



# The Town of Barnstable Town Council

367 Main Street, Village of Hyannis MA 02601

508-862-4602 • Fax 508-862-4770

email: Council@town.barnstable.ma.us

www.town.barnstable.ma.us

## TOWN COUNCIL MEETING AGENDA September 6, 2007 7:00 PM

Councilors:

Janet S. Joakim  
President

Gary R. Brown  
Vice President

Richard G. Barry  
Janice L. Barton  
Ann A. Canedy  
Frederick Chirigotis  
James H. Crocker, Jr.  
Leah C. Curtis  
Henry C. Farnham  
J. Gregory Milne  
James F. Munafo, Jr.  
Tom Rugo  
Harold E. Tobey

Administrator:  
Donald M. Grissom

Town Council  
Secretary:  
Cheryl A. Phillips

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **MOMENT OF SILENCE**
- **REPORT of the LIGHTING STUDY COMMITTEE**
4. **PUBLIC COMMENT (May be limited to 2 minutes)**
5. **COUNCIL RESPONSE TO PUBLIC COMMENT**
6. **ACT ON MINUTES**
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 MEETING SEPTEMBER 20TH.**

---

**INDEX**  
**TITLE**

**ITEM NO.**

**PAGE**

---

**A. OLD BUSINESS**

- 2008-011 - An order to create a recreational shellfish area and shellfish relay overlay district  
(**Joint Public Hearing with Planning Board May Be Acted Upon**) ..... 4 - 6
  
- 2008-013 - Request for the Barnstable Town Council approval of a preservation restriction  
agreement for the Crowell-Smith House (aka Crosby House) located at 33 Pine  
Avenue, Hyannis, MA (**Second Reading**) ..... 7 - 9
  
- 2008-015 - Authorization to lease the former Hyannis Armory Assessor Map 326 Parcel 004  
(**Second Reading**) ..... 10 - 11
  
- 2008-016 - Appropriation and loan order in the amount of \$1,785,000 for the purpose of a  
town wide coastal access plan (**Public Hearing May Be Acted Upon**) .....12- 13
  
- 2008-017 - Community Preservation Fund Appropriation for Community Housing (**Public  
Hearing May Be Acted Upon**) .....14 - 15
  
- 2008-020 - Appropriation Order refund to be Issued to qualifying FY 2006 residential exemption  
taxpayers that missed the abatement filing deadline (**Public Hearing May  
Be Acted Upon**) .....16 - 17

**B. NEW BUSINESS**

- 2008-019 – Appropriation and Loan Order for Temporary Repairs to Private Roads Program  
Pursuant to Thornton Drive (Barnstable), Elliott Road (Centerville), Evens/Robbins Streets  
(Osterville) and Acadia Drive (Marstons Mills) (**Refer to Public Hearing -September 20**) .....18 - 20
  
- 2008-021 - Appointments (**First Reading**) .....21
  
- 2008-22 – Community Preservation Fund Appropriation for Open Space -- Mills Property (**Refer to  
Public Hearing -September 27**) .....22-23
  
- 2008-23 - Community Preservation Fund Appropriation for Community Housing -- Barnstable  
Housing Authority (**Refer to Public Hearing -September 27**).....24-25
  
- 2008-24 - Community Preservation Fund Appropriation for Community Housing -- Community Action  
Committee of Cape Cod (**Refer to Public Hearing -September 27**) .....26-27
  
- 2008-25 - Community Preservation Fund Appropriation for Historic Preservation -- Marstons Mills  
Public Library (**Refer to Public Hearing -September 27**) .....28-29
  
- 2008-26 - Community Preservation Fund Appropriation for Community Housing -- First Baptist  
Church of Hyannis (**Refer to Public Hearing -September 27**) .....30-31
  
- 2008-27 - Community Preservation Fund Appropriation for Historic Preservation -- Burgess House  
(**Refer to Public Hearing -September 27**) .....32-33

**B. NEW NEW BUSINESS (Continued)**

**2008-28** - Community Preservation Fund Appropriation for Historic Preservation -- Sandy Neck Beach Project (**Refer to Public Hearing -September 27**) .....34-35

**2008-29** - Community Preservation Fund Appropriation for Historic Preservation -- Old Selectman’s Building (**Refer to Public Hearing -September 27**) ..... 36-37

**2008-30** - Community Preservation Fund Appropriation for Historic Preservation -- West Barnstable Community Building (**Refer to Public Hearing -September 27**) .....38-39

**2008-31** - Community Preservation Fund Appropriation for Historic Preservation -- Centerville Community Center (**Refer to Public Hearing -September 27**) ..... 40-41

**2008-32** - Community Preservation Fund Appropriation for Historic Preservation – New Town Hall Building (**Refer to Public Hearing -September 27**) ..... 42-43

**2008-33** - Community Preservation Fund Appropriation for Historic Preservation -- School Administration Building (**Refer to Public Hearing -September 27**) .....44-45

**2008-34** - FY2008 Appropriation Order to Fund Collective Bargaining Agreements (**Refer to Public Hearing September 20**) .....46-47

---

**Minutes** of Barnstable Town Council Meeting of August 16, 2007.

---

**Please Note:** It is possible, if it so votes, the Council may go into executive session.  
The council may act on items in a different order than they appear on this agenda

**A. OLD BUSINESS (Public Hearing with Planning Board May Be Acted Upon)**

**BARNSTABLE TOWN COUNCIL**

**2008-011 AN ORDER TO CREATE A RECREATIONAL SHELLFISH AREA AND SHELLFISH RELAY OVERLAY DISTRICT  
INTRO.: 07/19/07; 09/06/07**

**ORDERED that:**

**Section 1.** The zoning ordinance is hereby amended by adding the following new section:

**§240-37.1 Recreational Shellfish Area and Shellfish Relay Area Overlay District**

A. Purpose.

- (1) The purpose of this section is to protect the general public's interest in the recreational harvesting of shellfish by creating a Recreational Shellfish Area and Shellfish Relay Area Overlay District and by banning the construction of new docks and piers and limiting the expansion of existing docks and piers within said overlay zoning district.

The Recreational Shellfish Area and Shellfish Relay Area Overlay District implements the

- (2) Barnstable Local Comprehensive Plan, adopted by the Barnstable Town Council on October 30, 1997, and approved by the Cape Cod Commission on February 12, 1998. The purposes of the Recreational Shellfish Area and Shellfish Relay Area Overlay District include:
  - (a) Maintaining public access along the shore and to shellfish and shellfish beds, whether existing or potential, for the purposes allowed by law (Strategy 2.2.6.1.1);
  - (b) Docks and Piers shall not be permitted in coastal waters designated as significant shellfish habitats by the Division of Marine Fisheries or local shellfish officials (Policy 2.2.3.3.2.)

B. Establishment of district.

- (1) In order to implement the purposes of this section, the Recreational Shellfish Area and Shellfish Relay Area Overlay District is hereby established and shall be considered as superimposed over any other districts established by this chapter as amended from time to time. The Recreational Shellfish Area and Shellfish Relay Area Overlay District shall include those areas shown on the map entitled "Recreational Shellfish Area and Shellfish Relay Area Overlay District" dated July 13, 2007, filed with the Town Clerk, which map, together with all explanatory material thereon, is hereby incorporated in and made part of this chapter..

- C. Overlay District Map. The boundaries of the Recreational Shellfish Area and Shellfish Relay Area Overlay District established by this section are shown on the Official Zoning Map, § 240-6A, Identification of Zoning Map, as amended with a file date of August 30, 2000.

**BARNSTABLE TOWN COUNCIL**  
**2008-011 AN ORDER TO CREATE A RECREATIONAL SHELLFISH**  
**AREA AND SHELLFISH RELAY OVERLAY DISTRICT (CONTINUED)**

- D. Prohibition. Within the Recreational Shellfish Area and Shellfish Relay Area Overlay District, the construction and/or installation of docks and piers is prohibited.
- E. Reestablishment of damaged or destroyed nonconforming docks or piers. The reestablishment of a lawful preexisting nonconforming dock or pier which has been destroyed or damaged by fire, acts of nature or other catastrophe shall be permitted pursuant to § 240-95, Reestablishment of damaged or destroyed nonconforming use or building or structure. The redeployment of a lawful preexisting nonconforming seasonal dock or pier is permitted.
- F. Expansion of existing docks or pier. For the purposes of Article VIII, Nonconformities, the expansion of an existing dock or pier located within the Recreational Shellfish Area and Shellfish Relay Area Overlay District shall be deemed to be substantially detrimental and shall be prohibited.

**Section 2.** The official zoning map of the Town of Barnstable is hereby amended by adding a Recreational Shellfish Area and Shellfish Relay Area Overlay District as shown on the map entitled “Recreational Shellfish Area and Shellfish Relay Area Overlay District”, dated July 13, 2007.

**SPONSOR:** Town Councilor Richard Barry and Town Councilor Ann Canedy

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

- Read item
- Motion to open public hearing
- Rationale
- Public hearing
- Close public hearing
- Council discussion
- Move/vote

**BARNSTABLE TOWN COUNCIL  
AGENDA ITEM SUMMARY  
2008-011  
INTRO.: 07/19/07**

**TO:** Town Council  
**FROM:** Richard Barry, Town Councilor  
**DATE:** July 13, 2007  
**SUBJECT:** Recreational Shellfish Area and Shellfish Relay Overlay District

**BACKGROUND/ANALYSIS/RATIONALE:** This involves the amendment of the zoning ordinance to add a Recreational Shellfish Area and Shellfish Relay Overlay District. The purpose of the proposed overlay district is to protect the general public's interest in and access to the public tidelands by prohibiting the construction of new docks and piers, and limiting the expansion of existing docks and piers, in areas identified as significant for recreational shellfishing and shellfish propagation.

The areas identified for inclusion in the overlay district include areas deemed to possess significant shellfish habitat by the Town's Natural Resource Department Shellfish Biologist. On April 18, 2007, the Barnstable Shellfish Committee voted unanimously to support the proposed Recreational Shellfish Area and Shellfish Relay Area Overlay District as proposed by Councilor Barry.

**FISCAL IMPACT:** The fiscal impact is neutral.

**STAFF ASSISTANCE:** Patricia Daley, Director of Comprehensive Planning

**SPONSORS:** Richard Barry, Town Councilor and Ann Canedy, Town Councilor

**A. OLD BUSINESS (SECOND READING)**

**BARNSTABLE TOWN COUNCIL**

**2008-013 REQUEST FOR THE BARNSTABLE TOWN COUNCIL'S APPROVAL  
OF A PRESERVATION RESTRICTION AGREEMENT FOR THE  
CROWELL-SMITH HOUSE (AKA CROSBY HOUSE) LOCATED AT  
33 PINE AVENUE, HYANNIS, MA  
INTRO.: 08/16/07; 09/06/07**

The Parties to this Preservation Restriction Agreement (this "Agreement") are the **SOCIETY FOR THE PRESERVATION OF NEW ENGLAND ANTIQUITIES, D.B.A. HISTORIC NEW ENGLAND**, a Massachusetts charitable corporation having an address at Harrison Gray Otis House, 141 Cambridge Street, Boston, Massachusetts 02114-2702, (hereafter "Grantee") and **WALTER B. POLLOCK, III**, having an address at 33 Pine Avenue, Hyannis, Massachusetts 02601 (herein together with his heirs, successors, administrators and assigns called "Grantor").

Grantor and Grantee recognize the historic, architectural, cultural, scenic and aesthetic value and significance of the Premises, and have the common purpose of conserving and preserving the aforesaid value and significance of the Premises. To that end, Grantor desires to grant to Grantee, and Grantee desires to accept, the Preservation Restrictions set forth in this Agreement, pursuant to Massachusetts General Laws, Chapter 184, Sections 31-33.

NOW, THEREFORE, in consideration of One Dollar (\$1.00), receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, release and convey to Grantee, its successors and assigns this Preservation Restriction Agreement in perpetuity, in and to the Premises, as follows.

**SPONSOR:** President Janet Joakim

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

- \_\_\_ Read item
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**BARNSTABLE TOWN COUNCIL  
AGENDA ITEM SUMMARY  
2008-013  
INTRO: 08/16/07**

**TO:** Town Council  
**FROM:** Town Council President  
**DATE:** July 31, 2007  
**SUBJECT:** Request for the Barnstable Town Council's Approval of a Preservation Restriction Agreement for the Crowell-Smith House (aka Crosby House) Located at 33 Pine Avenue, Hyannis, MA

**BACKGROUND:** Grantor is the owner in fee simple of certain property known as the Crowell-Smith House (aka Crosby House) and located at 33 Pine Avenue, Town of Barnstable, Village of Hyannis, Massachusetts, which includes certain premises consisting of approximately .22 acres, being more particularly described in Exhibit A attached hereto and in that certain Land Court Certificate of Title No. 61009, filed in the Barnstable Registry District of the Land Court and which property is shown on Land Court Plan 23583-A as LOT 2, together with all improvements thereon (the "Premises"). The Premises are also shown in the photographs and diagrams attached as Exhibits B and C hereto. The building protected by this Agreement consists of the Crowell-Smith House (the "Crowell-Smith House") as labeled and more particularly shown in Exhibits B and C.

Grantee is a charitable corporation created in 1910 and exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code. By its Articles of Organization and By-Laws, Grantee is authorized to create, impose, accept and enforce preservation restrictions to protect sites and structures historically significant for their architecture, archaeology or other associations.

The Crowell-Smith House is historically significant and worthy of preservation. Originally located on the corner of Main Street and Pine Avenue and constructed in the early 19<sup>th</sup> century, the Crowell-Smith House was built for local sea captain Abner Crowell. In the mid-19<sup>th</sup> century, the house served as a parsonage for the First Baptist Society in Hyannis before being sold to Abner T. Crowell, another local sea captain. The house passed through a succession of owners in the early-20<sup>th</sup> century. It was acquired by the Smith family in 1949 and moved to its present location at 33 Pine Avenue in the 1950s. The Crowell-Smith House retains much of its original character and is an important example of transitional Federal and Greek Revival style architecture, materials and workmanship in the State of Massachusetts. In recognition of these qualities, the Crowell-Smith House (aka Crosby House) is listed in the State Register of Historic Places, is located within the locally-designated Hyannis Main Street Waterfront District, and is listed individually in the National Register of Historic Places as part of the Town of Barnstable Multiple Resource Area nomination.

The Crowell-Smith House is comprised of a two-story, five-bay, east facing main block (the "Main Block"), a one-and-a-half-story rear ell (the "Rear Ell") attached to the west elevation of the Main Block, a mid-twentieth century addition (the "Northwest Addition") located at the northwest elevation of the Main Block, and a cellar entry located at the west elevation of the Northwest Addition (the "Cellar Entry"). The Main Block, Rear Ell, Northwest Addition and



**BARNSTABLE TOWN COUNCIL**  
**AGENDA ITEM SUMMARY (Continued)**  
**2008-013**  
**INTRO: 08/16/07**

Cellar Entry are part of the Crowell-Smith House for the purposes of this Agreement. A greenhouse addition is located at the south elevation of the Main Block (the “Greenhouse”). The Greenhouse is not part of the Crowell-Smith House for the purposes of this Agreement. The Main Block, Rear Ell, Northwest Addition, Greenhouse, and Cellar Entry are as labeled and more particularly shown in Exhibits B and C.

Massachusetts General Laws, Chapter 184, Sections 31-33, authorizes the creation and enforcement of preservation restrictions appropriate to the preservation of a site or structure for its historical significance and for its natural, scenic and open condition.

**A. OLD BUSINESS (SECOND READING)**

**BARNSTABLE TOWN COUNCIL**

**2008-015 AUTHORIZATION TO LEASE FORMER HYANNIS ARMORY  
ASSESSORS MAP 326 AS PARCEL 004  
INTRO.: 08/16/07; 09/06/07**

**ORDERED:** that the Town Council hereby authorizes the Town Manager to enter into a lease for nominal rent for a term not to exceed ninety-nine (99) years with a non-profit organization seeking to permit, establish and operate a cultural center on land shown on Assessors Map 326 as Parcel 4, being the site of the former Hyannis Armory, having a street address of 225 South Street, Hyannis, and to execute and deliver any documents related thereto on behalf of the Town.

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

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

- \_\_\_ Read item
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**BARNSTABLE TOWN COUNCIL  
AGENDA ITEM SUMMARY  
2008-015  
INTRO.: 08/16/07**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**DATE:** August 16th, 2007  
**SUBJECT:** Authorization to lease former Hyannis Armory Assessors Map 326 as Parcel 004

**BACKGROUND:** The Town of Barnstable has invested considerable resources in its efforts to revitalize downtown Hyannis through land use regulation reforms, streetscape improvements and arts and culture initiatives.

With the launching of the seven artists shanties in the summer of 2005, there was a recognition of the importance of the creative economy to stimulate economic growth. Further cultivation of arts and culture activities will draw visitors and Cape residents to spend more time and money on Main Street. Last summer's successful arts and culture programs underscored the fact that Hyannis' proximity to public transportation, the hospital, commercial centers, local government centers and a working harbor, makes Hyannis the ideal location for a regional cultural destination.

In March 2006, the Town created a Task Force on the Arts to initiate discussions regarding the needs of our local arts organizations and in November, engaged the Arts Consulting Group, Inc. (ACG) to assess the feasibility of a new facility. ACG ascertained that local arts organizations confronted significant challenges with current performance spaces and subsequently determined that our local population of year-round residents and seasonal visitors is sufficient to support a 1,200 seat facility in the downtown Hyannis area.

Similarly, when local residents were asked in the 2007 Town of Barnstable Citizen Survey if they were supportive of the development of a privately funded Performing Arts Center in downtown Hyannis, an overwhelming number of respondents responded positively.

In an attempt to further solicit public input, in January 2007, the Town Manager created a Citizen Advisory Committee to discuss issues related to the development of this proposed facility. After meeting several times and analyzing the data presented to them, the Committee voted to recommend the Armory site as the preferred location for a Cultural Arts Center in Hyannis.

**ANALYSIS:** This authorization to lease will allow the Town Manager to negotiate specific terms with a local non-profit to use said property as a Cultural Arts Center, thereby contributing to economic development efforts by improving public access to arts and culture activities and opportunities.

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

**A. OLD BUSINESS (Public Hearing May Be Acted Upon)**

**BARNSTABLE TOWN COUNCIL**

**2008-016 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF  
\$1,785,000 FOR THE PURPOSE OF A TOWN WIDE COASTAL  
ACCESS PLAN  
INTRO.: 08/16/07; 09/06/07**

**ORDERED:** that the sum of \$1,785,000 be appropriated for the purpose of funding improvements to the Town's coastal properties and that to meet that appropriation, the Town Treasurer is authorized to borrow \$1,785,000 and that the Town Manager is authorized to contract and expend said appropriation made available for that purpose and is authorized to accept any grants or gifts in relation thereto and furthermore that the town rescind \$1,785,000 of borrowing authorization under Council Order 1998-054 for the purpose of the Barnstable United Transportation and Parking System. (BUTAPS).

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

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

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**BARNSTABLE TOWN COUNCIL  
AGENDA ITEM SUMMARY  
2008-016  
INTRO.: 08/16/07**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**DATE:** August 8, 2007  
**SUBJECT:** Appropriation and loan order in the amount of \$1,785,000 for the purpose of a town wide coastal access plan

**BACKGROUND:** People are inherently drawn to Barnstable because of the beautiful ocean, lakes, and ponds. The natural environment and water bodies in particular are an important economic driver and the town has a responsibility to our residents and visitors to maintain and enhance the town's coastal properties. Town-owned Ways to Water include Marinas, Beaches, Landings, Bulkheads, Docks, Parks, Boat Ramps, and other points of access deemed "Ways to Water" generically. Funds are needed for maintenance and capital improvements to improve our collective access to these waterways in a comprehensive manner. The creation of the Town of Barnstable's Coastal Access Plan is a collaborative effort between the Town Manager's office and various impacted town departments to enhance said access town wide.

**ANALYSIS:** This appropriation will improve access for residents and visitors to bodies of water throughout the town, thereby contributing to economic development efforts by improving public recreation space and opportunities.

**FISCAL IMPACT:** The Town's Capital Trust Fund includes provisions for annual debt service payments on the remaining \$1,785,000 BUTAPS authorization. This request will transfer these provisions to the CAP instead. Since this provision already exists in the CTF there is no impact to the overall available funds for future projects within the CTF.

**TOWN MANAGER RECOMMENDATION:** The Town Manager recommends approval of this appropriation and loan order.

**A. OLD BUSINESS (Public Hearing May Be Acted Upon)**

**BARNSTABLE TOWN COUNCIL**

**2008-017 COMMUNITY PRESERVATION FUND APPROPRIATION FOR  
COMMUNITY HOUSING  
INTRO.: 08/16/07; 09/06/07**

**ORDERED:** That, pursuant to the provisions of G. L. c. 44B, the sum of Fifty Thousand and No/100 (\$50,000.00) Dollars be appropriated and transferred from the amount set aside for Community Housing in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162; and that the Town of Barnstable Human Services Committee is authorized to contract and expend the amount for the contracting of project management services in establishing and implementing specifications for site, layout, design and organization of a wellness center for exceptionally low income and service needy persons.

**SPONSOR:** Town Manager upon recommendation of the Community Preservation Committee

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

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**BARNSTABLE TOWN COUNCIL  
AGENDA ITEM SUMMARY  
2008-017  
INTRO.: 08/16/07**

**TO:** Town Council  
**FROM:** Community Preservation Committee  
**DATE:** August 2, 2007  
**SUBJECT:** Rationale for the funding of a Wellness Center Project Manager

**BACKGROUND:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$50,000.00 from the Town of Barnstable Human Services Committee to fund a Wellness Center Project Manager.

**RATIONALE:** The project goal is to fund wellness center project management services in establishing and implementing specifications for site, layout, design and organization of a wellness center for exceptionally low income and service needy persons. The Wellness Center will be a 24/7 facility for anyone in the community that is homeless or about to enter homelessness. The individuals that enter the system will be provided with emergency housing, any necessary medical care and will be assessed for their current situation by a case manager that is assigned to them. Once the individual is ready they will be linked with the services that they need to begin their transition back into society.

The goal is to provide a continuum of care that will move clients through the process in a progressive manner. The Human Services Committee is working with various Social Service agencies with in the community that currently serve the homeless population. The Wellness Center will bring together local and state social services for a collaborative and comprehensive approach.

Funds allotted for the project management services will be matched by a host of local entities in the form of in-kind contributions that assist in the development of the Wellness Center. Funds for the construction of the building will originate with a variety of sources in future stages of the project.

**A. OLD BUSINESS (Public Hearing May Be Acted Upon)**

**BARNSTABLE TOWN COUNCIL**

**2008-020 APPROPRIATION ORDER FOR REFUNDS TO BE ISSUED TO  
QUALIFYING FY2006 RESIDENTIAL EXEMPTION TAXPAYERS  
THAT MISSED THE ABATEMENT FILING DEADLINE  
INTRO: 08/16/07; 09/06/07**

**ORDERED:** that the Town Council hereby appropriates the sum of \$30,000 from available funds for the purpose of issuing refunds to taxpayers who qualify for the FY2006 residential exemption but did not receive it.

**SPONSOR:** President Janet Joakim and Councilor Tom Rugo

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

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close Public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote



**BARNSTABLE TOWN COUNCIL**  
**AGENDA ITEM SUMMARY**  
**2008-020**  
**INTRO.: 08/16/07**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**DATE:** August 7, 2007  
**SUBJECT:** FY2008 Appropriation Order for Refunds to be Issued to Qualifying FY2006 Residential Exemption Taxpayers That Missed the Abatement Filing Deadline

**BACKGROUND:** In FY2006 the Town Council voted to implement for the first time a residential exemption. Due to the timing of the vote and the subsequent issuance date of the tax bills the assessing operations had to quickly implement procedures to attempt to identify those properties which qualified for the exemption. This included a mass mailing from the Assessor's office to all property owners requesting they apply for the exemption if they believed they were qualified. The mailing resulted in a portion of these letters going directly to mortgage companies or other addressees who failed to forward this information to the affected taxpayer. Other taxpayers simply failed to understand what was being offered to them and neglected to act on the information at all, even though they might qualify.

**ANALYSIS:** Needless to say the aforementioned procedures were not anticipated to provide for 100 percent accuracy. The abatement process was expected to clear up the inaccuracies. Some taxpayers who were eligible for the exemption and did not receive it, did not file an abatement. Subsequently, they became aware of their eligibility but it was beyond the abatement application time period. Mass General Finance Laws do not permit the Board of Assessors to grant abatements beyond the statutory time limits so there is no recourse for the taxpayer unless this appropriation is approved. The assessing operation will require a copy of the FY2005 Federal tax return and a secondary supporting document in order to qualify any taxpayer seeking a refund who had not been issued one already. If this appropriation is approved public notice will be provided of this opportunity for taxpayers with instructions for filing.

**FISCAL IMPACT:** The town anticipates having an excess overlay reserve for abatements and exemptions of over \$1 million for the FY2005. Essentially all Appellate Tax Court cases have been resolved for this tax year and this excess amount will close to the General Fund reserves. This appropriation is asking for \$30,000 of this excess reserve to be used for issuing refunds to qualifying taxpayers who missed the abatement filing period.

**TOWN MANAGER RECOMMENDATION:** The Town Manager recommends approval of the appropriation order after the required public hearing.

**STAFF ASSISTANCE:** Jeff Rudziak, Director of Assessing and Mark Milne, Director of Finance

**B. NEW BUSINESS (Refer to Public Hearing-September 20)**

**BARNSTABLE TOWN COUNCIL**

**2008-019 APPROPRIATION AND LOAN ORDER - PURSUANT TO TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM REGARDING THORNTON DRIVE (BARNSTABLE), ELLIOT ROAD (CENTERVILLE), EVANS STREET/ROBBINS STREET (OSTERVILLE) AND ACADIA DRIVE (MARSTONS MILLS)**

**ORDERED:**

That the sum of **\$1,607,978** be raised and appropriated for the purpose of making temporary repairs to private roads within the Town of Barnstable, and that to meet this Appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,607,978**, and the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and the Town Manager is further authorized to accept any grants and/or gifts and/or assessed betterments, in relation thereto.

**SPONSORS:** Councilors Curtis, Canedy, Farnham, Tobey, Crocker and President Joakim

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

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**AGENDA ITEM SUMMARY  
2008-019**

**TO:** Town Council

**FROM:** Councilors Curtis, Canedy, Farnham, Tobey, Crocker and President Joakim

**DATE:** September 6, 2007

**SUBJECT:** Appropriation and Loan Order for Temporary Repairs to Private Roads Program Pursuant to Thornton Drive (Barnstable), Elliott Road (Centerville), Evens/Robbins Streets (Osterville) and Acadia Drive (Marstons Mills)

**BACKGROUND**

The successful passage of Chapter 174 of the Acts of 1994 by the State Legislature of Home Rule legislation authorizes the town to borrow an amount not to exceed \$10 million for repairs to private roads. The Town Council has instituted a Temporary Roads Program which was reviewed by the Roads Committee and submitted to and approved by the Department of Public Works Commission in December 2005. 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 twenty years (with interest). None of these roads will be taken by the Town of Barnstable and will remain private roads. Since the inception of the program, \$2.6 million has been borrowed with betterments assessed to all property abutters. There are now four private roads in which a majority of the property abutters have expressed an interest in having repairs made-Thornton Drive, Elliott Road, Evans/Robbins Streets and Acadia Drive.

**ANALYSIS**

The specific roadway sections, together with a general outline of work to be executed, are as follows:

**Thornton Drive (Barnstable):** Drainage improvements, installation of “speed bumps” and paving.  
Cost of improvements: \$358,283; cost per 22 abutters: \$16,285

**Elliot Road, including the following dead end secondary roads off Elliott that must use Elliott to enter and egress their roads and are included in the list of abutters - Broken Dike Road, Alberti Way, Fox Run and Sea Marsh Road - (Centerville):** Drainage improvements; installation of “speed bumps” and paving supplemented with geotextile fabric  
Cost of improvements: \$865,125; cost per 112 abutters: \$7725

**Evans/Robbins Streets(Osterville): Included in the betterment equation are the actual abutters of Evans/Robbins Streets and the abutters of Donna Avenue and Stone Horse Road, connector roads between Robbins and Evans, who must use Robbins/Evans Streets to enter and exit their roads.-):** Drainage improvements and paving.  
Cost of improvements: \$362,100; cost per 51 abutters \$7,100

**Acadia Drive (Marstons Mills):** Drainage improvements at the intersection of Old Post Road.  
Cost of improvements \$22,471; cost per 12 abutters: \$1,873

**FISCAL IMPACT**

The Town of Barnstable will issue a bond to cover the cost of the repairs to these four roads. Subsequently, the property abutters will be assessed their fair share of the improvements in the form of betterment and they will have the option to pay the betterments in one payment or apportion the betterment over a period of time with interest. The payments to the Town of Barnstable for the betterments assessed will be used to make the annual loan payments on the bond which is issued to finance all costs associated with the project.

**TOWN MANAGER RECOMMENDATION**

The Town Manager recommends that the Town Council approve this Appropriation and Loan Order after the holding of a public hearing.

**STAFF ASSISTANCE****Department of Public Works**

Mark Ells  
Roland Breault  
Robert Burgmann  
Roger Parsons  
Denise Devlin

**Legal**

Robert Smith  
Charles McLaughlin

**Finance**

Mark Milne

**B. NEW BUSINESS (First Reading)**

**BARNSTABLE TOWN COUNCIL**

**2008-021 APPOINTMENTS**

**INTRO.: 09/06/07**

That the Barnstable Town Council appoint the following individuals to a multiple member town board/committee/commission.

**AIRPORT COMMISSION APPOINTMENT:**

Ronald Pursuite, 59 Colonial Way, West Barnstable, MA 02668, term expires 06/30/2010

**AIRPORT COMMISSION REAPPOINTMENT:**

Michael Dunning, 399 Old Jail Lane, Barnstable, MA 02630, term expires 06/30/2010

**SPONSORS:** Appointments Committee

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

- \_\_\_\_\_ Read item
- \_\_\_\_\_ Council discussion
- \_\_\_\_\_ Move/vote

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008- 022**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR OPEN SPACE – Mills Property (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Fifty Thousand and No/100 (\$150,000.00) Dollars be appropriated and transferred from the amount set aside for Open Space CPA funds in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162 for the purpose of acquiring open space by co-purchasing with the Town of Mashpee approximately 15 acres of Mills family properties located adjacent to the so-called Cape Club lands that were acquired in 2002 and said funds would be used in conjunction with Town of Mashpee CPA funds and accept any gifts or grants including without any limitation the EOEA Drinking Water Supply Protection Grant and authorize the Town Manager to contract for and expend the amount approved and execute and deliver any documents in connection therewith on behalf of the Town.

**Sponsor:** Town Manager upon 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**  
**2008- 022**  
**AGENDA ITEM SUMMARY**

**To:** Town Council  
**From:** Community Preservation Committee  
**Date:** August 27, 2007  
**Subject:** Mills Property Acquisition Rationale

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$150,000.00 from the Town of Mashpee to co-purchase for open space approximately 15 acres of Mills family lands in the Town of Mashpee.

**Rationale:** The Barnstable Community Preservation Committee has voted to recommend funding of \$150,000 of the \$240,000 requested by the Mashpee Community Preservation Committee for the purchase of the so called Mills property in the Town of Mashpee. This approximately 15.235 acre parcel was part of the original proposal for the purchase of the Cape Club Golf Course property now called the Santuit Pond Preserve. The appraised value of this property is \$835,000. Mashpee Town meeting has previously voted to fund \$727,000 for the purchase of this land and contingencies. The proposal is that the property would be jointly owned and managed by both Towns as a part of the Santuit Pond Preserve. This land is important to Barnstable in that it continues our partnership with the Town of Mashpee protecting important Open Space. The land is an important high priority wildlife habitat and a wildlife corridor according to a 2003 study. This land provides linkages to existing trails and hiking areas. Preservation of these parcels will also protect a Zone 2 water supply recharge area. The care and maintenance of this land is important to Barnstable residents in the Hollow Road / Santuit Newtown Road area in that management of illegal off road vehicles and dumping is most easily served by Barnstable resources as this land abuts our existing holdings. In fact historically the lands east of Santuit Pond and the Santuit River were once part of the Town of Barnstable, those water bodies formed a natural boundary, and when Mashpee was incorporated the town line was changed and it fell along parcel boundaries that had been established at the time.

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-023**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR COMMUNITY HOUSING – Barnstable Housing Authority (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars be appropriated and transferred from the amount set aside for Community Housing in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162 for the purpose of creating and supporting the purchase of affordable rental units, by the Barnstable Housing Authority, through the Town of Barnstable’s Inclusionary Housing Ordinance by allocating \$50,000 per unit to buy down the cost of seven (7) anticipated units to be created in 2007 to be administered by the Town of Barnstable, Growth Management Department and authorize the Town Manager to acquire affordable housing restrictions, easements and other security on behalf of the Town.

**Sponsor:** Town Manager upon recommendation of the Community Preservation Committee

<u>DATE</u>	<u>ACTION TAKEN</u>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote



**BARNSTABLE TOWN COUNCIL**  
**2008-023**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for the funding for the Barnstable Housing Authority WHIP

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$350,000.00 from the Barnstable Housing Authority for their Workforce Housing Inclusionary Program (WHIP).

**Rationale:** The project goal is to create and support the purchase of affordable rental units, by the Barnstable Housing Authority, which units have been created through the Town of Barnstable's Inclusionary Housing Ordinance. The request is for \$50,000 per unit to buy down the cost of seven (7) anticipated units to be created in 2007. The Barnstable Housing Authority is the designated buyer for these units and the funds requested would greatly help in lowering the mortgages therefore lowering the rent necessary to meet expenses of these units.

The estimated seven new units will not have state or federal subsidies attached so the rents must be low enough to be affordable to participating families and at the same time meet the associated costs such as the mortgage payment, insurance, management and upkeep. The Barnstable Housing Authority will provide the administrative support for the program and use Barnstable Housing Authority funds for the closing costs associated with the conventional bank loans. Each unit will be deed restricted requiring that the unit remains affordable in perpetuity.

# BARNSTABLE TOWN COUNCIL

**ITEM NO.: 2008-024**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR COMMUNITY HOUSING --  
Community Action Committee of Cape Cod (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Thousand and No/100 (\$100,000.00) Dollars be appropriated and transferred from the amount set aside for Community Housing in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162 for the purpose of creating and supporting affordable community housing by entering into a grant agreement with the Community Action Committee of Cape Cod & Islands' for leasing affordable, decent, safe and sanitary housing units.

**Sponsor:** Town Manager upon 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**  
**2008-024**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for the funding for Community Action Committee of Cape Cod & Islands, Inc. (CACCI)

**Background:** The Community Preservation Committee (CPC) met on August 21, 2007 and has recommended that the town support the funding request of \$100,000.00 from the Community Action Committee of Cape Cod & Islands, Inc.

**Rationale:** The project goal is to help support the creation of affordable community housing through a grant agreement for the issuance of rental assistance funds to be made available to property owners who lease decent, safe and sanitary housing units to program eligible tenants. The requested funding will cover the first year of a five year program which will provide vouchers for 15 to 30 families to pay the difference between the market rent and the affordable rental amount. These families would be those who earn up to 80% of the HUD Median Income for this region. CACCI will provide voucher payments of an approved amount directly to the Owner and the Tenant shall pay the balance of rent to the Owner.

The objective is to provide Barnstable residents and workers with affordable housing under a program that would offer education on homeownership, asset development savings plans, credit counseling and training in tenancy skills to maintain housing. The length of the program would allow voucher holders to move from subsidized housing to the private market.

The CACCI will be required to execute a monitoring agreement and retain the service of a monitoring agreement acceptable to the Town, at its own expense, which would verify that eligible tenants are renting the units at affordable rents.

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-025**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION  
–Marstons Mills Public Library (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Twelve Thousand Six Hundred Thirty Five and No/100 (\$112,635.00) Dollars be appropriated and that \$112,635 be raised from the current year estimated revenue in the community preservation fund; for preservation and rehabilitation purposes for alterations at the Marstons Mills Public Library including the installation of a limited-use/limited-access elevator and the installation of fire and carbon monoxide detectors as well as alterations made to the 1894 wing to include adaptation of main floor bathroom to meet ADA compliance, replacement or restoration of five (5) failing windows, correction of drainage issues, re-shingling of north dormer, replacement or restoration of fascia trim and insulation of floors and authorize the Town Manager to acquire historic preservation restrictions, easements or other security on behalf of the Town.

**Sponsor:** Town Manager upon 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**  
**2008-025**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for Marstons Mills Public Library funding request

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$112,635.00 from the Marstons Mills Public Library for preservation and rehabilitation of a historic building.

**Rationale:** The project goal is to acquire a preservation restriction for complete restoration and historic preservation for alterations at the Marstons Mills Public Library. These alterations will include the installation of a limited-use/limited-access elevator to provide handicap access to the second floor and the installation of fire and carbon monoxide detectors as well as alterations made to the 1894 wing. These alterations include adaptation of the main floor bathroom to meet ADA compliance, replacement or restoration of five (5) failing windows, correction of drainage issues, re-shingling of the north dormer, replacement or restoration of fascia trim and the insulation of floors.

The CPC funds requested are being supplemented with \$98,515 in funding from the Library for additional alterations and additions to the building that is outside the scope of the CPC request. Some of these items have already been completed and the remainder of the items' completion is contingent upon the installation of the elevator.

## **BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-026**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR COMMUNITY HOUSING –  
First Baptist Church of Hyannis (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Fifteen Thousand Three Hundred Sixty and No/100 (\$115,360.00) Dollars be appropriated and transferred from the amount set aside for Historic Preservation in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162; to acquire an historic preservation restriction at the First Baptist Church for complete historic preservation and restoration of the eight stained glass windows in their sanctuary to include the removal, re-leading of the glass, repairs to the wooden frames and reinstallation in the condition of the original installation in 1897.

**Sponsor:** Town Manager upon recommendation of the Community Preservation Committee

- Read item
- Motion to open public hearing
- Rationale
- Public hearing
- Close public hearing
- Council discussion
- Move/vote

**BARNSTABLE TOWN COUNCIL**  
**2008-026**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for the funding restoration stained glass windows

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$115,360.00 from the First Baptist Church of Hyannis for complete historic preservation and restoration of eight (8) stained glass windows.

**Rationale:** The project goal is to acquire a preservation restriction for complete restoration and historic preservation of the eight (8) stained glass windows in the sanctuary of the First Baptist Church in Hyannis. The restoration will include the removal of the windows for off-site restoration and re-leading of the glass, repairs to the wooden frames and reinstallation of the windows in the condition of the original installation in 1897.

The First Baptist Church was built in 1825 and is the oldest church in Hyannis. The stained glass windows date from 1897 and were given in memory of loved ones by local families. This restoration project would help to preserve an integral part of a visible historic building located within the Hyannis Main Street Waterfront Historic District.

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-027**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION—Burgess House (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Twenty Two Thousand and No/100 (\$22,000.00) Dollars be appropriated and that \$22,000 be raised from the current year estimated revenue in the community preservation fund; and that the Town of Barnstable, Department of Public Works is authorized to contract for and expend said funds for preservation and rehabilitation purposes for a comprehensive, professional Preservation Assessment for the two buildings located on the Burgess property that will appropriately cover historical, architectural, structural, electrical, plumbing, heating/ventilation, building code and life safety issues as well as provide specific detailed recommendations for historically appropriate work.

**Sponsor:** Town Manager upon recommendation of the Community Preservation Committee

<u>DATE</u>	<u>ACTION TAKEN</u>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote



**BARNSTABLE TOWN COUNCIL**  
**2008-027**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 23, 2007

**Subject:** Rationale for the funding of a Preservation Assessment at the Burgess property

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$22,000.00 from the Marstons Mills Village Association for a comprehensive, professional Conservation Assessment of the two historic buildings located on the Town-owned Burgess property.

**Rationale:** The project goal is to fund a Preservation Assessment that will appropriately cover historical, architectural, structural, electrical, plumbing, heating/ventilation, building code and life safety issues. The assessment will provide detailed and historically appropriate recommendations for work to be performed along with a thorough cost estimate. Lastly, the assessment will make recommendations for an ongoing cyclical maintenance program to assure that the buildings receive proper care once the historic rehabilitation has been completed.

The Town-owned Burgess property, by order of the Town Manager, has been designated for use by the Marstons Mills Village Association, a private non-profit organization, in exchange for which said organization bears responsibility for the property's management and care. The Marstons Mills Village Association broadens this partnership by reaching out to individuals and organizations throughout the community who meet regularly at the Burgess House to develop a volunteer network for work on the property as well as for financial assistance.

The Burgess House and barn in their original setting present a valuable scenic and historic element along Route 149, a designated scenic road. Once the rescue and rehabilitation is complete, the buildings will they will furnish valuable exhibition, as well as provide meeting and programmatic space for the Community which will help the property become financially self-sustaining.

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-028**

**INTRO.:9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION—Sandy Neck Beach Project (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Twelve Thousand and No/100 (\$12,000.00) Dollars be appropriated and that \$12,000 be raised from the current year estimated revenue in the community preservation fund; and that the Town of Barnstable, Community Services Department is authorized to contract for and expend said appropriation for preservation purposes for the contracting of an archeological survey needed for the Sandy Neck Beach House and Parking Lot project which is within the Sandy Neck Archaeological site which is located within the Sandy Neck Cultural Resources District and the Barnstable Multiple Resource Area listed in the State and National Register of Historic Places and the Old King’s Highway Regional Historic District.

**Sponsor:** Town Manager upon recommendation of the Community Preservation Committee

<u>DATE</u>	<u>ACTION TAKEN</u>
_____	_____
_____	_____

- \_\_\_ Read item
- \_\_\_ Motion to open public hearing
- \_\_\_ Rationale
- \_\_\_ Public hearing
- \_\_\_ Close public hearing
- \_\_\_ Council discussion
- \_\_\_ Move/vote

**BARNSTABLE TOWN COUNCIL**  
**2008-028**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Sandy Neck Historic Inventory Rationale

**Background:** The Community Preservation Committee (CPC) met on August 21, 2007 and has recommended that the town support the funding request of \$12,000.00 from the Town of Barnstable, Community Services Department for an Archeological Survey needed for the Sandy Neck Beach House and Parking Lot project.

**Rationale:** The proposed Sandy Neck Beach Park improvements fall within the Sandy Neck Cultural Resources District. This area is significant historically because of the long use of the area by Native Americans and early European settlers. Because of the ever changing nature of the coastal barrier beach, it is important to survey the area for ancient structures, artifacts and other significant historic resources. A careful pre-construction survey will help to properly site the proposed project and help to avoid any unexpected discoveries during construction that would delay the project.

# BARNSTABLE TOWN COUNCIL

**ITEM NO.: 2008-029**

**INTRO.: 9/6/2007**

COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION-  
- Old Selectmen's Building (**Refer to Public Hearing -September 27**)

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Fifty Thousand and No/100 (\$50,000.00) Dollars be appropriated and transferred from the amount set aside for Historic Preservation in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162; and that the Town of Barnstable, Department of Public Works is authorized to contract for and expend said appropriation for preservation and rehabilitation purposes for the contracting of an Historic Structures Report for historic preservation remediation and supporting architectural construction documents according to the Secretary of the Interiors standards at the circa 1889 Old Selectmen's Building.

**Sponsor:** Town Manager upon 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**  
**2008-029**  
**AGENDA ITEM SUMMARY**

**To:** Town Council  
**From:** Community Preservation Committee  
**Date:** August 27, 2007  
**Subject:** Old Selectmen's Building Rationale

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$50,000.00 from the Town of Barnstable, Department of Public Works for the contracting of an historic structures report which will detail and provide construction documents for reconstruction and recommendations in conformance with the Secretary of Interiors Standards.

**Rationale:** The Old Selectman's Building dates from 1889 and is one of the most significant historical structures owned by the town. The existing brick skirt foundation of this building is failing and needs to be replaced. In order to complete this work and other much needed restoration to the building a comprehensive historic assessment of the entire structure must be completed. From this assessment, a plan for the proposed restoration work will be developed that will insure the proper steps are taken in the correct order to provide long term stability to this important historic edifice.

# BARNSTABLE TOWN COUNCIL

**ITEM NO.: 2008-030**

**INTRO.: 9/6/2007**

COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION -  
-West Barnstable Community Building (**Refer to Public Hearing -September 27**)

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Forty Two Thousand Six Hundred Ten and No/100 (\$142,610.00) Dollars be appropriated and transferred from the amount set aside for Historic Preservation in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162; and that the Town of Barnstable, Department of Public Works is authorized to contract for and expend said appropriation for the purpose of preservation and rehabilitation by removal, repair and replacement of the existing failing roof, replacement of exterior wood sidewall shingles and trim and drainage repairs and improvements at the historic circa 1903 West Barnstable Community Building facility.

**Sponsor:** Town Manager upon 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**  
**2008-030**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for the funding of building improvements for the West Barnstable Community Building

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$142,610.00 from the Town of Barnstable, Department of Public Works for building improvements to the West Barnstable Community Building.

**Rationale:** The project goal is to fund the removal, repair and replacement of the existing unsafe roof material, removal and replacement of the wood sidewall shingles and trim as well as drainage repairs and improvements on the property.

This circa 1903 historic building is used by the Recreation Department and the public on a daily basis, with its adjoining grounds and ball field. It is a Town facilities heavily used by our residents and programs. Over the past few years improvements have been made to the interior and exterior of the building and adjoining program areas. The exterior shell of the building is deteriorating and is in need of replacement. The roof and sidewalls will soon fail which would cause extensive damage.

The issuance of these funds will help in continuing to renovate and maintain this Town asset adding to the preservation of an historic Town resource in the upcoming years.

## **BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-031**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION-  
- Centerville Community Center facility (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Seventy Eight Thousand, One Hundred and No/100 (\$178,100.00) Dollars be appropriated and transferred from the amount set aside for Historic Preservation in the Community Preservation Fund on June 21, 2007 under agenda item number 2007-162; and that the Town of Barnstable, Department of Public Works is authorized to contract for and expend said appropriation for the purpose of preservation and rehabilitation by removal, repair and replacement work on the existing failing roof and construction of an ADA compliant handicap ramp and related site work at the historic circa 1880 Centerville Community Center facility.

**Sponsor:** Town Manager upon 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**  
**2008-031**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for the funding of building improvements for the Centerville Community Center facility

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$178,100.00 from the Town of Barnstable, Department of Public Works for building improvements and construction of a new ADA handicap ramp at the Centerville Community Center facility.

**Rationale:** The project goal is to fund the removal, repair and replacement of roof shingles and the construction of a new ADA compliant ramp and related site work. By providing upgrades to the existing building, including ADA compliant handicap access, will enhance the buildings character within the Town of Barnstable.

The circa 1920 Centerville Community Center building is a facility that is heavily used by the Recreation Department programs and the public on a daily basis. Its adjoining playground and ball field contribute to making it one of the busiest Town facilities used by our residents and programs.

For the past several years, improvements have been made to the Centerville Community Center building and surrounding facilities. Recent investigation into the existing roof sheathing revealed significant deterioration and pending failure of wooden roofers that will need replacing at the time of re-roofing.

The funding of this project will help continuing renovations and maintenance of this Town asset and adds to the preservation of a historic Town resource.

# BARNSTABLE TOWN COUNCIL

**ITEM NO.: 2008-032**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION -  
-New Town Hall Building (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Eighty Thousand Seven Hundred and No/100 (\$180,700.00) Dollars be appropriated and that \$180,700 be raised from the current year estimated revenue in the community preservation fund; and that the Town of Barnstable, Department of Public Works is authorized to contract and expend the said appropriation for the purpose of preservation and rehabilitation by completing roof and foundation assessments, plans and specifications and building costs relating to the replacement of twenty two (22) unsafe windows and brick and tuck pointing repairs at the circa 1897 historic new Town Hall Building.

**Sponsor:** Town Manager upon 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**  
**2008-032**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for the funding of rehabilitation of the historic New Town Hall Building.

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$180,700.00 from the Town of Barnstable, Department of Public Works for the Town Hall Building.

**Rationale:** The project goal is to fund the soft costs and construction costs for preservation and rehabilitation of the New Town Hall by conducting professional roof and foundation assessments, brick and tuck pointing repairs and the replacement of twenty two (22) unsafe windows.

The historic circa 1897 New Town Hall is the public image of the Town and is heavily used by Town staff and the public which makes it one of the busiest Town facilities. Continuing to renovate and maintain this Town asset adds to the preservation of a historic Town resource.

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-033**

**INTRO.: 9/6/2007**

**COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION -  
-School Administration Building (Refer to Public Hearing -September 27)**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Sixty Six Thousand Seven Hundred and No/100 (\$66,700.00) Dollars be appropriated and that \$28,740 be transferred from the amount set aside for historic preservation and that \$37,960 be raised from the current year estimated revenue in the community preservation fund; and that the Town of Barnstable, Department of Public Works is authorized to contract and expend said appropriation for the purpose of preservation and rehabilitation plans and specifications for the following; roof assessment, foundation assessment, repairs to the foundation and drains, roof deck re-construction and brick and tuck pointing at the circa 1897 historic School Administration Building.

**Sponsor:** Town Manager upon 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**  
**2008-033**  
**AGENDA ITEM SUMMARY**

**To:** Town Council

**From:** Community Preservation Committee

**Date:** August 27, 2007

**Subject:** Rationale for preservation and rehabilitation of the historic School Administration Building.

**Background:** The Community Preservation Committee (CPC) met on July 31, 2007 and has recommended that the town support the funding request of \$66,700.00 from the Town of Barnstable, Department of Public Works for the School Administration Building.

**Rationale:** The project goal is to fund the soft costs and design fees associated with the roof assessment, foundation assessment, repairs to the foundation and drains, and brick and tuck pointing at the historic circa 1897 School Administration Building. From these assessments, a plan for the proposed restoration work will be developed that will insure the proper steps are taken in the restoration of this important historic municipal structure that is heavily used by Town staff and the public on a daily basis.

**BARNSTABLE TOWN COUNCIL**

**ITEM NO.: 2008-034**

**INTRO: 9/06/2007**

**Appropriation Order to Fund Collective Bargaining Agreements (Refer to Public Hearing - September 20)**

**ORDERED**

That the Town Council hereby raise and appropriate the sum of \$545,300 for the purpose of funding the FY2008 General Fund operating budget salaries, and that the sum of \$14,500 be appropriated for the purpose of funding the FY2008 Solid Waste Operating Budget salaries, and that \$14,500 be raised from current year revenues in the Solid Waste Enterprise Fund.

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

- Read item
- Motion to open public hearing
- Rationale
- Public hearing
- Close public hearing
- Council discussion
- Move/vote

^^

**AGENDA ITEM SUMMARY  
2008-034**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**DATE:** August 30, 2007  
**SUBJECT:** FY2008 Appropriation Order to Fund Collective Bargaining Agreements

**BACKGROUND**

The current collective bargaining agreements between the Town of Barnstable and several municipal employee units expired on June 30, 2007. The Town has been in negotiations with the unions on a successor agreement.

**ANALYSIS**

After several months of negotiations, the Town anticipates reaching agreements with the unions for a 3-year contract covering the period July 1, 2007 to June 30, 2010. The largest unit, Barnstable Municipal Employees Association has ratified the agreement on August 1, 2007 and it is anticipated other units will settle under similar terms.

**FISCAL IMPACT**

All of the enterprise funds, except for the Solid Waste Fund, have budgeted provisions within their respective funds to cover their share of this cost. Additionally, there is no provision in the FY2008 General Fund budget to cover its share of the contract settlements. An appropriation is needed for Solid Waste Enterprise Fund (\$14,500) and the General Fund (\$545,300).

**TOWN MANAGER RECOMMENDATION**

The Town Manager recommends approval of the appropriation order after the required public hearing.

**STAFF ASSISTANCE**

William E. Cole, Human Resources Director