05/18/17**

2017-127 APPROPRIATION ORDER IN THE AMOUNT OF \$6,789,486 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 DEPARTMENT OF PUBLIC WORKS WATER SUPPLY ENTERPRISE FUND BUDGET (Majority Vote)

Department of Public Works Water Supply Enterprise Fund

ORDERED: That the sum of **\$6,789,486** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Department of Public Works Water Supply Enterprise Fund budget, and to meet such appropriation that **\$5,578,000** be raised from the enterprise fund revenues, and that **\$1,211,486** be transferred from the Water enterprise Fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-128
INTRO: 04/27/17, 05/18/17**

**2017-128 APPROPRIATION ORDER IN THE AMOUNT OF \$267,685 FOR THE
PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 TOWN COUNCIL
BUDGET (Majority Vote)**

Town Council Department

ORDERED: That the sum of \$267,685 be raised and appropriated for the purpose of funding the Town's Fiscal Year 2018 Town Council budget as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-129
INTRO: 04/27/17, 05/18/17**

2017-129 APPROPRIATION ORDER IN THE AMOUNT OF \$495,537 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 TOWN MANAGER BUDGET (Majority vote)

Town Manager Department

ORDERED: That the sum of **\$495,537** be raised and appropriated for the purpose of funding the Town's Fiscal Year 2018 Town Manager budget as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-130
INTRO: 04/27/17, 05/18/17

2017-130 APPROPRIATION ORDER IN THE AMOUNT OF \$5,997,073 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 ADMINISTRATIVE SERVICES DEPARTMENT BUDGET (Majority vote)

ORDERED: That the sum of **\$5,997,073** be raised and appropriated for the purpose of funding the Town's Fiscal Year 2018 Administrative Services Department budget as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-131
INTRO: 04/27/17, 05/18/17**

2017-131 APPROPRIATION ORDER IN THE AMOUNT OF \$21,473,175 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 EMPLOYEE BENEFITS BUDGET (Majority Vote)

Employee Benefits

ORDERED: That the sum of **\$21,473,175** be appropriated for the purpose of funding the Town's Fiscal Year 2018 Employee Benefits budget, and to meet such appropriation, that **\$20,388,175** be raised from current year revenue, that **\$260,000** be transferred from the Pension Reserve Trust Fund, and that **\$825,000** be transferred from the general fund reserves, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-132
INTRO: 04/27/17, 05/18/17**

2017-132 APPROPRIATION ORDER IN THE AMOUNT OF \$9,500,634 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 GENERAL FUND DEBT SERVICE BUDGET (Majority vote)

Debt Service

ORDERED: That the sum of **\$9,500,634** be appropriated for the purpose of funding the Town's Fiscal Year 2018 General Fund Debt Service budget, and to meet such appropriation, that **\$9,388,451** be raised from current year revenue, and that **\$59,283** be transferred from the Embarkation Fee Special Revenue Fund, and that **\$52,900** be transferred from the Bismore Park Special Revenue Fund, as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-133
INTRO: 04/27/17, 05/18/17**

2017-133 APPROPRIATION ORDER IN THE AMOUNT OF \$1,954,210 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 LIBRARY AND TOURISM GRANT BUDGETS (Majority Vote)

Grants

ORDERED: That the sum of **\$1,954,210** be raised and appropriated for the purpose of funding the Town's Fiscal Year 2018 Library and Tourism Grant budgets as presented to the Town Council by the Town Manager

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-134
INTRO: 04/27/17, 05/18/17**

2017-134 APPROPRIATION ORDER IN THE AMOUNT OF \$10,412,239 FOR THE PURPOSE OF FUNDING THE TOWN'S FISCAL YEAR 2018 INSURANCE, ASSESSMENTS, TRANSFERS AND OTHER FIXED COSTS BUDGETS (Majority Vote)

Insurance, Assessments, Transfers and Other Fixed Costs

ORDERED: That the sum of **\$10,412,239** be raised and appropriated for the purpose of funding the Town's Fiscal Year 2018 Insurance, Assessments, Transfers and Other Fixed Costs budgets as presented to the Town Council by the Town Manager, and that the following sums be transferred from the Town's enterprise funds for the purpose of reimbursing administrative, employee benefit and insurance costs budgeted within the General Fund:

Water Pollution Control	\$489,251
Solid Waste	\$338,497
Water Supply	\$150,579
Airport	\$739,998
Golf Course	\$454,820
Marinas	\$71,543
Sandy Neck	\$100,873
HYCC	\$334,091
PEG	\$90,872

And further, that the sum of **\$1,500,000** be transferred from the General Fund reserves all for the purpose of funding the Town's Fiscal Year 2017 General Fund budget as presented to the Town Council by the Town Manager.

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-135
INTRO: 04/27/17, 05/18/17

2017-135 **APPROPRIATION ORDER IN THE AMOUNT OF \$393,521 FOR OPEN SPACE AND RECREATION; \$393,521 FOR HISTORIC RESOURCES; \$393,521 FOR COMMUNITY HOUSING; \$508,604 FOR A BUDGET RESERVE, AND THAT THE SUM OF \$150,000 BE APPROPRIATED FROM THE ANNUAL REVENUES OF THE COMMUNITY PRESERVATION FUND FOR THE ADMINISTRATIVE EXPENSES THE COMMUNITY PRESERVATION COMMITTEE (Majority vote)**

Community Preservation Fund Administration Expenses and Fiscal Year 2018 Program Set-Asides

ORDERED: That, pursuant to the provisions of G. L. c. 44B § 6, for the Fiscal Year beginning July 1, 2017, the following sums of the annual revenues of the Community Preservation Fund be set aside for further appropriation and expenditure for the following purposes: **\$393,521** for open space and recreation; **\$393,521** for historic resources; **\$393,521** for community housing; **\$508,604** for a budget reserve, and that the sum of **\$150,000** be appropriated from the annual revenues of the Community Preservation Fund for the administrative expenses the Community Preservation Committee, to be expended under the direction of the Town Manager, or the Community Preservation Committee with the prior approval of the Town Manager.

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-136
INTRO: 04/27/17, 05/18/17

2017-136 APPROPRIATION ORDER IN THE AMOUNTS OF \$2,191,188 FOR THE PURPOSE OF PAYING THE FISCAL YEAR 2018 COMMUNITY PRESERVATION FUND DEBT SERVICE REQUIREMENTS (Majority vote)

ORDERED: That the Town Council hereby appropriate **\$2,191,188** for the purpose of paying the Fiscal Year 2018 Community Preservation Fund debt service requirements, and to meet such appropriation, that **\$2,096,044** be provided from current year revenues of the Community Preservation Fund and that **\$95,144** be provided from the reserve for the historic preservation program within the Community Preservation Fund

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</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# 2017-137
INTRO: 04/27/17, 05/18/17**

2017-137 GENERAL ORDINANCE AMENDMENT ESTABLISHING ENTERPRISE FUND FOR THE PUBLIC, EDUCATION AND GOVERNMENT (PEG) ACCESS CHANNELS (Majority vote)

ORDERED, that §86-6 of the General Ordinances is hereby amended by inserting at the end thereof the following new paragraph:

“I. The Department of Community Services Public, Education & Government (PEG) Access Channels, as an enterprise thereunder.”

SPONSOR: Town Manager Mark S. Ells

DATE	ACTION TAKEN
<u>04/27/17</u>	<u>Refer to Public Hearing 05/18/17</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2017-137
INTRO: 04/27/17, 05/18/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells
THROUGH: Mark Milne, Director, Finance
DATE: April 27, 2017
SUBJECT: Ordinance Amendment Establishing Enterprise Fund for the Public, Education and Government (PEG) Access Channels

RATIONALE: An Enterprise Fund is a separate fund established to account for operations (a) that are financed and operated in a manner similar to private business enterprises – where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes. It is the town's intent that the PEG operations be self-sufficient, and that the existing cable license revenue is adequate to cover all operating and capital costs.

Massachusetts General Finance Law, Chapter 44; § 53F ½ allows communities to establish enterprise funds for a utility, health care, recreational or transportation facility. Cities and towns may now designate cable PEG access operations or services as an enterprise and separately account for all franchise fees and other revenues derived from enterprise activities in the same manner as other enterprise funds. Alternatively, cities and towns may reserve the franchise fees and other cable related revenues for appropriation to support PEG access services, monitor compliance with the franchise agreement or prepare for license renewal by accepting G.L. c. 44, § 53F¾ and establishing a PEG Access and Cable Related Fund. Either way, these funds cannot be expended without Town council appropriation starting with Fiscal Year 2018.

As part of the Fiscal Year 2018 budget proposal; the town is proposing to create a new enterprise fund for the PEG operations as it currently operates several enterprise funds. The Fiscal Year 2018 budget proposal will provide the estimated operating costs and associated revenue.

STAFF ASSISTANCE: Mark Milne, Director, Finance

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2017-145
INTRO: 05/04/17, 05/18/17

2017-145 RESOLVE ACCEPTANCE OF CONSERVATION RESTRICTION TO BE HELD BY CONSERVATION COMMISSION 200 COMMUNICATION WAY BARNSTABLE MAP 314, PARCEL 038

RESOLVED: That the Town Council on behalf of the Town gratefully accepts the grant of the conservation restriction from GS Barnstable AA Apartments, LLC pursuant to that certain Amended and Restated Development Agreement by and between the Cape Cod Commission and The Lyndon Paul Lorusso Charitable Foundation of 2002 dated as of December 1, 2016, to be held by the Conservation Commission in the name of the Town pursuant to the provisions of G. L. c. 40 § 8C in the form approved by the Conservation Commission, Land Acquisition and Preservation Committee, and Town Manager, subject to approval by the Secretary of the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs; and that the President and Town Manager are authorized to execute, receive, deliver and record any written instruments for the stated purpose.

SPONSOR: John G. Flores, Councilor, Precinct 1

DATE	ACTION TAKEN
<u>05/14/17</u>	<u>Continue to May 18, 2017</u>
_____	_____

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

B. NEW BUSINESS (Refer to Public Hearing 06/01/17)

BARNSTABLE TOWN COUNCIL

**ITEM # 2017-146
INTRO: 05/18/17**

2017-146 APPROPRIATION ORDER IN THE AMOUNT OF \$175,000 COMMUNITY PRESERVATION FUNDS FOR THE ACQUISITION OF CONSERVATION RESTRICTION 3.47 ACRES, 0 CHURCH STREET, BARNSTABLE, MAP 176, PARCEL 006, FROM BARNSTABLE LAND TRUST, INC.

ORDERED: That pursuant to the provisions of the Community Preservation Act, G.L. c.44B, the sum of One Hundred Seventy-Five Thousand and NO/100 (**\$175,000.00**) Dollars be appropriated and transferred from the amount set aside for open space in the Community Preservation Fund for acquisition of a conservation restriction from Barnstable Land Trust, Inc. (“BLT”) representing a portion of the total cost of **\$225,0000** needed by BLT to purchase a 3.47 acre buildable residential lot off Shaw’s Lane in West Barnstable, addressed 0 Church Street, Barnstable, Map 176, Parcel 006, contingent upon BLT raising the purchase price balance of **\$50,000.00**; that the conservation restriction is hereby approved in the form approved by the Land Acquisition and Preservation Committee and Town Manager subject to approval by the Secretary of the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs; that the Town Manager is authorized to expend the amounts appropriated for the stated purpose on behalf of the Town; and that the President and Town Manager are authorized to execute, receive, deliver and record any written instruments for the stated purpose, subject to oversight by the Community Preservation Committee.

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 # 2017-146
INTRO: 05/18/17

SUMMARY

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: Lindsey Counsell, Chair, Community Preservation Committee
DATE: May 18, 2017
SUBJECT: Appropriation Order in the amount of **\$175,000** Community Preservation Funds for the acquisition of a conservation restriction 3.47 Acres, 0 Church Street, Barnstable, Map 176, Parcel 006, from Barnstable Land Trust, Inc.

RATIONALE: The Barnstable Land Trust (BLT) is seeking approval from the Town Council through the Town Manager for **\$175,000** Open Space/Recreation Community Preservation Act (CPA) funds representing a portion of the total cost of **\$225,000** needed to purchase a 3.47 acre buildable residential lot off Shaw's Lane in West Barnstable, addressed 0 Church Street, Barnstable, Map 176, Parcel 006, with BLT proposing to fundraise **\$50,000**. The Town of Barnstable will be asked to hold the conservation restriction. The acquisition of this vital link is part of a larger, decades-long "Pathways" partnership among the Town of Barnstable, BLT, The Compact of Cape Cod Conservation Trusts, Barnstable County and the Commonwealth to implement the vision of an Appalachian Trail-type walking route across Cape Cod. BLT has received unanimous support from both the Conservation Commission and the Town's Land Acquisition and Preservation Committee. The acquisition of the Shaw's Lane property, located in the Old King's Highway Historic District, will conserve 3.47 acres of open space; will provide a critical public trail link with trails on adjoining BLT and Town land; and protect water quality of private wells in the area.

STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

B. NEW BUSINESS (Refer to Public Hearing 06/01/17)

BARNSTABLE TOWN COUNCIL

**ITEM# 2017-147
INTRO: 05/18/17**

2017-147 APPROPRIATION ORDER IN THE AMOUNT OF \$243,496.00 COMMUNITY PRESERVATION FUNDS FOR RESTORATION AND PRESERVATION EXTERIOR AND LIMITED INTERIOR OF THE U. S. CUSTOM HOUSE CARRIAGE HOUSE, 3353 MAIN STREET (ROUTE 6A), BARNSTABLE

ORDERED: That, pursuant to the provisions of the Community Preservation Act, G. L. c 44B, the sum of one hundred fifty-nine thousand two hundred forty-nine and no/100 (**\$159,249.00**) dollars be appropriated and transferred from the amount set aside for historic resources in the Community Preservation Fund, and eighty-four thousand two hundred forty-seven and no/100 (**\$84,247.00**) dollars be appropriated and transferred from the undesignated amount in the Community Preservation Fund, for a total appropriation and transfer of two hundred forty- three thousand four hundred ninety-six and no/100 (**\$243,496.00**) dollars; that the Town Manager is authorized to contract for and expend the appropriation made available for exterior masonry, window, door, roof and limited interior restoration and preservation work for the restoration and preservation of the historic resource consisting of the U. S. Custom House Carriage House at 3353 Main Street, Barnstable; and accept a Massachusetts Preservation Projects Fund grant in the amount of one hundred thousand and no/100 (**\$100,000.00**) dollars to be reimbursed to the undesignated portion of the Community Preservation Fund subject to the oversight of the Community Preservation Committee.

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 # 2017-147
INTRO: 05/18/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lindsey Counsell, Chair, Community Preservation Committee
DATE: May 18, 2017
SUBJECT: Appropriation Order in the amount of **\$243,496.00** Community Preservation Funds for restoration and preservation exterior and limited interior of the U. S. Custom House Carriage House, located at 3353 Main Street (Route 6A), Barnstable, MA

RATIONALE: The Town of Barnstable Department of Public Works (DPW) is seeking approval from the Town Council through the Town Manager for **\$159,249** Historic Preservation Community Preservation Act funds and **\$84,247** unreserved Community Preservation Act funds totaling **\$243,496** CPA funds for restoration work to the U.S. Custom House Carriage House located at 3353 Main Street, Barnstable, MA. This phase of restoration work includes masonry, window, door, roof, and limited interior preservation work. A Massachusetts Preservation Projects Fund grant application in the amount of **\$100,000** has also been submitted with the understanding that if it is awarded, funds will be returned to the CPA undesignated fund.

The U.S. Custom House property is owned by the Town of Barnstable and has been the recipient of many preservation grants and restoration efforts over the years totaling over one-half million dollars. Built in 1856 as a Customs House and Post Office, the property is presently being used as the U.S. Coast Guard Heritage Museum with the Carriage House space, also constructed in 1856, being used as a blacksmith shop as it had in the past. The property is listed on the National Register of Historic Places and is located in the Old King's Highway Historic District. The property is historically significant for its role in the maritime commerce of Cape Cod in the late 19th century, as well for its famous designer, Ammi Brigham Young.

STAFF ASSISTANCE: Lindsey Counsell, Chair, Community Preservation Committee

**B. NEW BUSINESS (Refer to Public Hearing 06/01/17)
(2/3 vote)**

BARNSTABLE TOWN COUNCIL

**ITEM # 2017-148
INTRO: 05/18/17**

**2017-148 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$49,500
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING CROSBY CIRCLE IN OSTERVILLE, MA**

ORDERED: That the sum of **\$49,500** be appropriated for the purpose of making temporary repairs to Crosby Circle in Osterville, MA; a private road within the Town of Barnstable, including the payment of costs incidental or related thereto; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$49,500** in accordance with Chapter 350 of the Acts of 2014, 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 this purpose, and that betterments be assessed, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

SPONSOR: Vice President, James H. Crocker, Jr. Precinct 5

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2017-148
INTRO: 05/18/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E. Department of Public Works Director
DATE: May 18, 2017
SUBJECT: Appropriation and Loan Order in the amount of **\$49,500** Pursuant to Temporary Repair to Private Roads Program regarding Crosby Circle in Osterville, MA

BACKGROUND: Chapter 174 of the Acts of 1994 and its subsequent amendment under Chapter 350 of the Acts of 2014 authorizes the Town to borrow and expend funds for the purpose of making repairs to private roads. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). None of these roads will be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Crosby Circle in Osterville have expressed an interest in having repairs made to their private road and 56% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, cleaning of existing drainage, and installation of additional drainage structures.

The cost of improvements: Estimated as **\$49,500** with a cost per 9 abutters, distributed as 9 shares, not to exceed **\$5,500** per abutter share.

FISCAL IMPACT: There is no cost to the Town, as all costs will be covered by betterments assessed on the abutters. The Town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends this Appropriation and Loan Order

STAFF ASSISTANCE: Daniel W. Santos, P.E. Department of Public Works Director

**B. NEW BUSINESS (Refer to Public Hearing 06/01/17)
(2/3 vote)**

BARNSTABLE TOWN COUNCIL

**ITEM # 2017-149
INTRO: 05/18/17**

**2017-149 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$125,500
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING PINE RIDGE ROAD IN COTUIT, MA**

ORDERED: That the sum of **\$125,500** be appropriated for the purpose of making temporary repairs to Pine Ridge Road in Cotuit, MA a private road within the Town of Barnstable, including the payment of costs incidental or related thereto; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$125,500** in accordance with Chapter 350 of the Acts of 2014, 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 this purpose, and that betterments be assessed, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

SPONSOR: Councilor Jessica Rapp Grasseti, Precinct 7

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2017-149
INTRO: 05/18/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E. Department of Public Works Director
DATE: May 18, 2017
SUBJECT: Appropriation and Loan Order in the amount of **\$125,500** Pursuant to Temporary Repair to Private Roads Program regarding Pine Ridge Road in Cotuit, MA

BACKGROUND: Chapter 174 of the Acts of 1994 and its subsequent amendment under Chapter 350 of the Acts of 2014 authorizes the Town to borrow and expend funds for the purpose of making repairs to private roads. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). None of these roads will be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Pine Ridge Road in Cotuit have expressed an interest in having repairs made to their private road and 63% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, cleaning of existing drainage, and installation of additional drainage structures.

The cost of improvements: Estimated as **\$125,500** with a cost per 16 abutters, distributed as 16 shares, not to exceed \$7,850 per abutter share.

FISCAL IMPACT: There is no cost to the Town, as all costs will be covered by betterments assessed on the abutters. The Town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends this Appropriation and Loan Order

STAFF ASSISTANCE: Daniel W. Santos, P.E. Department of Public Works Director

**B. NEW BUSINESS (Refer to Public Hearing 06/01/17)
(2/3 vote)**

BARNSTABLE TOWN COUNCIL

**ITEM # 2017-150
INTRO: 05/18/17**

**2017-150 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$79,950
PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM
REGARDING WOODLAND AVENUE IN OSTERVILLE.**

ORDERED: That the sum of **\$79,950** be appropriated for the purpose of making temporary repairs to Woodland Avenue in Osterville, a private road within the Town of Barnstable, including the payment of costs incidental or related thereto; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$79,950** in accordance with Chapter 350 of the Acts of 2014, 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 this purpose, and that betterments be assessed, and the Town Manager is further authorized to accept any grants and/or gifts in relation thereto.

SPONSOR: Vice President James H. Crocker, Jr. Precinct 5

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2017-150
INTRO: 05/18/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E. Department of Public Works Director
DATE: May 18, 2017
SUBJECT: Appropriation and Loan Order in the amount of **\$79,950** Pursuant to Temporary Repair to Private Roads Program Regarding Woodland Avenue, Osterville, MA.

BACKGROUND: Chapter 174 of the Acts of 1994 and its subsequent amendment under Chapter 350 of the Acts of 2014 authorizes the Town to borrow and expend funds for the purpose of making repairs to private roads. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). None of these roads will be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Woodland Avenue in Osterville have expressed an interest in having repairs made to their private road and 71% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, cleaning of existing drainage, and installation of additional drainage structures.

The cost of improvements: Estimated as **\$79,950** with a cost per 7 abutters, distributed as 6 full shares, not to exceed **\$12,300** per abutter full share and one ½ share not to exceed **\$6,150** per abutter ½ share.

FISCAL IMPACT: There is no cost to the Town, as all costs will be covered by betterments assessed on the abutters. The Town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends this Appropriation and Loan Order

STAFF ASSISTANCE: Daniel W. Santos, P.E. Department of Public Works Director

B. NEW BUSINESS (Refer to Public Hearing 06/01/17)

BARNSTABLE TOWN COUNCIL

**ITEM#: 2017-151
INTRO: 05/18/17**

**2017-151 APPROPRIATION AND TRANSFER ORDER OF \$65,500.00 FOR HYANNIS
YOUTH AND COMMUNITY CENTER MAINTENANCE AND REPAIRS**

ORDERED: That the sum of \$65,500.00 be transferred from the Fiscal Year 2017 Public Works Department Personnel Budget to the Fiscal Year 2016 Public Works Department Operating Budget for the purpose of funding Hyannis Youth and Community Center (HYCC) maintenance and repairs.

SPONSOR: Councilor Debra S. Dagwan, Precinct 7

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM#: 2017-151

INTRO: 05/18/17

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E., Director of Public Works
DATE: May 18, 2017
SUBJECT: Appropriation and Transfer Order in the amount of **\$65,500.00** from the Fiscal Year 2017 Public Works Department Personnel Budget to the Public Works Department Fiscal Year 2017 Operating Budget for the purpose of funding Hyannis Youth and Community Center (HYCC) maintenance and repairs.

BACKGROUND: As part of taking over facilities maintenance and ice making at the HYCC, the DPW conducted a comprehensive inspection of the facility and equipment. That inspection revealed a number of deficiencies that required immediate attention. Repairs were made to the two Zamboni's and battery charging systems; the ice-making plant; and building Heating Ventilation Air Conditioning (HVAC) equipment.

FISCAL IMPACT: The available funds in the Department of Public Works personnel budget are due to the turnover in several positions throughout the fiscal year resulting in vacancy savings. The total Fiscal Year 2017 Operating Budget Appropriation for the Public Works Department is not changing.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the Appropriation and Transfer Order.

STAFF ASSISTANCE: Daniel W. Santos, P.E., Director of Public Works

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2017-152

INTRO: 05/18/17

2017-152 RESOLVE THAT THE TOWN COUNCIL DOES NOT INTEND TO TAKE STEPS TO DISAPPROVE THE NEW ACQUACULTURE LICENSE SITE FOR SCOTT MULLIN (FLUPSY) APPROVED BY THE TOWN MANAGER ON MAY 4, 2017

RESOLVED, that under the provisions of Section 188-2 of the Barnstable Code, and following a public hearing held on April 28, 2017, the Town Manager has approved a new aquaculture license site (FLUPSY) in Barnstable Harbor for Scott Mullin, 90 Alderbrook Road, West Barnstable, MA and that the Barnstable Town Council does hereby affirm that it will take no steps to disapprove said license, provided that the license issued shall be subject to the terms and conditions contained in the Town Manager’s May 4, 2017 decision and the requirements of the Commonwealth’s Division of Marine Fisheries

SPONSOR: Councilor John G. Flores, Precinct 1

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2017-153
INTRO: 05/18/2017**

2017- 153 RESOLVE TO JOIN THE CAPE LIGHT COMPACT JOINT POWERS ENTITY (JPE) AND TO AUTHORIZE THE TOWN MANAGER TO EXECUTE THE JOINT POWERS AGREEMENT OF THE CAPE LIGHT COMPACT

RESOLVED: That the Barnstable Town Council hereby votes, pursuant to General Laws chapter 40, section 4A ½, to join the Cape Light Compact Joint Powers Entity (JPE); and authorizes the Town Manager to execute the Joint Powers Agreement of the Cape Light Compact JPE subject to final review by the Town Attorney; and ratifies the actions of Town Manager to issue a written letter to the Cape Light Compact Joint Powers Entity appointing the Town’s Director and Alternate Director; and further authorizes the Town Manager to take any other action necessary to effectuate Barnstable’s joining and participating in the JPE.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

BARNSTABLE TOWN COUNCIL

ITEM # 2017-153
INTRO: 05/18/2017

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: David Anthony, Current CLC Governing Board member
DATE: May 18, 2017
SUBJECT: Resolve to join the Cape Light Compact Joint Powers Entity (JPE) and to authorize the Town Manager to execute the Joint Powers Agreement of the Cape Light Compact

RATIONALE: The Cape Light Compact (CLC), a municipal Aggregator, was formed in 1997 to advance the interest of electricity consumers in the wake of the Chapter 164 Electric Industry Restructuring Act. It does this through its Power supply program, energy efficiency programs and advocacy for consumers at the state level. The CLC currently operates under an Intergovernmental Agreement (IGA) between 21 towns and 2 counties of Cape Cod and Martha's Vineyard in accordance with MGL c. 40, s. 4A. The IGA, which is one of the documents that governs the operations of the Compact, sets forth matters such as Compact goals and purposes, election of officers, appointment of directors, procedures for meetings and voting. The Compact's current IGA was created in 1997, and was a 25 year document set to expire in 2022.

In 2016, Barnstable County notified the Compact that it no longer wished to continue to render administrative and fiscal services in support of the compact as it had done since 1997. To that end, in December 2016, as per the terms and conditions allowed in the IGA, the Compact executed a Termination and Transition Agreement with Barnstable County that runs through June 2017, which could be extended through December 2017, subject to certain conditions.

The Joint Powers Act

An Act Modernizing Municipal Finance and Government was enacted by the Legislature as Chapter 218 of the Acts of 2016. In short, a provision under G.L. c. 40, §4A ½, effective November 7, 2016 allows governmental entities to join together and exercise any of their common powers and duties within a designated region as a Joint Powers Entity or JPE. Governmental entities sign a Joint Powers Agreement (JPA) that governs the operations of the JPE. Only two municipal entities are needed to form a JPE, but at this time 17 have voted to join the new CLC JPE. In a Town, the Chief Executive Officer or a board, committee or officer authorized by law to execute a contract for the Town may enter into the JPA. The JPA must be authorized by the board of selectmen or similar body for each governmental unit. The Act provides that a JPE is a separate public entity with the authority to, Sue and be sued; Sign contracts and other instruments necessary to exercise its powers; Make, amend and repeal policies and procedures; Receive and expend funds; Apply for and receive grants from the Commonwealth, the federal government and other grantors; Apply for state, federal or corporate grants or contracts to obtain funds to carry out its purposes; Submit an annual report to each member governmental unit with a detailed audited financial statement; Employ staff and Borrow money. Per the statute, the JPE would be Subject to the Uniform Procurement Act (and its exemptions), contract for goods and services, purchase or lease land, buildings and equipment; and the JPE could have any such other powers as are necessary to properly carry out its powers as a body politic and corporate.

The Act imposes auditing, reporting and accounting requirements, which the Cape Light Compact already does and has done for years. Finally, Annual audits are to be distributed to its members, as has been the past practice, and also the Department of Revenue.

The Benefits of joining the JPE

The Joint Powers Statute is clear that there is no liability of one governmental unit for the acts or omissions of another participating governmental unit or the JPE itself, unless otherwise agreed to in the JPA. This express authority and protection is not found in the IGA Statute. Each member of the JPE is entitled to representation on the board of directors and such member is entitled to voting rights. The JPE is a public employer therefore no employee liability, costs or exposure for OPEB can be transferred to a member Town. A key benefit of the JPE structure is that certain key positions to help run the JPE are defined in the Statute. These defined roles establish checks and balances and maintains professional control of the organization. The board of directors must appoint a treasurer and business officer. The treasurer can be an employee or independent contractor of one of the members, but the treasurer cannot be on the board of directors or an employee of the JPE. The business officer may be a city auditor, town accountant or officer with similar duties from one of the members that will have accounting duties pursuant to G.L. c. 41, §§52 and 56 (municipal finance law).

Services to Customers

The Compact will continue to offer energy efficiency programs and a power supply option for all customers on Cape Cod and Martha's Vineyard who choose to participate in the CLC programs. These services will be provided exactly as they were under the IGA without interruption or any oversight changes.

Time Frame

The intent is for the CLC to transition its operation fully through to the JPE by July 1, 2017. The Compact's Governing Board would like to see all towns that wish to become members of the JPE do so by this date to avoid having to carry some communities under the IGA for a period of time into the new fiscal year. This would add cost, time and effort for audits, reporting to the State, and the necessity of establishing two financial systems side by side.

The Compact will work with the Massachusetts Department of Public Utilities, as needed throughout its transition to a JPE, to update its governing documents.

A positive Vote by the Town Council tonight authorizes the Town of Barnstable join the JPE.

STAFF SUPPORT: David Anthony, Current CLC Governing Board member