



**TOWN OF BARNSTABLE
TOWN COUNCIL
April 26, 2012**

A quorum being duly present, Council President Frederick Chirigotis called the April 26, 2012, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

PRESENT: Janice Barton, Ann Canedy, Frederick Chirigotis, James Cote, Jennifer Cullum, Debra Dagwan, June Daley, Jessica Rapp Grasseti, Michael Hersey, Janet Joakim, John Norman, Thomas Rugo, **ABSENT:** James Tinsley, Jr.

The Pledge of Allegiance was led by President Chirigotis, followed by a Moment of Silence.

PUBLIC COMMENT

Robert Tucker wants to keep Mr. Lynch, don't let him go.

Chris Kelsey is a Union Rep. for the Police Dept. who updated the council on the health insurance. There is still an issue over the premium split. All unions are together on their goal to get away from the 50/50 split.

Kris Clark, Chair of the West Barnstable Festival Committee addressed issues on permitting for tents and special events. The process is difficult to navigate and needs simplification.

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Canedy addressed the permitting issue and having a calendar of events on the website as well.

Attorney Weil explained public access TV and differences in Channel 17 and 18. Manager Lynch explained annual events and possible changes in permits.

ACT ON MINUTES

Motion to approve April 5, 2012 minutes was seconded.

VOTE: Unanimous in favor

COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS, STAFF,

Councilor Cullum announced a Precinct 13 meeting and Sea Street clean up.

ORDERS OF THE DAY

A. OLD BUSINESS

**2012-081 - GRANTING A UTILITY EASEMENT TO NSTAR, FREEZER ROAD,
BARNSTABLE – INTRO: 3/15/12, 4/5/12, 4/26/12**

Acting Manager Lynch gave the rationale.

Attorney Charles McLaughlin explained the easement.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded, it was

RESOLVED: That the Town Council vote to grant to NSTAR Electric Company a utility easement in a portion of property located at Freezer Road, Barnstable (Barnstable), Barnstable County, MA as shown on a plan of land entitled, "Plan to accompany easement to NSTAR Electric Company prepared for: Town of Barnstable prepared by: DPW Survey Section May 10, 2011 Scale : 1" = 20'", a copy of which plan is on file with the Town Clerk's Office, and to authorize the Town Manger to take any steps necessary to finalize said easement

VOTE: Unanimous in favor

(Public hearing continued from 04/05/12)

2012-083 APPROPRIATION & LOAN ORDER \$1,050,000 Water Supply Enterprise Fund CIP INTRO: 3/15/12, 4/5/12, 4/26/12

Public hearing opened.

Acting Manager Lynch and Deb Krau from the water board gave the rationale. She explained cleaning and lining the pipes and how that procedure is more cost effective.

Public hearing closed.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED: That the sum of \$1,050,000 be appropriated for the purpose of funding the pipe replacement and upgrade program for the Hyannis Water System as outlined in the FY 2013 - FY 2017 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$1,050,000, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call - 12 yes

(Public hearing continued from 04/05/12)

2012-084 APPROPRIATION & LOAN ORDER \$1,070,000 Water Supply Enterprise Fund CIP – INTRO: 3/15/12, 4/5/12, 4/26/12

Ms. Krau explained the model, and fire flow issues with some of the pipes (Greenwood to Craigville Beach Rd.) – Public hearing opened and closed.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED: That the sum of \$1,070,000 be appropriated for the purpose of Constructing a New 8" Water Main on Scudder Ave (Greenwood Ave to Craigville Beach Rd) as outlined in the FY 2013 - FY 2017 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$1,070,000, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call - 12 yes

(Public hearing continued from 04/05/12)

2012-085 - APPROPRIATION & TRANSFER ORDER \$54,000 Water Supply Enterprise Fund CIP – INTRO: 3/15/12, 4/5/12, 4/26/12

Public hearing opened. Manager Lynch said the \$54,000 figure is the correct number. Deb Krau explained it.

Closed public hearing.

A motion was made and seconded to add the words "design of the" before Water Main

VOTE: Unanimous

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED: That the sum of \$54,000 be appropriated for the purpose of funding the design of the Water Main Looping & Connection (Highland St to Cook Circle) as outlined in the FY 2013 - FY 2017 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$54,000 be transferred from surplus funds within the Water Supply Enterprise Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call - 12 yes

(Public hearing continued from 04/05/12)

2012-086 APPROPRIATION & TRANSFER ORDER \$80,000—Water Supply Enterprise Fund CIP – INTRO: 3/15/12, 4/5/12, 4/26/12

Opened public hearing.

Deb Krau gave the rationale. Public hearing closed.

A motion was made and seconded to change "the Design and Permitting" to "the Design, Permitting and Repair".

VOTE: 12 yes

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED: That the sum of \$80,000 be appropriated for the purpose of funding the Design, Permitting and Repair of the Hyannisport Well Repair as outlined in the FY 2013 - FY 2017 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$80,000 be transferred from surplus funds within the Water Supply Enterprise Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call - 12 yes

**2012-087 - APPROPRIATION & TRANSFER ORDER \$67,600 Water Enterprise Fund
CIP INTRO: 3/15/12, 4/5/12, 4/26/12**

WITHDRAWN by the proponents. – THEY ARE RECEIVING A GRANT. Ms. Krau asked if the town would consider applying for a Mass Works Grant for installing the water main.

(Public hearing continued from 04/05/12) (Roll-call)

**2012-088 - APPROPRIATION ORDER \$96,502 Water Enterprise Fund CIP – INTRO:
3/15/12, 4/5/12, 4/26/12**

Public hearing opened. Deb Krau gave the rationale

Closed public hearing.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED: That the sum of \$96,502 be appropriated for the purpose of funding the Pay-off of a Lease for an Emergency Generator as outlined in the FY 2013 - FY 2017 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that \$14,050 be transferred from council order 2009-090, \$70,226 be transferred from council order 2011-136, and that \$12,226 be transferred from surplus funds within the Water Supply Enterprise Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

VOTE: Roll Call - 12 yes

Manager Lynch thanked the Hyannis Water Board and Deb Krau,.

(Public Hearing)

**2012-099 - APPROPRIATE \$25,000 FOR TOWN MANAGER SEARCH CONSULTANT
SERVICES – INTRO: 4/5/12, 4/26/12**

Opened public hearing

Councilor Joakim gave the rationale.

Closed public hearing.

Councilor Hersey questioned a timeline. Councilor Joakim said the second week in May they will have a recommendation. Whole process done by November.

Attorney Weil stated that a measure is not in effect until 30 days from the vote.

Councilor Joakim explained the RFP process. Councilor Rugo spoke to the process and Manager Lynch. Councilor Dagwan encouraged councilors to stay the course.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED, that the sum of \$25,000 is hereby appropriated for the cost of hiring a professional consultant to assist in the process of hiring a permanent town manager, and that in order to meet this appropriation, the sum of \$25,000 be transferred from available funds.

VOTE: 11 yes 1 no (Rugo)

(Public Hearing)

**2012-100 - APPROPRIATION--\$34,396.56 FROM HYCC GIFT ACCOUNT FOR EVENT SIGN
- INTRO: 4/5/12, 4/26/12**

See Exhibit "A" – copy of proposed sign. Lynne Poyant explained the rationale and thanked Figawi Charities.

Public hearing opened and closed.

It is a two-sided sign. There will be about \$60,000 left in the account. Councilor Cullum asked about the sign code and if it complies and if it will be in compliance. Councilor Norman did not want the name or logo of Figawi on the sign.

It was suggested that this item be continued.

Motion made and seconded to continue to May 17th meeting.

VOTE: 11 Yes 1 No (Hersey)

(Public Hearing)

**2012-102 - APPROPRIATE \$57,000 FROM THE CEMETERY LOTS SPECIAL REVENUE
FUND FOR THE PURCHASE OF BURIAL EQUIPMENT – INTRO: 4/5/12, 4/26/12**

DPW Director Mark Ells gave the rationale on the equipment.

Public hearing opened and closed.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

ORDERED: that the sum of \$57,000 be appropriated for the Structures & Grounds Cemetery Program for the purpose of purchasing burial equipment used by Town staff to maintain cemeteries and perform interments in town cemeteries, and to meet such appropriation, that \$57,000 be transferred from the Town's Sale of Cemetery Lots Special Revenue Fund

VOTE: Roll Call - 12 yes

B. NEW BUSINESS

**2012-104 - ACCEPTANCE OF A \$7,760 GRANT FROM THE ROTARY CLUB - INTRO:
4/26/12**

Acting Manager Lynch gave the rationale.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

RESOLVED: That the Town of Barnstable hereby accepts a grant in the amount of \$7,760.00 to support the funding of a part-time van driver for the Silver Express at the Senior Services Division.

VOTE: 12 yes

2012-105 - ACCEPTANCE OF A \$ 1,000 GRANT FROM THE DAVID MCGRAW FAMILY FUND, CAPE COD FOUNDATION – INTRO: 4/26/2012

Acting Manager Lynch gave the rationale.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

RESOLVED: That the Town Council hereby accepts a grant in the amount of \$1,000 from the David McGraw Family Fund of the Cape Cod Foundation

VOTE: 12 yes

2012-106 ACCEPTANCE OF A GIFT FROM BLT, INC. A CONSERVATION RESTRICTION AND AN ACCESS EASEMENT OFF FOX HILL ROAD, CENTERVILLE INTRO: 4/26/12

Upon motion duly made and seconded it was voted to continue this item to May 3, 2012.

VOTE: 12 yes

**2012-107 - RESOLVE APPROVING THE HISTORIC PRESERVATION PROJECT-
UNITED STATES CUSTOM HOUSE (TRAYSER HERITAGE MUSEUM) –
INTRO: 4/26/12**

Acting Manager Lynch explained the rationale. Councilor Joakim explained further matching funds.

It was moved and seconded to move the question.

VOTE: 12 Yes

Upon motion duly made and seconded it was

RESOLVE: That the Town Council approve the Historic Preservation project for the United States Custom House (Trayser Heritage Museum) located at 3353 Main Street, Barnstable, MA on map 299 parcel 046 as recommended by the Community Preservation Committee and as submitted to the Massachusetts Historical Commission on March 30, 2012 in connection with a reimbursement grant application requesting the amount of \$100,000.00 as a match to offset the fund request of the Community Preservation Committee.

VOTE: 12 yes

TOWN MANAGER COMMUNICATIONS

Acting Manager Lynch updated the council on the health insurance; proposals and other RFPs.; the closure of Taunton State Hospital, and the Cobb Trust;

ADJOURNMENT

Upon motion duly made and seconded it was

VOTED: to adjourn.

ADJOURNED: at 8:30 p.m.

Respectfully submitted,

Linda E Hutchenrider, MMC/CMMC
Town Clerk/Town of Barnstable

NEXT REGULAR MEETING: May 3, 2012

Attachment:

Exhibit A – Copy of what proposed sign would look like