



# Town of Barnstable

## Town Council

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### Councilors:

Frederick Chirigotis  
President

Harold E. Tobey  
Vice President

Richard G. Barry  
Janice L. Barton  
Ann A. Canedy  
James H. Crocker, Jr.  
Leah C. Curtis  
Henry C. Farnham  
Janet S. Joakim  
J. Gregory Milne  
James F. Munafo, Jr.  
Tom Rugo  
James M. Tinsley, Jr.

Administrator:  
Donald M. Grissom

Administrative  
Assistant:  
Barbara A. Ford

## **TOWN COUNCIL MEETING**

### **AGENDA**

**January 8, 2009**

**7:00 PM**

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
  - **Report of the Coastal Resources 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: January 22nd**

ITEM NO.	INDEX TITLE	PAGE
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**A. OLD BUSINESS**

None

**B. NEW BUSINESS**

<b>2009-057</b>	Authorization of a school transportation contract in excess of 3-years ( <b>May be acted upon</b> ).....	3 – 4
<b>2009-058</b>	Appropriation and transfer order for FY09 parking enforcement expenses ( <b>Refer to public hearing 01/22/09</b> ).....	5 – 6
<b>2009-059</b>	Authorization, pursuant to MGL Chapter 44 Section 31D to approve expenditures in excess of available appropriation for snow and ice removal for fiscal year 2009 ( <b>May be acted upon</b> ) .....	7 - 8

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**Minutes** – December 20, 2008

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**Please Note:** 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.

**B. NEW BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-057**  
**INTRO: 01/08/09**

**2009-057 AUTHORIZATION OF SCHOOL TRANSPORTATION CONTRACT WITH AN EXCESS OF 3-YEARS**

**RESOLVED**, that the Town Council authorizes the award of a contract for regular and extracurricular school transportation to First Student, Inc., as approved by the School Committee on December 9, 2008 for a term of 36 months beginning July 1, 2009 and ending June 30, 2012, with an option on the part of the School Committee, to extend the term for an additional 24 months beginning July 1, 2012, and ending June 30, 2014

**SPONSOR:** Councilor Janice Barton

# **BARNSTABLE TOWN COUNCIL**

## **AUTHORIZATION OF SCHOOL TRANSPORTATION CONTRACT WITH AN EXCESS OF 3-YEARS**

**ITEM# 2009-057  
INTRO: 01/08/09**

### **SUMMARY**

**TO:** Town Council  
**FROM:** School Committee  
**THROUGH:** Janice L. Barton, Town Councilor  
**DATE:** December 19, 2008  
**SUBJECT:** Authorization for Contract for School Transportation in Excess of Three Years

**BACKGROUND:** On December 9, 2008, the School Committee voted to award a contract for regular and extracurricular school transportation to First Student, Inc. for a term of 36 months beginning July 1, 2009, and ending June 30, 2012, and with an option on the part of the School Committee to extend the term for an additional 24 months beginning July 1, 2012, and ending June 30, 2014. The contract award was made contingent upon authorization of the Town Council of a contract term, including the option period, in excess of three years. Under Section 12(b) of the Uniform Procurement Act (M.G.L. c. 30B), a contract may not be awarded for a term exceeding three years, including any renewal, extension, or option, without a majority vote of the Town Council. Such authorization may apply to a single contract or to any number or types of contracts, and may specify a uniform limit or different limits on the duration of any such contracts.

**RATIONALE:** Barnstable has contracted for school transportation for many years. The current five-year contract with First Student, Inc. expires at the end of the 2008-2009 school year. Staff from the School Department, Finance Department, Human Resources Department, and Department of Public Works, have studied the feasibility of the School Department providing transportation by leasing to purchase buses and using School Department employees to operate and maintain them. Although the study group concluded that an in-district operation could achieve operational savings, there are challenges in terms of locating suitable facilities for storage and maintenance of buses; it is doubtful that the necessary facilities could be operational by the start of the 2009-2010 school year. Therefore, the School Committee decided to continue contracting for school transportation, with the goal of partnering with the Department of Public Works to establish bus storage and maintenance facilities on DPW property in time to begin an in-district transportation operation by July 1, 2012.

**FINANCIAL IMPACT:** The contract price for the entire term, including the option period, is a maximum of \$11,704,100. The School Committee has reserved the right in the contract to reduce the number of buses as circumstances dictate, with corresponding reductions in the contract price.

**B. NEW BUSINESS (Refer to Public Hearing 01/22/09)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-058**

**INTRO: 01/08/09**

**2009-058 APPROPRIATION AND TRANSFER ORDER FOR FY09 PARKING  
ENFORCEMENT OPERATING EXPENSES**

**ORDERED**, that the Town Council hereby appropriates the sum of \$54,400 for fiscal year 2009 parking enforcement expenses, and to meet this appropriation that \$54,400 be transferred from available funds within the Bismore Parking Special Revenue Fund.

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

**BARNSTABLE TOWN COUNCIL**  
**APPROPRIATION & TRANSFER ORDER FY09**  
**PARKING ENFORCEMENT EXPENSES**

**ITEM# 2009-058**  
**INTRO: 01/08/09**

**SUMMARY**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**DATE:** December 22, 2008  
**SUBJECT:** FY09 Appropriation Order for the Parking Enforcement Expenses

**BACKGROUND:** In the summer of 2008, the Town Manager requested the parking area in the southerly portion of Bismore Park be refurbished and returned to use as a municipal parking lot. The town is installing new parking Kiosks in this area that will become operational in fiscal year 2009 eliminating the need for on-site parking attendants. In their place, parking enforcement will be increased to 16 hours, days seven days a week. The enforcement function will be handled by the Regulatory Service Department, which will need to hire additional part-time staff and vehicles.

**ANALYSIS:** Expenses for operating this parking lot are estimated to be \$20,400 through the end of fiscal year 2009. Additionally, \$34,000 is requested to buy two "Smart Cars." These are 2-passenger small "city vehicles" with MPG ratings of approximately 35 MPG. These vehicles will be used for parking enforcement at Bismore as well as other areas in town. It is estimated that the new parking Kiosks will generate an additional \$220,000 in revenue annually.

**FISCAL IMPACT:** This appropriation request is funded from the Bismore parking special revenue fund, which has a balance of \$118,127. Approval of this appropriation will allow the town to implement the new parking enforcement program, which is anticipated to increase annual revenues by \$220,000. The use of "Smart Cars" for parking patrol functions will save approximately \$1800.00 per year at today's fuel costs.

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

**STAFF ASSISTANCE:** Growth Management Department, Finance Department, D.P.W. Department, and the Regulatory Services Department

**B. NEW BUSINESS (May be acted upon)**

**BARNSTABLE TOWN COUNCIL**

**ITEM# 2009-059**

**INTRO: 01/08/09**

**2009-059 SNOW AND ICE OVERDRAFT ORDER**

**ORDERED:** That pursuant to Chapter 44, Section 31D MGL, which provides for the ability of the Town to incur liability and make expenditures for any fiscal year in excess of appropriation for snow and ice removal; the Town Council approves expenditures in excess of available appropriation for snow and ice removal for fiscal year 2009, subject to further approval action by the Town Manager

**SPONSOR:** Town Manager

**BARNSTABLE TOWN COUNCIL**  
**SNOW AND ICE OVERDRAFT ORDER**

**ITEM# 2009-059**  
**INTRO: 01/08/09**

**SUMMARY**

**AGENDA ITEM SUMMARY**

**TO:** Town Council  
**FROM:** John C. Klimm, Town Manager  
**THROUGH:** Mark S. Ells, Director  
**DATE:** January 2, 2009  
**SUBJECT:** Snow and Ice Overdraft

**BACKGROUND:** It is customary to approve an overdraft authorization to ensure that snow and ice operations are not interrupted or suspended when the amount contained in the regular appropriation for this purpose is expended. For FY 2009, the Town appropriated \$600,000 for this purpose.

**ANALYSIS:** Chapter 44, Section 31D, MGL provides in part that “any city or town may incur liability and make expenditures in excess of available appropriations for snow and ice removal provided that such expenditures are approved by the city manager and the city council in a city having a city manager....; provided, however, that the appropriation for such purposes in said fiscal year equaled or exceeded the appropriation for said purposes in the prior fiscal year. Expenditures made under authority of this section shall be certified to the Board of Assessors and included in the next annual tax rate.”

**FISCAL IMPACT:** The Town appropriated \$600,000 for said purpose in FY 2009. In FY08 the total expended was \$750,528.53. Expenditures for preceding years were as follows: FY07 - \$322,683.99, FY06 - \$668,803.13, FY05 - \$1,933,038.52, FY04 - \$684,228.35, FY03 - \$835,604.02, FY02 - \$196,711.06, FY01 - \$209,189.48, FY00 - \$344,584, FY99 - \$656,097.22, FY98 - 108,226, FY97 - \$380,145; FY96 - \$1,130,160, FY95 - \$139,362; and FY94 - \$801,485.

**TOWN MANAGER RECOMMENDATION:** The Town Manager requests favorable action by the Town Council.

**STAFF ASSISTANCE:** Mark S. Ells, Director, Department of Public Works