



Town of Barnstable Town Council

367 Main Street, Village of Hyannis, MA 02601

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E-mail: council@town.barnstable.ma.us

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MEETING AGENDA TOWN HALL HEARING ROOM March 24, 2016 7:00 PM

Councillors:

Jessica Rapp Grassetti
President
Precinct 7

Eric R. Steinhilber
Vice President
Precinct 2

John G. Flores
Precinct 1

Paul Hebert
Precinct 3

Frederick Chirigotis
Precinct 4

James H. Crocker
Precinct 5

William Crocker, Jr.
Precinct 6

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Sara Cushing
Precinct 10

Philip N. Wallace
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
 - **Larry Cameron, Vice President of Business Development MassDevelopment**
 - **Presentation from Maria Marasco, Southeast Regional Director Massachusetts Office of Business Development, MassWorks, and The Seaport Advisory Council**
 - **Sheryl Walsh, Chair of Greater Hyannis Chamber of Commerce-State of the Chamber Address**
- 6. TOWN MANAGER COMMUNICATIONS**
- 7. ACT ON MINUTES (Including Executive Session)**
- 8. COMMUNICATIONS – from elected officials, boards, committees, staff, commission reports, correspondence and announcements**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 10. ADJOURNMENT**

NEXT REGULAR MEETING: April 7, 2016

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2016-092 Appropriation and Transfer Order in the amount of \$150,000 be appropriated for the purpose of funding the Runway & Taxiway Markings project as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (Roll Call)** 33

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2016-093 Appropriation Transfer and Loan Order in the amount 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 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 34

2016-094 Appropriation and Transfer Order in the amount of \$200,000 be appropriated for the purpose of Pump Station and Treatment Plant Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (Roll Call)** 35

2016-095 Appropriation and Transfer Order in the amount of \$52,000 be appropriated for the purpose of funding the Design and Permitting of Mary Dunn 1 Water Storage Tank Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (Roll Call)** 36

2016-096 Appropriation and Transfer Order in the amount of \$400,000 be appropriated for the purpose of funding the Study, Design, Permitting and Testing of Interconnections with Other Water Systems as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (Roll Call)** 37

2016-097 Appropriation and Loan Order in the amount of \$1,289,505 be appropriated for the purpose of funding the Rehabilitation of the Clarifiers at the Wastewater Treatment Plant as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 38

2016-098 Appropriation and Loan Order in the amount of \$904,000 be appropriated for the purpose of funding the Backup Generator Replacement at the Wastewater Treatment Plant as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 39

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2016-100 Appropriation and Transfer Order in the amount of \$50,000 be appropriated for the purpose of funding the Vehicle Replacement as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (Roll Call)**..... 41

2016-101 Appropriation Transfer and Loan Order in the amount of \$2,500,000 be appropriated for the purpose of funding the Phase I and II Site Improvements at the Solid Waste Facility as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 42

CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN

2016-102 Appropriation and Transfer Order in the amount of \$3,250,000 be appropriated for the purpose of funding the Public Roads Improvement Program as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)**..... 43

2016-103 Appropriation and Loan Order in the amount of \$730,000 be appropriated for the purpose of funding the Guardrail and Sidewalk Improvement Program as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)**..... 44

2016-104 Appropriation and Loan Order in the amount of \$87,500 be appropriated for the purpose of funding the Updated Storm water Management Plan in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 45

2016-105 Appropriation and Transfer Order in the amount of \$150,000 be appropriated for the purpose of funding the Traffic Signal Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 46

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2016-106 Appropriation and Transfer Order in the amount of \$853,000 be appropriated for the purpose of funding the Private Way Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (Roll Call)**..... 47

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2016-107 Appropriation and Loan Order in the amount of \$258,000 be appropriated for the purpose of funding facility improvements at the Olde Barnstable Fairgrounds Golf Course as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **(Refer to Public hearing 04/07/16) (2/3 vote)** 48

2016-108 Appropriation and Loan Order in the amount of \$307,000 be appropriated for the purpose of funding facility improvements at the Hyannis Golf Course as outlined in the FY 2017 - FY 2021 Capital Improvement Plan **Refer to Public hearing 04/07/16) (2/3 vote)**..... 49

MARINA ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2016-109	Appropriation and Loan Order in the amount of \$500,000 be appropriated for the purpose of funding the maintenance dredging of Gateway Marina as outlined in the FY 2017 - FY 2021 Capital Improvement Plan (Refer to Public hearing 04/07/16) (2/3 vote)	50
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CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN

2016-110	Appropriation and Loan Order in the amount of \$618,717 be appropriated for the purpose of funding the Beach Facility Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan (Refer to Public hearing 04/07/16) (2/3 vote)	51
2016-111	Appropriation Transfer and Loan Order in the amount of \$1,079,788 be appropriated for the purpose of funding the Blish Point Boat Access Channel Dredging as outlined in the FY 2017 - FY 2021 Capital Improvement Plan (Refer to Public hearing 04/07/16) (2/3 vote)	52
2016-112	Appropriation and Loan Order in the amount of \$900,444 be appropriated for the purpose of funding the Site Improvements at the Former Osterville Bay Elementary School as outlined in the FY 2017 - FY 2021 Capital Improvement Plan (Refer to Public hearing 04/07/16) (2/3 vote)	53
2016-113	Appropriation Transfer and Loan Order in the amount of \$1,686,000 be appropriated for the purpose of funding the Lombard Field Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan (Refer to Public hearing 04/07/16) (2/3 vote)	54

COMMUNITY PRESERVATION FUND

2016-114	Appropriation Transfer and Loan Order in the amount of \$173,000 be appropriated for the purpose of funding the West Barnstable Community Building Window Replacements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan (Refer to Public hearing 04/07/16) (2/3 vote)	55
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End Fiscal Year 2017 Capital Budget Appropriation Orders

2016-115	Resolve accepting the Fish Weir application from Nantucket Sound Fish Weirs, Inc. (Kurt Martin) (May be acted upon)	56-57
2016-116	Supplemental Appropriation request of \$106,878 for the Barnstable Police Department FY16 Operating Budget (Refer to Public Hearing 04/07/16)	58-60
2016-117	Amendment of the Zoning Map of the Town of Barnstable Massachusetts to extend the HB Highway Business District along Iyannough Road (Route 132) to include Parcel 254015 (Refer to Planning Board)	61-62

Approve Minutes – February 25, 2016

Please Note: The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Council may go into executive session. The Council may also act on items in an order other than they appear on this

agenda. Persons interested are advised, that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

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

BARNSTABLE TOWN COUNCIL

ITEM # 2016-054
INTRO: 12/03/15, 03/24/16

2016-054 AMENDING THE CODE PART I GENERAL ORDINANCES, CHAPTER 240 ZONING OF THE TOWN OF BARNSTABLE TO INCLUDE A HYANNIS PARKING OVERLAY DISTRICT

ORDERED: That Code of the Town of Barnstable, Part I General Ordinances, Chapter 240 Zoning be amended as follows:

SECTION 1

By amending Section 240-6 the Zoning Map, to create a new overlay zoning district known as “Hyannis Parking Overlay District” which includes the area shown on the reference map entitled “Hyannis Parking Overlay District”, dated November 30, 2015, prepared by the Town of Barnstable GIS Department.

SECTION 2

By amending Section 240-5, Establishment of Districts, by adding under the heading “Overlay Districts” the term “Hyannis Parking Overlay District”

SECTION 3

Re-numerate sections as follows:

- 240-24.1.10 to 240-24.1.11
- 240-24.1.11 to 240-24.1.12
- 240-24.1.12 to 240-24.1.13

SECTION 4

These amendments are adopted pursuant to and in furtherance of the provisions of Chapter 240, Article II of the Zoning Ordinance, Section 240-24.10, Hyannis Parking Overlay District

240-24.1.10 Hyannis Parking Overlay District (HPOD)

240-24.1.10 Purposes and Intent.

A. This section allows as of right permitting for land located south of Main Street in Hyannis which land has some legal pre-existing nonconforming status or was licensed as of May 1, 2014 as an open air parking lot involving the temporary storage of vehicles. The scope of such uses would otherwise have to be clarified through a quasi-judicial or regulatory process. The purpose of this section is to:

- (1) Clarify this land use and create as of right permitting for land now used as open air parking lots and located south of Main Street in Hyannis;

- (2) Protect the safety of the users of the lot and the general public through site development standards providing constant access for emergency responders;
- (3) Ensure safe access to structures for emergency responders;
- (4) Protect adjacent property from nuisance which may result from the operation of cars and parking off streets;
- (5) Enhance and protect the visual quality of the Hyannis harbor area;
- (6) Reduce congestion on lot access streets which also serve residential areas; and
- (7) Contribute to traffic safety by ensuring orderly access to and egress from such lots.

204-24.1.10.2 Relationship to underlying districts and regulations.

A. The Hyannis Parking Overlay District (HPOD) shall overlay all underlying districts so that any parcel of land lying in the HPOD shall also lie in the zoning district or districts in which it is otherwise classified by this chapter.

B. All regulations of the underlying zoning district(s) shall apply within the HPOD to the extent that they are not inconsistent with the specific provisions of this section 240-24.10. To the extent the provisions of this section 240-24.10 are in conflict with or are inconsistent with other provisions of this chapter, the provisions of this section 240-24.10 shall govern and prevail even if such other provisions are more restrictive than those set forth in this section 240-24.10.

204-24.1.10.3 Definitions

Aisle - An aisle is that portion of the Commercial Surface Parking Lot circulation area providing safe and constant access for emergency responders and access to parking spaces for lot patrons. Aisle area is calculated exclusive of any other area on the lot such as driveway, parking stalls, and attendant areas.

Commercial Surface Parking Lot - The commercial parking of vehicles where parking is a principal use on the property. Non-commercial trucks, vans and other vehicles not exceeding 7.5 feet may use a Commercial Surface Parking Lot.

Emergency Access Aisles and Fire Lanes – Aisles, unobstructed at all times, for the safe and immediate access of emergency response vehicles. At no time shall any portion of a designated Emergency Access Aisle be used for parking or storing vehicles for any length of time no matter how short.

Kiosk – A structure, which may be temporary or seasonal, located on the Commercial Surface Parking Lot from which parking transactions are conducted.

Parking Attendant – An employee of the Commercial Surface Parking Lot available to customers to park and retrieve vehicles within the licensed lot.

Remote Parking Sites – Sites accommodating excess parking for HPOD parking lots that are located in another area of Hyannis where such parking use is allowed. Such remote parking lots shall be permitted and licensed only in connection with the HPOD parking lot.

Second Principal Use – A second principal use, lawfully permitted and established at the time of the adoption of this ordinance, may share a parcel with a Commercial Surface Parking Lot.

Stacked Parking: Parking of vehicles in a line or stack that may be up to three vehicles deep at a Commercial Surface Parking Lot. The lot operator shall have an attendant present to move vehicles out of the stack at all times that the lot is open for vehicle pick-up by vehicle owners.

240-24.1.10.4 Permitted Uses

- A. Principle Uses.
Commercial Surface Parking Lot

204-24.1.10.5 Site Development Standards

(A) Access Management

- (1) Entrance and exit driveways shall be a minimum of fourteen (14) feet wide for one-way use only and a minimum of twenty (20) feet wide for two-way use and shall be delineated.
- (2) Driveways shall be located so as to minimize conflict with traffic on public streets and where good visibility and sight distances are available to observe approaching pedestrian and vehicular traffic.

(B) Parking Spaces

(1) Computation

- (a) Within the property boundaries the number of parking spaces is limited only by the required dimensions for parking spaces, aisles, emergency access aisles, and fire lanes.
- (b) Where another principal use, lawfully permitted and established at the time of the adoption of this ordinance, is located on the same parcel as the Commercial Surface Parking Lot the number of parking spaces required to support that use shall be deducted from the number of spaces for the Commercial Surface Parking Lot use.
- (c) Where another principal use not located on the same parcel as the Commercial Surface Parking Lot uses some of the Lot's spaces as shared parking for the off lot use, those spaces shall be deducted from the zoning and licensing number of lots for the Commercial Surface Parking Lot.
- (d) Up to 10% of parking spaces may be designed for and allocated to compact spaces.
- (e) Parking facilities shall provide specially designated parking spaces according to 521 CMR the Architectural Access Board.

(2) Dimensions

- (a) Non-compact spaces 9' X 18'
- (b) Compact spaces 6' x 14'

(3) Demarcation

- (a) Emergency Access Aisles and Fire Lanes shall be marked as shown on the record parking plan drawn and stamped by a Registered Professional Land Surveyor. In addition to showing the number of spaces that can be accommodated according to the dimensions herein, such plan shall depict demarcations for emergency access aisles through a method permanently affixed to the ground and approved by the Building Commissioner and Fire Safety Official.
- (b) Wheel stops and/or striping shall be installed and maintained to mark each permitted parking space. Stacked parking spaces shall be marked using ground mounted delineators or other demarcation.
- (c) Property boundaries for properties abutting other separately owned properties shall be marked with fencing or other means as may be approved by the Building Commissioner.

B. Stacked Parking

- (1) Stacked parking in compliance with Section 204-24.10.4 B. may be permitted subject to the approval of the Building Commissioner and the Fire Safety Official.
- (2) Lots using stacked parking configurations shall have a full-time attendant supervising the lot and to enable owner access to vehicles at all times.

C. Aisle Width

- (1) Unless otherwise provided for in this section, parking lots shall be designed so that each motor vehicle is able to proceed to and from the parking space provided without requiring the moving of any other motor vehicle.
- (2) All angle parking shall have one way circulation with an aisle width of at least 14 feet.
- (3) Fire lanes and emergency access aisles shall be provided as required by the Building Commissioner and the Fire Safety Official.

D. Lot Circulation

- (1) Dead end aisles including but not limited to emergency access aisles, and fire lanes are prohibited.

E. Landscaping and Fencing

- (1) Parking lots shall install perimeter landscaping area along street frontages.
- (2) Fencing other than split rail fencing is prohibited.

F. Lighting - Lighting shall not cause glare for motorists, pedestrians or neighboring premises. Full cut-off light fixtures shall be used in which no more than 2.5% of the total output is emitted at 90° from the vertical pole or building wall on which it is mounted.

G. Signage – Signage provisions rely on the requirements of the underlying zoning district or on rights that may be vested in the property as determined by the Building Commissioner.

H. Accessory Structures

- (1) Parking Lot Kiosk - A kiosk for parking lot attendants and/or business needs may be allowed. Kiosks are typically located at the main entrance(s) to or exit(s) from the lot. Each kiosk shall not exceed 150 SF in gross floor area and shall be located so as not to interfere with fire lanes, emergency access aisles, or site circulation. Kiosks shall include temporary sanitary facilities for employees. In no case shall the temporary sanitary facility be visible from any public way. Such structures shall be subject to applicable code or other permitting requirements and shall not host other principal or accessory uses such as retail without the required approvals.
- (2) Trash receptacles – all lots shall provide accommodations for client and employee trash. Trash receptacles and/or dumpsters shall be located near each Parking Lot Kiosk as may be required by the Building Commissioner and the Fire Safety Official. In no case shall the receptacles be visible from any public way.

Amend Section 240-51 Location of Parking Spaces by deleting the words , "except that in the MA-1 Business District, parking spaces may be located on another lot within 500 feet of the use, provided that no parking lot shall be created by the demolition of buildings within the MA-2 Business District, OR Office Residential District, or buildings with frontage on Main Street in the MA-1 Business District" from existing Section 240-51:

By re-numerating Section 240-51 to Section 240-51 A, and

By adding new Section 240-51 B. as follows:

Section 240-51 Location of Parking Spaces

- A. All off-street parking spaces required by this article shall be located on the same lot as the use for which such spaces are required, except that in nonresidential districts, parking spaces may be located on another lot within 300 feet of, and in the same zoning district as, the use for which such spaces are required.
- B. Parking facilities, including those governed by Sections 240-24.1.11 (as re-numerated herein). Site Development Standards Subsection A.(4) [4] [d] and Section 240-24.1.10 Hyannis Parking Overlay District may operate parking lots in other locations and propose shuttle service to transport patrons from these remote lots to their desired destination. Such proposals shall be subject to Site Plan Review.

Section 6

Amend Section 240-128 Definitions by adding the following definition:

Shuttle Service – Use of a multi-passenger vehicle to shuttle parking lot patrons between remote parking lots, parking facilities, and transportation terminals.

SPONSORS: Town Council Parking Committee

DATE	ACTION TAKEN
<u>12/03/16</u>	<u>Refer to Planning Board</u>

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

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2016-080

INTRO: 02/25/2016, 03/24/16

2016-080 AUTHORIZATION OF A TAX FINANCING AGREEMENT FOR THE PROPERTY LOCATED AT 867 IYANNOUGH ROAD, HYANNIS, MAP 294, PARCEL 017

RESOLVED: That the Town Council hereby approves for the property within the Barnstable County Economic Target Area (ETA) located at 867 Iyannough Road, Hyannis, Map 294, Parcel 017, the Tax Increment Financing Agreement (the “TIF Agreement”) between the Town of Barnstable and K Hyannis Hospitality, LLC (Applicant) substantially in the form as presented to the Town Council and the Tax Increment Financing Plan pursuant to GL c. 40, §59. And further, the Town Council authorizes the Town Manager to submit the TIF Agreement and Tax Increment Financing Plan pursuant to GL c. 40, §59 to the Massachusetts Economic Assistance Coordinating Council (EACC) as described in the TIF Agreement and to take such other actions as may be necessary to obtain approval the TIF Agreement and he Tax Increment Financing Plan and to implement the TIF Agreement.

SPONSOR: Council Vice President Eric Steinhilber and Councilor Phillip Wallace

DATE	ACTION TAKEN
<u>02/25/16</u>	<u>Continued to 03/24/16</u>

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

BARNSTABLE TOWN COUNCIL

ITEM # 2016-080
INTRO: 02/25/2016

SUMMARY

TO: Town Council
FROM: Jo Anne Miller Buntich, Director Growth Management
DATE: February 25, 2016
SUBJECT: Authorization of a Tax Financing Agreement for the property located at 867 Iyannough Road, Hyannis, Map 294, Parcel 017

RATIONALE: This Tax Increment Financing (TIF) Agreement is between the Town of Barnstable and K Hyannis Hospitality (applicant) and must also be approved by the Economic Assistance Coordinating Council (EACC). TIF agreements are authorized by GL c. 40, §59 which allows the Town to enter into this Agreement with the property owner and the operating business to support new development that produces new jobs through investment in structures and/or equipment. The TIF Agreement does not abate existing property taxes. It exempts a percentage of the increase in valuation resulting from the new investment for the period described in the Agreement

The TIF Agreement is a contract between the municipality, the property owner and the job creating business whereby each party agrees to undertake certain actions for the benefit of the other in order to achieve the common goal of having the business locate or expand within the Town and receive the local benefits available to it as a Certified Project. The TIF Agreement sets forth the amount of the tax exemption and the duration of the benefits, and describes the responsibilities of the business towards the municipality that has made these benefits available.

The applicants worked with the Town to develop this Agreement through the Town Council TIF Committee. The Growth Management Department initiated and coordinated this process at the applicant's request. An agreement on the TIF financing structure was reached between the applicant and the TIF Committee. The TIF committee members of the Town Council, at their meeting on February 11, 2016 voted to recommend this matter to the full Council for their action.

FISCAL IMPACT: By approving this TIF agreement the Town agrees to forgo the collection of a total of \$335,559 in net tax gain an incremental reduction of 70% over a period of 20 years in return for the creation of 24 year round management, skilled, and unskilled full time jobs and 14 part-time jobs created within one year of the project opening; the investment of \$17,240,800 in to land and building acquisition, new construction, and equipping the site and building for the project – a 126 room Fairfield Inn & Suite.

STAFF ASSISTANCE: Mark Milne, Finance Director; Ruth J. Weil, Town Attorney;
Charles McLaughlin, Assistant Town Attorney; Jeff Rudziak, Assessor
Jo Anne Miller Buntich, Director Growth Management.

EDIP Local Incentive Only Application Exhibit 1: Local Incentive Valuation

FY	Municipal Tax Rate Per Thousand	Incremental Assessed Value	Projected Annual RE Property Tax Bill for Incremental Assessed Value	TIF/STA Yearly Exemption %	Exempted Annual RE Property Taxes	Exempted Annual Personal Property Taxes	Total Yearly Value of Local Tax Incentives
2018	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2019	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2020	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2021	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2022	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2023	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2024	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2025	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2026	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2027	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2028	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2029	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2030	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2031	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2032	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2033	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2034	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2035	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2036	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
2037	\$8.41	\$2,850,000.00	\$23,968.50	70%	\$16,777.95	\$0.00	\$16,777.95
				TOTALS	\$335,559.00	\$0.00	\$335,559.00

Note: In Massachusetts, Proposition 2½ operates at the level of a municipality’s total tax levy. Due to Proposition 2½, it is impossible to make reliable projections for individual parcels.

TAX INCREMENT FINANCING AGREEMENT

BY AND BETWEEN

THE TOWN OF BARNSTABLE,

AND

K HYANNIS HOSPITALITY, LLC

THIS TAX INCREMENT FINANCING AGREEMENT (“AGREEMENT”) is made this day of February ____, 2016, by and between the TOWN OF BARNSTABLE, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, having a principal place of business at Town Hall, 367 Main Street, Hyannis, MA 02601 (hereinafter referred to as the "TOWN"), and K HYANNIS HOSPITALITY, LLC, a Connecticut limited liability company, having a principal place of business at 342 North Main Street, Suite 200, West Hartford, CT 06117 (“APPLICANT”).

WITNESSETH

WHEREAS, the property is located at 867 Iyannough Road (Route 132), Hyannis, Massachusetts and shown as the land described in Barnstable Assessors' records Map 294, Parcel 017, all as shown on the map in the attached Exhibit A, together with any buildings and improvements thereof (collectively, the “SITE”). Hyannis is a village of the Town of Barnstable which is a member of the Barnstable County Economic Target Area (“ETA”) as certified by the Massachusetts Economic Assistance Coordinating Council (“EACC”);

WHEREAS, the APPLICANT is the Tenant under that certain Third Amended and Restated Ground Lease (“GROUND LEASE”) with RSA REALTY, INC., a Massachusetts corporation, having a principal place of business at 11 Thissell Street, #3, Prides Crossing, MA 01968 (“LESSOR”) dated October 31, 1991;

WHEREAS, the APPLICANT is responsible under the GROUND LEASE for the payment of all taxes for the SITE during the EXEMPTION PERIOD;

WHEREAS, the APPLICANT represents that APPLICANT and LESSOR have entered into a certain Agreement regarding the herein Tax Increment Financing Agreement with The Town of Barnstable, whereby the LESSOR acknowledges APPLICANT has applied for Tax Increment Financing and that LESSOR has no obligations thereunder;

WHEREAS, the APPLICANT owns the existing building and other improvements which contain approximately 41,404 s/f. The planned capital improvements include substantial demolition and redevelopment, an increase in the number of rooms from ninety-nine (99) to one hundred twenty-five (125), a reduction in the overall building footprint of two thousand five hundred and fifty-seven (2,557) square feet, the elimination of a curb cut on Route 132, enhanced landscaping along Route 132, and a major refurbishment of existing rooms and facilities of the hotel, which is scheduled to open in May, 2016 (the "CERTIFIED PROJECT");

WHEREAS, the construction portion of the CERTIFIED PROJECT requires approximately fifty (50) full time skilled and unskilled construction personnel, and the APPLICANT has committed to employing construction personnel from the ETA when feasible;

WHEREAS, the CERTIFIED PROJECT, when completed and fully operational, will employ approximately twenty-four (24) permanent full-time employees, including three (3) managers, eleven (11) skilled employees, and ten (10) unskilled personnel during the off-peak season. It is also anticipated that the CERTIFIED PROJECT will employ approximately thirty-eight (38) full-time employees during the peak season (May 1 – October 31), and will represent an investment of at least seventeen million two hundred forty thousand eight hundred dollars (\$17,240,800.00) (including land and building acquisition) in the CERTIFIED PROJECT;

WHEREAS, the APPLICANT is seeking a Tax Increment Financing Exemption from the TOWN (the "EXEMPTION") in order to benefit the APPLICANT, in accordance with the Massachusetts Economic SITE Incentive Program (the "EDIP") and Chapter 23A of the Massachusetts General Laws;

WHEREAS, the assessed valuation of the SITE for Fiscal Year 2016 is \$4,091,900;

WHEREAS, the TOWN strongly supports increased economic activity at the SITE to provide additional jobs for residents of the TOWN, the ETA and Massachusetts and to expand commercial, retail and industrial activity within the TOWN, and to develop a healthy economic and strong tax base;

WHEREAS, the CERTIFIED PROJECT will further the economic SITE goals and the criteria established for the ETA.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein and other good and valuable consideration each to the other paid, receipt of which is hereby acknowledged, the parties hereby agree as follows:

A. TAX INCREMENT FINANCING EXEMPTION

1. The TOWN, as authorized by vote of its Town Council passed on _____, 2016, hereby enters into this Tax Increment Financing Agreement (the "AGREEMENT") with the APPLICANT for the CERTIFIED PROJECT.
2. The EXEMPTION is hereby granted by the TOWN to the APPLICANT in accordance with Chapter 23A, Section 3E; Chapter 40, Section 59; and Chapter 59, Section 5 of the Massachusetts General Laws. The EXEMPTION shall be for the period of twenty (20) years (the "EXEMPTION PERIOD"), commencing with Fiscal Year 2018 (which begins July 1, 2017) and ending with Fiscal Year 2037 (which ends June 30, 2037) and shall provide a percentage EXEMPTION from taxation, as described in the table below, on the increased value of the SITE. The EXEMPTION shall be calculated and remain unchallenged for each fiscal year as follows:

YEAR	FISCAL YEAR	TAX EXEMPTION
1	2018 (7/1/2017 – 6/30/2018)	70% of the increase in valuation
2	2019 (7/1/2018 – 6/30/2019)	70% of the increase in valuation
3	2020 (7/1/2019 – 6/30/2020)	70% of the increase in valuation
4	2021 (7/1/2020 – 6/30/2021)	70% of the increase in valuation
5	2022 (7/1/2021 – 6/30/2022)	70% of the increase in valuation
6	2023 (7/1/2022 – 6/30/2023)	70% of the increase in valuation
7	2024 (7/1/2023 – 6/30/2024)	70% of the increase in valuation
8	2025 (7/1/2024 – 6/30/2025)	70% of the increase in valuation
9	2026 (7/1/2025 – 6/30/2026)	70% of the increase in valuation
10	2027 (7/1/2026 – 6/30/2027)	70% of the increase in valuation
11	2028 (7/1/2027 – 6/30/2028)	70% of the increase in valuation
12	2029 (7/1/2028 – 6/30/2029)	70% of the increase in valuation
13	2030 (7/1/2029 – 6/30/2030)	70% of the increase in valuation
14	2031 (7/1/2030 – 6/30/2031)	70% of the increase in valuation
15	2032 (7/1/2031 – 6/30/2032)	70% of the increase in valuation
16	2033 (7/1/2032 – 6/30/2033)	70% of the increase in valuation
17	2034 (7/1/2033 – 6/30/2034)	70% of the increase in valuation
18	2035 (7/1/2034 – 6/30/2035)	70% of the increase in valuation
19	2036 (7/1/2035 – 6/30/2036)	70% of the increase in valuation
20	2037 (7/1/2036 – 6/30/2037)	70% of the increase in valuation

3. The EXEMPTION formula for the CERTIFIED PROJECT will be calculated as prescribed by the Massachusetts General Laws Chapter 40, Section 59 and in 760 CMR 22.00. The EXEMPTION formula shall apply to the incremental difference in the assessed valuation of the SITE between the base valuation in the base year, which shall be Fiscal Year 2016, and the increase in assessed valuation of the SITE for twenty (20) years.

4. The base valuation of \$4,091,900 for FY 2016 is the assessed value of the SITE in the fiscal year immediately prior to the fiscal year in which the property becomes eligible for the EXEMPTION.

B. CONDITIONS

The EXEMPTION granted to the APPLICANT by the TOWN hereby is in consideration of the APPLICANT'S commitments stated hereafter as follows:

1. To employ at least twenty-four (24) year-round management, skilled and unskilled personnel and an additional fourteen (14) personnel during the peak times of May 1 to October 31 within one year from the date of the CERTIFIED PROJECT opening on the SITE;
2. To invest at least approximately seventeen million two hundred forty thousand eight hundred dollars (\$17,240,800.00) in land/building acquisition, new construction and equipping the SITE for the CERTIFIED PROJECT as described in the CERTIFIED PROJECT APPLICATION which is scheduled to be placed in use by the end of Fiscal Year 2016;

3. To cooperate with the TOWN, the local Office of the Massachusetts Department of Labor and Workforce Development and other agencies, as appropriate, in seeking to fill job vacancies as they develop, and operate a job outreach program whereby Barnstable and other ETA residents are made aware of job opportunities at the CERTIFIED PROJECT, including advertising in the local newspapers encouraging such residents to apply for employment any time advertisements are otherwise placed for employment at the SITE and hire properly qualified Barnstable and ETA residents on a priority basis consistent with any applicable laws;
4. To submit the official EDIP annual reports on job creation, job retention and new investments at the SITE to the TOWN, and the EACC by September 30th of each year during the EXEMPTION PERIOD, or as otherwise required by the EDIP. The annual report shall be the reports required to be filed pursuant to the EDIP;
5. To pay all taxes owed the TOWN relating to the SITE in a timely fashion; and
6. To permit the TOWN, through its Town Manager, or the Town Manager's designee, to manage, administer, monitor and enforce this AGREEMENT.

C. ADDITIONAL PROVISIONS

1. The APPLICANT agrees that the TOWN has the right to petition to the EACC to decertify the project and revoke this AGREEMENT if the TOWN, acting through its Town Council, determines that the APPLICANT has failed in any material way to meet any of the obligations as set forth in this AGREEMENT. Upon decertification by the EACC, the TOWN shall discontinue the EXEMPTION benefits described above, commencing with the fiscal year immediately following the year for which the APPLICANT has so failed to meet its obligations. Prior to filing any such petition for de-certification, however, the TOWN shall give the APPLICANT written notice of the alleged defaults and an opportunity to be heard at a public hearing on the matter. If the TOWN is satisfied that the APPLICANT has made a good faith effort to meet its obligations under this AGREEMENT, the parties will attempt to negotiate a mutually acceptable and reasonable resolution, which may result in amendments to the terms of the AGREEMENT, prior to the TOWN filing a de-certification petition.
2. The APPLICANT shall give the TOWN thirty (30) days written notice prior to any proposed substantial change in the use of, or transfer of title to the SITE. Said notice shall be given to the TOWN at the address listed above. The TOWN shall not, except as required by law, disclose any information provided by the APPLICANT regarding the proposed change in the use of, or proposed disposition of the SITE by the APPLICANT.
3. Pursuant to 760 CMR 22.05 (8) (d), this AGREEMENT shall be binding upon all parties to it, and be binding upon the APPLICANT and their successors and assigns, and shall inure to the benefit of the APPLICANT and its affiliates, successors and assigns so long as the CERTIFIED PROJECT has not been de-certified by the EACC. If the APPLICANT decides to sell or lease the SITE, respectively, the APPLICANT shall give the TOWN at least thirty (30) days written notice of said sale or lease. Said notice shall be given to the Town Manager at the above address.
4. The CERTIFIED PROJECT becomes eligible for the EXEMPTION according to the terms described above, on the July 1st following the date on which the EACC approves the TIF Plan

pursuant to which this AGREEMENT is executed, as provided in 760 CMR 22.05 (4)(d). Failure of the EACC to approve the TIFF Plan shall render this AGREEMENT null and void.

5. If any provision of this AGREEMENT shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible and the balance of this AGREEMENT shall be deemed to be amended to the minimum extent necessary to provide to the TOWN and the APPLICANT substantially the benefits set forth in this AGREEMENT.

6. All notices permitted or required under the provisions of the AGREEMENT shall be in writing, and shall be sent by registered or certified mail, postage prepaid, or shall be delivered by private express carrier to the addresses listed above or at such other address as may be specified by a party in writing and served upon the other in accordance with this section.

7. If and to the extent that any party is prevented from performing its obligations hereunder by an event of force majeure, such party shall be excused from performing hereunder and shall not be liable in damages or otherwise, and the parties instead shall negotiate in good faith with respect to appropriate modifications to the terms hereof. For purposes of the AGREEMENT, the term force majeure shall mean any supervening cause beyond the reasonable control of the affected party, including without limitation requirement of statute or regulation; addition of any court, explosion, actions of the elements, war, terrorism, riots, mob violence, inability to regulatory authority, or public authority having jurisdiction; acts of God, fire, earthquake, floods, procure or a general shortage of labor, equipment, facilities, materials or supplies in the open market, failure of transportation, strikes, lockouts, actions of labor unions, condemnation, laws or orders of governmental or military authorities, denial of, refusal to grant or appeals of any permit, approval or action of any public or quasi-public authority, official, agency or subdivision and any litigation relating thereto, or any other cause similar to the foregoing, not within the control of such party obligated to perform such obligation.

8. Failure by the APPLICANT to perform any term or provision of this AGREEMENT shall not constitute a default under this AGREEMENT unless APPLICANT fails to commence to cure, correct or remedy such failure within thirty (30) days of the receipt of written notice of such failure from the TOWN to the APPLICANT and thereafter fails to complete such cure, correction or remedy within ninety (90) days of the receipt of such written notice, or, with respect to defaults which cannot be remedied within such ninety (90) day period, within such additional period of time as is required to reasonable remedy such default, provided APPLICANT exercises due diligence in the remedying of such default. Notwithstanding the foregoing, any late payments of property taxes due under this AGREEMENT shall be subject to the same interest and penalty charges that would otherwise be levied in case of a failure to timely pay property taxes.

9. After receiving written notice from any person, firm or other entity, that such party holds a mortgage which includes as part or all of the mortgaged premises, any part of the SITE, the TOWN shall, so long as such mortgage is outstanding, be required to give to such holder the same notice as is required to be given to APPLICANT under the terms of this AGREEMENT, but such notice may be given by the TOWN to APPLICANT and such holder concurrently. It is further agreed that such holder shall have the same opportunity to cure any default as is available to APPLICANT and that such holder shall have forty five (45) days more to cure any such default than would be available to APPLICANT under the provisions of this AGREEMENT. In addition, so long as any such holder, within seventy five (75) days of receiving any such notice from the TOWN, shall commence proceedings for foreclosure of any

such mortgage and shall, in the meantime, keep and perform or cause to be kept and performed all the obligations of APPLICANT, or shall undertake to cure any default under or failure of APPLICANT to satisfy any condition of this AGREEMENT, to the extent that any such actions can be performed or undertaken by a party proceeding under foreclosure under applicable law, no default or failure of any condition shall exist under this AGREEMENT.

10. The APPLICANT agrees that should a final unappealed decision be rendered on application for a real estate tax abatement filed by APPLICANT for the SITE while this AGREEMENT is in force, any reduction granted by said final decision shall reduce the exempted taxable value total by the same amount for the next available tax year and for any subsequent tax year for which an abatement is granted.

11. Notwithstanding the foregoing, any late payments of property taxes due under this AGREEMENT shall be subject to the same interest and penalty charges that would otherwise be levied in case of a failure to timely pay property taxes.

WITNESSETH the execution and delivery of this AGREEMENT by the TOWN OF BARNSTABLE and K HYANNIS HOSPITALITY LLC, as an instrument under seal as of the date first above written.

THE TOWN OF BARNSTABLE

K Hyannis Hospitality, LLC

By its Manager: JCSK Properties Corporation

By: _____
Town Manager

By: _____
James Wakim, Executive Vice President

Exhibits:
Exhibit A-Map of SITE



A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-081
INTRO: 03/24/16**

**APPROPRIATION TRANSFER AND LOAN ORDERS
CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN**

**2016-081 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF
\$4,286,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE
COMMUNITY HORACE MANN CHARTER PUBLIC SCHOOL ROOF AND
FAÇADE IMPROVEMENT PROJECT**

ORDERED: That the sum of **\$4,286,000** be appropriated for the purpose of funding the Barnstable Community Horace Mann Charter Public School Roof and Façade Improvement project as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$4,236,000**, and that **\$50,000** be transferred from available funds in council Order 2015-119, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-082
INTRO: 03/24/16**

2016-082 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$475,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE UNITED ELEMENTARY SCHOOL PARKING LOT LIGHT POLE REPLACEMENTS AND RESTROOM FIXTURE & HARDWARE UPGRADES

ORDERED: That the sum of **\$475,000** be appropriated for the purpose of funding the Barnstable United Elementary School Parking lot Light Pole Replacements and Restroom Fixture & Hardware Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$475,000**, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-083
INTRO: 03/24/16**

2016-083 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$250,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOLS' UNIT VENTILATOR UPGRADE PROJECT

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the Barnstable Public Schools' Unit Ventilator Upgrade project as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-084
INTRO: 03/24/16**

**2016-084 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$70,000
FOR THE PURPOSE OF FUNDING THE BARNSTABLE HIGH SCHOOL PUMP
FLANGE REPLACEMENTS**

ORDERED: That the sum of **\$70,000** be appropriated for the purpose of funding the Barnstable High School Pump Flange Replacements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$70,000** be transferred from available funds within the Capital Trust Fund, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-085
INTRO: 03/24/16**

2016-085 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$120,000 FOR THE PURPOSE OF FUNDING THE BARNSTABLE PUBLIC SCHOOL'S WALK-IN COOLER REPLACEMENTS

ORDERED: That the sum of **\$120,000** be appropriated for the purpose of funding the Barnstable Public School's Walk-in Cooler Replacements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$70,000** be transferred from available funds within the Capital Trust Fund and that **\$50,000** be transferred from available funds within the School Lunch Revolving Special Revenue Fund, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for these purposes.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-086
INTRO: 03/24/16**

2016-086 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$418,000 FOR FUNDING THE INFORMATION TECHNOLOGY HARDWARE & SOFTWARE UPGRADE

ORDERED: That the sum of **\$418,000** be appropriated for the purpose of funding the Information Technology Hardware & Software Upgrade project as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$363,000**, and that **\$55,000** be transferred from available funds under council order 2014-100, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-087
INTRO: 03/24/16**

2016-087 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$290,000 FOR THE PURPOSE OF FUNDING THE PROPERTY ACQUISITION, DESIGN AND PERMITTING OF A PARKING LOT IN MARSTONS MILLS

ORDERED: That the sum of **\$290,000** be appropriated for the purpose of funding the Property Acquisition, Design and Permitting of a Parking Lot in Marstons Mills as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$290,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-088
INTRO: 03/24/16**

**2016-088 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$106,000
FOR THE PURPOSE OF FUNDING THE SITE IMPROVEMENTS ON THE
WALKWAY TO THE SEA**

ORDERED: That the sum of **\$106,000** be appropriated for the purpose of funding the Site Improvements on the Walkway To The Sea as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$103,570** be transferred from available funds within the Capital Trust Fund, and that **\$2,392** be transferred from available funds under council order 2014-113, and that **\$38** be transferred from available funds under council order 2013-116, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-089
INTRO: 03/24/16**

**2016-089 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$55,000
FOR THE PURPOSE OF FUNDING THE WATER QUALITY IMPROVEMENTS
AT SCHOOLHOUSE POND**

ORDERED: That the sum of **\$55,000** be appropriated for the purpose of funding the Water Quality Improvements at Schoolhouse Pond as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$55,000** be transferred from available funds within the 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-090
INTRO: 03/24/16**

AIRPORT ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2016-090 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$6,373,000 FOR THE PURPOSE OF FUNDING THE AIRFIELD IMPROVEMENTS

ORDERED: That the sum of **\$6,373,000** be appropriated for the purpose of funding the Airfield Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$6,373,000**, and that the Airport Commission 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-091
INTRO: 03/24/16**

**2016-091 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000
FOR THE PURPOSE OF FUNDING THE HEAVY DUTY VEHICLE
REPLACEMENT**

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Heavy Duty Vehicle Replacement as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$100,000** be transferred from the Airport Enterprise Fund reserves, and that the Airport Commission 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-092
INTRO: 03/24/16**

**2016-092 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$150,000
FOR THE PURPOSE OF FUNDING THE RUNWAY & TAXIWAY MARKINGS
PROJECT**

ORDERED: That the sum of **\$150,000** be appropriated for the purpose of funding the Runway & Taxiway Markings project as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$150,000** be transferred from the Airport Enterprise Fund reserves, and that the Airport Commission 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-093
INTRO: 03/24/16**

WATER SUPPLY ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2016-093 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$1,050,000 FOR THE PURPOSE OF FUNDING THE PIPE REPLACEMENT AND UPGRADE PROGRAM FOR THE 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 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$150,000** be transferred from the Water Supply Enterprise Fund Reserves, and that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$900,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-094
INTRO: 03/24/16**

**2016-094 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$200,000
FOR THE PURPOSE OF PUMP STATION AND TREATMENT PLANT
UPGRADES**

ORDERED: That the sum of **\$200,000** be appropriated for the purpose of Pump Station and Treatment Plant Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$200,000** be transferred from the Water Supply Enterprise Fund Reserves, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-095
INTRO: 03/24/16**

**2016-095 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$52,000
FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF
MARY DUNN 1 WATER STORAGE TANK UPGRADES**

ORDERED: That the sum of **\$52,000** be appropriated for the purpose of funding the Design and Permitting of Mary Dunn 1 Water Storage Tank Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$52,000** be transferred from the Water Supply Enterprise Fund Reserves, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-096
INTRO: 03/24/16**

2016-096 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$400,000 FOR THE PURPOSE OF FUNDING THE STUDY, DESIGN, PERMITTING AND TESTING OF INTERCONNECTIONS WITH OTHER WATER SYSTEMS

ORDERED: That the sum of **\$400,000** be appropriated for the purpose of funding the Study, Design, Permitting and Testing of Interconnections with Other Water Systems as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$400,000** be transferred from the Water Supply Enterprise Fund Reserves, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-097
INTRO: 03/24/16**

2016-097 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,289,505 FOR THE PURPOSE OF FUNDING THE REHABILITATION OF THE CLARIFIERS AT THE WASTEWATER TREATMENT PLANT

ORDERED: That the sum of **\$1,289,505** be appropriated for the purpose of funding the Rehabilitation of the Clarifiers at the Wastewater Treatment Plant as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$1,200,000**, and that **\$89,505** be transferred from available funds under council order 2011-084, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-098
INTRO: 03/24/16**

2016-098 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$904,000 FOR THE PURPOSE OF FUNDING THE BACKUP GENERATOR REPLACEMENT AT THE WASTEWATER TREATMENT PLANT (Refer to Public hearing 04/07/16) (2/3 vote)

ORDERED: That the sum of **\$904,000** be appropriated for the purpose of funding the Backup Generator Replacement at the Wastewater Treatment Plant as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$904,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-099
INTRO: 03/24/16**

SOLID WASTE ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

**2016-099 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$150,000
FOR THE PURPOSE OF FUNDING THE REPLACEMENT OF THE 2007
MACK TRACTOR**

ORDERED: That the sum of **\$150,000** be appropriated for the purpose of funding the Replacement of the 2007 Mack Tractor as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$150,000** be transferred from the Solid Waste Enterprise Fund Reserves, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-100
INTRO: 03/24/16**

**2016-100 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$50,000
FOR THE PURPOSE OF FUNDING THE VEHICLE REPLACEMENT**

ORDERED: That the sum of **\$50,000** be appropriated for the purpose of funding the Vehicle Replacement as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$50,000** be transferred from the Solid Waste Enterprise Fund Reserves, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-101
INTRO: 03/24/16**

2016-101 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$2,500,000 FOR THE PURPOSE OF FUNDING THE PHASE I AND II SITE IMPROVEMENTS AT THE SOLID WASTE FACILITY

ORDERED: That the sum of **\$2,500,000** be appropriated for the purpose of funding the Phase I and II Site Improvements at the Solid Waste Facility as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$500,000** be transferred from the Solid Waste Enterprise Fund Reserves, and that the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$2,000,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-102
INTRO: 03/24/16**

CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN

**2016-102 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$3,250,000
FOR THE PURPOSE OF FUNDING THE PUBLIC ROADS IMPROVEMENT
PROGRAM**

ORDERED: That the sum of **\$3,250,000** be appropriated for the purpose of funding the Public Roads Improvement Program as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$3,250,000** be transferred from available funds within the 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-103
INTRO: 03/24/16**

2016-103 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$730,000 FOR THE PURPOSE OF FUNDING THE GUARDRAIL AND SIDEWALK IMPROVEMENT PROGRAM

ORDERED: That the sum of **\$730,000** be appropriated for the purpose of funding the Guardrail and Sidewalk Improvement Program as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$730,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-104
INTRO: 03/24/16**

**2016-104 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$87,500 FOR
THE PURPOSE OF FUNDING THE UPDATED STORM WATER
MANAGEMENT PLAN**

ORDERED: That the sum of **\$87,500** be appropriated for the purpose of funding the Updated Storm water Management Plan in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$87,500** be transferred from available funds within the 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-105
INTRO: 03/24/16**

**2016-105 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$150,000
FOR THE PURPOSE OF FUNDING THE TRAFFIC SIGNAL UPGRADES**

ORDERED: That the sum of **\$150,000** be appropriated for the purpose of funding the Traffic Signal Upgrades as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$150,000** be transferred from available funds within the 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-106
INTRO: 03/24/16**

**SEWER CONSTRUCTION & PRIVATE WAY MAINTENANCE
& IMPROVEMENT FUND**

**2016-106 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$853,000
FOR THE PURPOSE OF FUNDING THE PRIVATE WAY IMPROVEMENTS**

ORDERED: That the sum of **\$853,000** be appropriated for the purpose of funding the Private Way Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager; and that to meet this appropriation, that **\$666,710** be transferred from available funds within the Sewer Construction & Private Way Maintenance & Improvement Fund, and that **\$115,354** be transferred from the available balance under council order 2015-102, and that **\$50,871** be transferred from the available balance under council order 2012-038, and that **\$20,065** be transferred from the available balance under council order 2013-066, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-107
INTRO: 03/24/16**

GOLF COURSE ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2016-107 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$258,000 FOR THE PURPOSE OF FUNDING FACILITY IMPROVEMENTS AT THE OLDE BARNSTABLE FAIRGROUNDS GOLF COURSE

ORDERED: That the sum of **\$258,000** be appropriated for the purpose of funding facility improvements at the Olde Barnstable Fairgrounds Golf Course as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$258,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-108
INTRO: 03/24/16**

2016-108 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$307,000 FOR THE PURPOSE OF FUNDING FACILITY IMPROVEMENTS AT THE HYANNIS GOLF COURSE

ORDERED: That the sum of **\$307,000** be appropriated for the purpose of funding facility improvements at the Hyannis Golf Course as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$307,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-109
INTRO: 03/24/16**

MARINA ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN

2016-109 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$500,000 FOR THE PURPOSE OF FUNDING THE MAINTENANCE DREDGING OF GATEWAY MARINA

ORDERED: That the sum of **\$500,000** be appropriated for the purpose of funding the maintenance dredging of Gateway Marina as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$500,000**, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-110
INTRO: 03/24/16**

CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN

2016-110 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$618,717 FOR THE PURPOSE OF FUNDING THE BEACH FACILITY IMPROVEMENTS

ORDERED: That the sum of **\$618,717** be appropriated for the purpose of funding the Beach Facility Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$478,000**, and that **\$50,000** be transferred from available funds under council order 2013-109, and that **\$21,250** be transferred from available funds under council order 2013-110, and that **\$16,101** be transferred from available funds under council order 2012-097, and that **\$53,366** be transferred from available funds under council order 2013-117, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-111
INTRO: 03/24/16**

**2016-111 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT
\$1,079,788 FOR THE PURPOSE OF FUNDING THE BLISH POINT BOAT
ACCESS CHANNEL DREDGING**

ORDERED: That the sum of **\$1,079,788** be appropriated for the purpose of funding the Blish Point Boat Access Channel Dredging as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$988,000**, and that **\$6,346** be transferred from available funds under council order 2010-071, and that **\$25,735** be transferred from available funds under council order 2013-117, and that **\$37,306** be transferred from available funds under council order 2010-112 and that **\$22,401** be transferred from available funds under council order 2014-117, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

ITEM# 2016-112

INTRO: 03/24/16

2016-112 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$900,444 FOR THE PURPOSE OF FUNDING THE SITE IMPROVEMENTS AT THE FORMER OSTERVILLE BAY ELEMENTARY SCHOOL

ORDERED: That the sum of **\$900,444** be appropriated for the purpose of funding the Site Improvements at the Former Osterville Bay Elementary School as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and 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 **\$757,000**, and that **\$9,865** be transferred from available funds under council order 2014-068, and that **\$133,579** be transferred from available funds under council order 2013-116, 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.

DATE	ACTION TAKEN
_____	_____
_____	_____

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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-113
INTRO: 03/24/16**

2016-113 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$1,686,000 FOR THE PURPOSE OF FUNDING THE LOMBARD FIELD IMPROVEMENTS

ORDERED: That the sum of **\$1,686,000** be appropriated for the purpose of funding the Lombard Field Improvements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager and Community Preservation Committee; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$936,000**, and that **\$750,000** be transferred from the amount set aside for open space/outdoor recreation in the Community Preservation 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, subject to the oversight 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

A. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-114
INTRO: 03/24/16**

COMMUNITY PRESERVATION FUND

2016-114 APPROPRIATION TRANSFER AND LOAN ORDER IN THE AMOUNT OF \$173,000 FOR THE PURPOSE OF FUNDING THE WEST BARNSTABLE COMMUNITY BUILDING WINDOW REPLACEMENTS

ORDERED: That the sum of **\$173,000** be appropriated for the purpose of funding the West Barnstable Community Building Window Replacements as outlined in the FY 2017 - FY 2021 Capital Improvement Plan and recommended by the Town Manager and Community Preservation Committee; and that to meet this appropriation, that **\$173,000** be transferred from the undesignated funds within the Community Preservation 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, subject to the oversight 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

END CAPITAL IMPROVEMENT PLAN

A. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-115
INTRO: 03/24/16**

**2016-115 RESOLVE ACCEPTING THE FISH WEIR APPLICATION FROM
NANTUCKET SOUND FISH WEIRS, INC., (KURT MARTIN)**

RESOLVED: The Barnstable Town Council does hereby approve the Application of Nantucket Sound Fish Weirs, Inc. to renew permits for two (2) fish weir sites in the coastal waters of the Town of Barnstable in Nantucket Sound. The permit renewal request is for a period of five (5) years. (Full application on file in Council office)

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

- _____ Read Item
- _____ Rationale
- _____ Council discussion
- _____ Move/vote

BARNSTABLE TOWN COUNCIL

ITEM # 2016-115
INTRO: 03/24/16

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Director, Community Services Department
Daniel J. Horn, Director, Marine and Environmental Affairs Division
DATE: March 24, 2016
SUBJECT: Resolve Accepting the Fish Weir application from Nantucket Sound Fish Weirs, Inc.,
(Kurt Martin)

RESOLVED: The Barnstable Town Council does hereby approve the application of Nantucket Sound Fish Weirs, Inc. to renew permits for two (2) fish weir sites in the coastal waters of the Town of Barnstable in Nantucket Sound. The permit renewal request is for a period of five (5) years.

BACKGROUND: In 2010, Nantucket Sound Fish Weirs, Inc. was granted a permit for a period of five (5) years (refer to Agenda Item 2010- 94, previous Agenda Item 2005-080). The applicant is again seeking to renew permits for two (2) existing sites in Nantucket Sound, the location and coordinates for those being on file at the Marine and Environmental Affairs Office, 1189 Phinney's Lane, Centerville. This year, 2016, will mark the thirty-sixth year that Nantucket Sound Fish Weirs, Inc. has been operating fish weirs in the Town of Barnstable.

Location 1 - Shore end of leader: Latitude 41° 37' 07" N; Longitude 70° 18' 47" W. Distance from mean high water mark: 1,000 yards. Landmark description: Hallet's Rock buoy in line with Centerville flag pole. Collier Ledge buoy in line with Hyannisport Breakwater. Overall length of structure: 700 yards. Extreme width of structure, including guy lines or anchor lines: 120 yards.

Location 2 - Shore end of leader: Latitude 41° 36' 33" N; Longitude 70° 22' 00" W. Distance from mean high water mark: 850 yards. Landmark description: Collier Ledge buoy in line with flagpole on Osterville Point. Overall length of structure: 700 yards. Extreme width of structure, including guy lines or anchor lines: 120 yards.

Kurt Martin, President of Nantucket Fish Weirs, Inc. has indicated that both sites will continue to have U.S. Coast Guard approval for three yellow lights.

ANALYSIS: The Marine and Environmental Affairs Division supports the request of the applicant for renewing his permits to construct and maintain fish weirs for a period of five years. Mr. Martin has indicated that both sites will continue to have U.S. Coast Guard approved yellow lights for each trap.

FISCAL IMPACT: None identified.

TOWN MANAGER RECOMMENDATION The Town Manager recommends approval of the permits for a term not to exceed five years from the date of renewal approval.

BOARD/COMMITTEE ACTION: The Shellfish Committee met on March 16 and the Committee had no objections. The Waterways Committee met on February 23 and the Committee had no objections.

STAFF ASSISTANCE: Doug Kalweit, Supervisor of Natural Resources.

B. NEW BUSINESS (Refer to Public hearing 04/07/16)

BARNSTABLE TOWN COUNCIL

**ITEM # 2016-116
INTRO: 03/24/16**

**2016-116 SUPPLEMENTAL APPROPRIATION REQUEST OF \$106,878 FOR THE
BARNSTABLE POLICE DEPARTMENT FY16 OPERATING BUDGET**

ORDERED: That the sum of \$106,878 be added to the FY16 Police Department General Fund Operating Expense Budget for the purpose of funding FY16 expenses related to hiring, training and new officer set-up expenses.

SPONSOR: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2016-116
INTRO: 03/24/16

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
FROM: Paul B. MacDonald, Chief of Police
DATE: March 24, 2016
SUBJECT: Supplemental Appropriation Request in the amount of \$106,878 for the FY16 Police Department Operating Budget

BACKGROUND: The department has experienced a significant number of retirements, including the retirement of several superior officers. The superior officer positions have been filled through the promotional process overseen by Massachusetts Civil Service and consequently there are currently 10 patrol officer vacancies. The department has recently completed background checks as a step toward filling the 10 vacancies. The department has secured 10 seats in the police academy that begins on April 11, 2016. The availability of openings in the police academies offered by the Massachusetts Criminal Justice Training Council are, at times, unpredictable and limited in the number of recruits that they will accept into a particular class, therefore we are fortunate to have secured 10 seats. At the time of the preparation and finalization of the FY16 budget, the Police Department did not have confirmation on the number of retirements to take place nor the availability of police academy seats that would be available. At this time our need for additional patrol officers to attain a full sworn strength is significant and we are poised to fill the vacancies and avail ourselves of the class seats for 10 new officers. We have monies still in the FY16 budget that went unspent in certain areas due to the fact that we were budgeted to hire seven recruits in the Fall of 2015, but only hired five. The costs to hire and secure these 10 academy seats relative to recruiting costs, training and outfitting of these recruits requires a supplemental appropriation to the police departments FY16 operating budget in the amount of \$106,878 as outlined below for costs not allocated in our originally approved budget:

<u>Expense Item</u>	<u>Unit</u>	<u>Total -10 Recruits</u>
Medical Exams (x 10)	\$823	\$8,230
Psychological Assessment (x 10)	\$400	\$4,000
Police Academy Tuition & Books (x 8)	\$3,295	\$26,360
Academy Uniform & Gear Bag (x 8)	\$2,480	\$19,840
Taser (x 8)	\$1,420	\$11,360
Handheld Radio (x 10)	\$3,100	\$31,000
Initial Service Uniform (x8)	\$761	<u>\$6,088</u>
Total Appropriation Request		\$106,878

ANALYSIS: This supplemental appropriation request totals \$106,878 and is comprised of three parts: 1) Pre-employment requirements including medical exams and psychological assessments; 2) academy tuition and textbooks; and 3) uniforms and gear.

FISCAL IMPACT: Funds will be provided from the General Fund Reserves (Free Cash). The balance in the reserves is \$9,914,204. This is not a reoccurring cost that will be added to the department's FY17 operating budget.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of this supplemental appropriation request.

STAFF ASSISTANCE: Paul MacDonald, Chief of Police; Anne Spillane, Barnstable Police Department

B. NEW BUSINESS (Refer to the Planning Board)

BARNSTABLE TOWN COUNCIL

**ITEM# 2016-117
INTRO: 03/24/16**

2016-117 AMENDMENT OF THE ZONING MAP OF THE TOWN OF BARNSTABLE MASSACHUSETTS TO EXTEND THE HB HIGHWAY BUSINESS DISTRICT ALONG IYANNOUGH ROAD (ROUTE 132) TO INCLUDE PARCEL 254015

ORDERED: That Chapter 240, Article II, Section 6, The Zoning Map of the Town of Barnstable Massachusetts is hereby amended to extend the HB, Highway Business Zoning District along Iyannough Road as shown on maps entitled;

- “Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts - Index Map – to Extend the HB Highway Business District along Iyannough Road to include Parcel 254015 also known as 10 Attucks Lane” and
- Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts - Barnstable – Sheet 1 of 7 – to Extend the HB Highway Business District along Iyannough Road to include Parcel 254015 also known as 10 Attucks Lane” and
- Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts – Hyannis - Sheet 3 of 7 – to Extend the HB Highway Business District along Iyannough Road to include Parcel 254015 also known as 10 Attucks Lane and
- Proposed Amendment of the Zoning Map of the Town of Barnstable Massachusetts – Centerville - Sheet 4 of 7 – to Extend the HB Highway Business District along Iyannough Road to include Parcel 254015 also known as 10 Attucks Lane ”

Dated February __, 2016 as prepared by the Town of Barnstable GIS (Geographical Information System) Unit.

SPONSOR: Councilor John Flores

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2016-118
INTRO: 03/24/16

SUMMARY

TO: Town Council
FROM: Jo Anne Miller Buntich, Director, Growth Management Department
DATE: March 24, 2016
SUBJECT: Amendment of the Zoning Map to Extend HB Highway Business District to include Parcel 254015 addressed as 10 Attucks Lane

BACKGROUND: This zoning map amendment will extend the Highway Business Zoning District to encompass this final parcel of land now zoned residential but developed and used commercially through use variances. Use variances are now prohibited within 300 feet of Route 132 severely limiting reuse thereby making private sector investment difficult.

ANALYSIS: The parcel to be rezoned, 10 Attucks Lane, Barnstable, MA (Assessor's Map 254 parcel 015), is 3.18 acres abutting the Hyannis Golf Course, Iyannough Road, and Attucks Lane. Presently this parcel is zoned Residence F-1.

RATIONALE: Highway Business zoning allows banks, not including drive-through banking, and professional offices as-of-right. Banks with drive through windows and other commercial uses are allowed by special permit from the Zoning Board of Appeals. Allowing business uses as-of-right with the option for a special permit for other commercial uses encourages redevelopment and reinvestment while the existing use variance prohibition and residential zoning do not offer that same option.

STAFF ASSISTANCE: Growth Management Department Planning Staff