



Town of Barnstable Town Council

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TOWN COUNCIL MEETING AGENDA April 15, 2010 7:00 PM

Councillors:

Frederick Chirigotis
President

James H. Crocker
Vice President

Richard G. Barry
Janice L. Barton
Ann B. Canedy
Debra S. Dagwan
Henry C. Farnham
Janet S. Joakim
J. Gregory Milne
James F. Munafo, Jr.
John T. Norman
Tom Rugo
James M. Tinsley

Administrator:
Donald M. Grissom

Administrative
Assistant:
Barbara A. Ford

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 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: May 6, 2010

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Minutes — April 1, 2010

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.

A. OLD BUSINESS (Public hearing) (Roll-call)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-095

INTRO: 04/01/10, 04/15/10

2010-095 APPROPRIATE \$75,000 AIRPORT ENTERPRISE FUND CIP-CLEARING THE VISUAL ZONE OF THE AIRPORT'S RUNWAY 15

ORDERED:

That the sum of **\$75,000** be appropriated for the purpose of clearing the Runway Visual Zone of the Airport's Runway 15 to enhance aviation safety as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$75,000** be transferred from surplus funds within the Airport 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-096
INTRO: 04/01/10, 04/15/10**

**2010-096 APPROPRIATION & LOAN - \$1,365,000 SANDY NECK ENTERPRISE FUND
CIP-SANDY NECK BEACH HOUSE RENOVATIONS & ADDITIONS**

ORDERED:

That the sum of **\$1,365,000** be appropriated for the purpose of funding renovations and additions to the existing Beach House and site improvements at Sandy Neck as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$100,000** be transferred from surplus funds within the Sandy Neck Enterprise Fund, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,265,000**, 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-097
INTRO: 04/01/10, 04/15/10**

**2010-097 APPROPRIATE & LOAN - \$1,050,000 WATER SUPPLY ENTERPRISE FUND CIP-
PIPE REPLACEMENT & UPGRADE PROGRAM FOR HYANNIS WATER SYSTEM**

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 2011 - FY 2015 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close public hearing
- _____ Council discussion
- _____ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-098
INTRO: 04/01/10, 04/15/10

2010-098 APPROPRIATE \$32,000 WATER SUPPLY ENTERPRISE FUND CIP-REPAIRS TO MARY DUNN 1 WATER STORAGE TANK

ORDERED:

That the sum of **\$32,000** be appropriated for the purpose of funding repairs to the Mary Dunn 1 water storage tank as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$32,000** 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-099
INTRO: 04/01/10, 04/15/10

2010-099 APPROPRIATE \$110,000 WATER SUPPLY ENTERPRISE FUND CIP-DESIGN FOR UPGRADING & LENGTHENING WATER MAIN

ORDERED:

That the sum of **\$110,000** be appropriated for the purpose of funding the design for upgrading and lengthening the water main leaving the Hyannis Water System's two water treatment plants as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$110,000** 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-100
INTRO: 04/01/10, 04/15/10**

**2010-100 APPROPRIATION & LOAN - \$4,082,000 WATER SUPPLY ENTERPRISE FUND
CIP-NEW WATER STORAGE TANK FOR HYANNIS WATER SYSTEM**

ORDERED:

That the sum of **\$4,082,000** be appropriated for the purpose of funding the construction of a new water storage tank for the Hyannis Water System as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$2,695,000** be transferred from available funds within the Capital Trust Fund, **\$266,000** be transferred from MTBE mitigation funds, **\$500,000** be transferred from the Lyndon P. Larusso gift account restricted for this purpose; and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$621,000**, 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-101
INTRO: 04/01/10, 04/15/10**

**2010-101 APPROPRIATE \$185,000 SEWER ENTERPRISE FUND CIP-REPLACE
CHLORINE TANK AT HYANNIS SEWER TREATMENT PLANT**

ORDERED:

That the sum of **\$185,000** be appropriated for the purpose of funding the replacement of a chlorine storage tank at the Sewer Treatment Plant in Hyannis as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$185,000** be transferred from surplus funds within the Sewer 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-102
INTRO: 04/01/10, 04/15/10

2010-102 APPROPRIATE \$150,000 SEWER ENTERPRISE FUND CIP-SEWER PUMP STATION ALARMS

ORDERED:

That the sum of **\$150,000** be appropriated for the purpose of funding new cellular type alarms at the Sewer Pump Stations as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$150,000** be transferred from surplus funds within the Sewer 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-104
INTRO: 04/01/10, 04/15/10

2010-104 APPROPRIATE \$3,250,000 CAPITAL TRUST FUND CIP-REPAIR PUBLIC ROADS & DRAINAGE SYSTEMS

ORDERED:

That the sum of **\$3,250,000** be appropriated for the purpose of funding the repair of the Town's public roads and drainage systems as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$3,250,000** be transferred from available funds within the Town's Capital Trust 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-105
INTRO: 04/01/10, 04/15/10**

**2010-105 APPROPRIATE \$67,500 CAPITAL TRUST FUND CIP-DESIGNING &
RECONSTRUCTION OF HERRING RUNS**

ORDERED:

That the sum of **\$67,500** be appropriated as local matching funds for a Federal grant program for the purpose of Designing and Reconstructing Herring Runs as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$67,500** be transferred from available funds within the Town's Capital Trust 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-106
INTRO: 04/01/10, 04/15/10**

**2010-106 APPROPRIATE \$30,000 CAPITAL TRUST FUND CIP-COASTAL DISCHARGE
MITIGATION**

ORDERED:

That the sum of **\$30,000** be appropriated as local matching funds for a Federal grant program for the purpose of Coastal Discharge Mitigation as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$30,000** be transferred from available funds within the Town's Capital Trust 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-107
INTRO: 04/01/10, 04/15/10

2010-107 APPROPRIATE \$65,000 CAPITAL TRUST FUND CIP-TO TREAT HYDRILLA & FANWORT

ORDERED:

That the sum of **\$65,000** be appropriated for the purpose of treating Hydrilla in Long Pond and Fanwort in Lake Wequaquet as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that **\$65,000** be transferred from available funds within the Town's Capital Trust 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Motion to Open Public Hearing
- _____ Rationale
- _____ Public Hearing
- _____ Close public hearing
- _____ Council discussion
- _____ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-108
INTRO: 04/01/10, 04/15/10**

2010-108 APPROPRIATION & LOAN - \$250,000 CAPITAL TRUST FUND CIP-REPAIRS TO BARNSTABLE WEST BARNSTABLE & CENTERVILLE ELEMENTARY SCHOOL PARKING LOTS

ORDERED:

That the sum of **\$250,000** be appropriated for the purpose of funding repairs to the Barnstable West Barnstable and Centerville Elementary schools parking lots as outlined in the FY 2011 - FY 2015 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 **\$250,000**, and that the School Committee 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close public hearing
- Council discussion
- Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-109
INTRO: 04/01/10, 04/15/10

2010-109 APPROPRIATION & LOAN - \$680,000 CAPITAL TRUST FUND CIP-SCHOOL BUILDING IMPROVEMENTS & EQUIPMENT UPGRADES

ORDERED:

That the sum of **\$680,000** be appropriated for the purpose of funding school building improvements and equipment upgrades as outlined in the FY 2011 - FY 2015 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 **\$680,000**, and that the School Committee 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-110
INTRO: 04/01/10, 04/15/10**

**2010-110 APPROPRIATION & LOAN - \$300,000 CAPITAL TRUST FUND CIP-
MUNICIPAL FACILITY IMPROVEMENTS**

ORDERED:

That the sum of **\$300,000** be appropriated for the purpose of funding municipal facility improvements as outlined in the FY 2011 - FY 2015 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 **\$300,000**, 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-111
INTRO: 04/01/10, 04/15/10**

**2010-111 APPROPRIATION & LOAN - \$650,000 CAPITAL TRUST FUND CIP-WEST BAY
BRIDGE REPAIRS**

ORDERED:

That the sum of **\$650,000** be appropriated for the purpose of funding the West Bay Bridge repairs as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation that **\$400,000** be transferred from available funds under council order 2001-087 and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

ITEM# 2010-112
INTRO: 04/01/10, 04/15/10

2010-112 APPROPRIATION & LOAN - \$250,000 CAPITAL TRUST FUND CIP-BOAT RAMP RENOVATION PROGRAM

ORDERED:

That the sum of **\$250,000** be appropriated for the purpose of funding the Boat Ramp Renovation Program as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-113
INTRO: 04/01/10, 04/15/10**

**2010-113 APPROPRIATION & LOAN - \$600,000 CAPITAL TRUST FUND CIP-
COMPREHENSIVE WASTEWATER PLAN**

ORDERED:

That the sum of **\$600,000** be appropriated for the purpose of funding Phase III of the Comprehensive Wastewater Management Plan as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$600,000**, 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing) (Roll-call)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-114
INTRO: 04/01/10, 04/15/10**

**2010-114 TRANSFER ORDER - \$473,000 CAPITAL TRUST FUND CIP-FUNDING THE
SIDEWALK IMPROVEMENT PROGRAM**

ORDERED:

That the sum of **\$140,000** be transferred from the remaining sidewalk appropriation balance in Council Order 2003-085, that the sum of **\$308,000** be transferred from the remaining sidewalk appropriation balance in Council Order 2005-085, and that **\$25,000** be transferred from the remaining sidewalk appropriation balance in Council Order 2007-094, all for the purpose of funding the Sidewalk Improvement Program as outlined in the FY 2011 - FY 2015 Capital Improvement Plan as recommended by the Town Manager; 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.

SPONSOR: Town Manager John C. Klimm

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Public hearing)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-115
INTRO: 04/01/10, 04/15/10**

2010-115 TO VOTE ON THE MERITS OF THE FREE PETITION SUBMITTED IN ACCORDANCE WITH THE TOWN CHARTER, SECTION 8-7, FREE PETITION (b)

“We, the undersigned residents of the Town of Barnstable, do hereby petition the Barnstable Town Council to place a Moratorium on any and all plans to begin the excavation and sewerage installation of the area of Hyannis known as Stewart’s Creek, until such time as sufficient financial support can be issued to homeowners of the affected area outlined in both Phase I and Phase II of the project voted upon on April 16, and August 6, 2009, respectively.

The purpose of this Moratorium is to give the newly formed Citizens Advisory Committee the estimated eighteen month this Ad Hoc Committee will need to research and develop different treatment options and/or financing options available to address wastewater management in the Town of Barnstable, beginning with the project in Stewart’s Creek.”

On January 21, 2010, Town Clerk Linda Hutchenrider certified 172 signatures on this group petition.

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

A. OLD BUSINESS (Joint hearing with planning board) (Roll-call, 2/3)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-118
INTRO: 04/01/10, 04/15/10**

2010-118 EXTEND THE TEMPORARY RECREATIONAL SHELLFISH AREA & SHELLFISH RELAY OVERLAY DISTRICT TO REMAIN IN EFFECT UNTIL JUNE 30, 2010

ORDERED that:

The period of time that the Temporary Recreational Shellfish Area and Shellfish Relay Area established under Section 240-37.1 of the Code of the Town of Barnstable shall remain in effect is hereby extended until June 30, 2010.

SPONSOR: Town Councilor Richard G. Barry

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM# 2010-118
INTRO: 04/01/10, 04/15/10

SUMMARY

TO: Town Council
FROM: Richard Barry, Town Councilor
DATE: March 15, 2010
SUBJECT: Recreational Shellfish Area and Shellfish Relay Overlay District

The Coastal Resources Management Committee (CRMC) was created by Town Council action to address the issues raised during the 2007 discussion on the Recreational Shellfish and Shellfish Relay Overlay District zoning ordinance hearings. They began their work after the 30 day appeal period for the temporary moratorium action as soon as the committee was constituted. This group led by the Chair, Bob Jones has met twice a month since May 28, 2008 and are nearly completed with their task to update the 1990 Camp Dresser McKee Coastal Resources Management Plan which includes the Three Bays, Easy Bay and the Centerville River coastal areas. This plan will include strategies for addressing coastal use issues including any recommended local legislation. This is the process set in place when the dock and pier moratorium was imposed.

The CRMC presented the final copy of the updated plan to the Council in November. The CRMC and Town Council had a workshop on March 4, 2010. Ordinance drafting pursuant to the plan recommendations commenced thereafter but notice requirements and Town Council agenda constraints prevent the timely scheduling of a public hearing for the ordinance.

The current moratorium expires on May 3, 2010. This additional time is necessary to finalize ordinance drafting for the public hearing.

B. NEW BUSINESS (Refer to public hearing 05/06/10) (Roll-call)

BARNSTABLE TOWN COUNCIL

**ITEM# 2010-121
INTRO: 04/15/10**

2010-121 APPROPRIATION - \$10,000 COMMUNITY PRESERVATION FUNDS

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of up to Ten thousand dollars and no/100 (\$10,000.00) be appropriated and transferred from the amount set aside for Open Space / Recreation in the Community Preservation Fund on June 18, 2009 under agenda item 2009-129; and that the Community Preservation staff in the Growth Management Department are authorized to contract for and expend the amount appropriated with the prior approval of the Town Manager for the creation of a recreational facility known as Luke's Love – A Boundless Playground located at 2377 Meetinghouse Way, West Barnstable as shown on Map / Parcel 155 / 002 and 155 / 040. The project consists of landscaping and site work.

SPONSOR: Town Manager, John C. Klimm at the request of the Community Preservation Committee and Town Councilor Henry C. Farnham

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Motion to Open Public Hearing
- ___ Rationale
- ___ Public Hearing
- ___ Close public hearing
- ___ Council discussion
- ___ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM# 2010-121
INTRO: 04/15/10

SUMMARY

TO: Town Council
FROM: Community Preservation Committee
DATE: March 30, 2010
SUBJECT: Rationale: Luke's Love – A Boundless Playground

BACKGROUND: The Community Preservation Committee (CPC) met on March 15, 2010, and unanimously recommended that the town support the funding request for the creation of a recreation project known as Luke's Love – A Boundless Playground located at 2377 Meetinghouse Way, West Barnstable as shown on Map / Parcel 155 / 002 and 155 / 040, in an amount up to and not to exceed \$10,000 which shall be appropriated and transferred from the Community Preservation Funds.

RATIONALE: The project goal is to create a recreational playground in a village with no other such facility; to provide an area where individuals of all ages and physical capabilities can benefit from the multiple outdoor opportunities this playground will offer.

This project is supported by the Recreation Division, West Barnstable Civic Association, Barnstable Disability Commission and the Old King's Highway Historic District Commission among others. This project meets the following criteria of the Community Preservation Act:

- Provides multiple recreational uses with the ability to serve a significant number of residents / visitors of all ages and capabilities
- Offers a safe recreational opportunity through the use of advanced playground surface materials
- Creates and interactive play experience with state of the art playground facilities that will last for many years

Barnstable's recreational opportunities will be enhanced with the addition of a much needed playground location for residents and visitors in the West Barnstable area for people with and without physical limitations.

STAFF ASSISTANCE: Theresa M. Santos, CPC Administrative Assistant
David Houghton, Legal Department