



The Town of Barnstable

Town Council

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Councilors:

Janet S. Joakim
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Gary R. Brown
Vice President

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Janice L. Barton
Ann A. Canedy
Frederick Chirigotis
James H. Crocker, Jr.
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Henry C. Farnham
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Tom Rugo
Harold E. Tobey

Administrator:
Donald M. Grissom

Town Council
Secretary:
Cheryl A. Phillips

TOWN COUNCIL AGENDA

January 4, 2007

7:00 PM

1. **ROLL CALL**
 2. **PLEDGE OF ALLEGIANCE**
 3. **MOMENT OF SILENCE**
 - **HISTORICAL COMMISSION PRESENTATION**
 4. **PUBLIC COMMENT**
 5. **COUNCIL AND TOWN MANAGER RESPONSE TO PUBLIC COMMENT**
 6. **REPORTS FROM TOWN COUNCIL, BOARDS, AND COMMITTEES**
 7. **ACT ON MINUTES**
 8. **ORDERS OF THE DAY**
 - A. **OLD BUSINESS**
 - B. **NEW BUSINESS**
 9. **COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS AND STAFF, CORRESPONDENCE AND ANNOUNCEMENTS**
 10. **PRESIDENT/VICE PRESIDENT COMMUNICATIONS**
 11. **TOWN MANAGER COMMUNICATIONS**
 12. **PUBLIC COMMENT**
 13. **ADJOURNMENT.**
- NEXT MEETING JANUARY 18TH.**
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Minutes of Barnstable Town Council Meeting of December 21, 2006.		
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Please Note: It is possible, if it so votes, the Council may go into executive session.
The council may act on items in a different order than they appear on this agenda.

A. OLD BUSINESS (Public Hearing May Be Acted Upon) (Roll Call 2/3 Vote)

BARNSTABLE TOWN COUNCIL

**2007-061 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$965,000
FOR THE PURPOSE OF MAKING CERTAIN IMPROVEMENTS TO
BISMORE PARK
INTRO.: 12/07/06; 01/04/07**

ORDERED: That the sum of \$965,000 be appropriated for the purpose of funding certain capital improvements for Bismore Park and that to meet that appropriation, the Town Treasurer is authorized to borrow \$965.000 and that the Town Manager is authorized to contract and expend said appropriation made available for that purpose and is authorized to accept any grants or gifts in relation thereto and furthermore that the town rescind \$965,000 of borrowing authorization under Council Order 1998-054 for the purpose of the Barnstable Unified Transportation and Parking System. (BUTAPS).

SPONSOR: Town Manager John C. Klimm

DATE

ACTION TAKEN

BARNSTABLE TOWN COUNCIL
AGENDA ITEM SUMMARY
2007-061
INTRO.: 12/07/06

TO: Town Council
FROM: John C. Klimm, Town Manager
THROUGH: Ruth Weil
DATE: December 7, 2006
SUBJECT: Appropriation in the amount of \$965,000 for Bismore Park Improvements

BACKGROUND: Based upon a grant application submitted by the Growth Management Department, the Town of Barnstable has been awarded the Urban Self-Help grant from the Executive Office of Environmental Affairs in the amount of \$500,000, which will pay for a little more than half of the \$965,000 needed for the proposed improvements. The grant will be used for design and construction costs to renovate Bismore Park including plans to reconstruct, relocate and renovate the visitor's center with restrooms that are handicapped accessible and to replace the existing "lollipop" parking meters.

ANALYSIS: The approval of this appropriations and loan order will contribute to the downtown revitalization efforts improving the public spaces and amenities on Hyannis Harbor and will entitle the Town to receive a \$500,000 grant to defray a portion of the costs of the improvements.

FISCAL IMPACT: The Urban Self-Help grant functions as a reimbursement and requires the full amount identified in the grant to be appropriated. The Town is entitled to reimbursement in the amount of \$500,000. The appropriation requested needs to be appropriated in order for the Town to qualify for the \$500,000 reimbursement.

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

STAFF ASSISTANCE: Ruth J. Weil, Director Department of Growth Management

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

BARNSTABLE TOWN COUNCIL

2007-063 LOAN ORDER FOR REFUNDING BONDS

INTRO.: 12/21/06; 01/04/07

ORDERED: that in order to reduce interest costs, the Treasurer with the approval of the Town Manager is authorized to issue refunding bonds pursuant to G.L. c.44, §21A to refund all or a portion of the remaining amounts of any of the Town's bonds outstanding as of the date hereof; that the refunding bonds shall be issued in an amount not to exceed \$50,000,000, in order to pay the principal, redemption premium and interest on the bonds to be refunded, and costs of issuance of the refunding bonds; and that the Treasurer is authorized to execute such documents as may be necessary or desirable to carry out this transaction, including a refunding trust agreement with a bank or trust company.

SPONSOR: Town Manager John C. Klimm

DATE

ACTION TAKEN

BARNSTABLE TOWN COUNCIL
AGENDA ITEM SUMMARY
2007-063
INTRO.: 12/21/06

TO: Town Council
FROM: John C. Klimm, Town Manager
THROUGH: Debra Blanchette – Treasurer
DATE: December 21, 2006
SUBJECT: Refunding General Obligation Bonds

BACKGROUND: As a general matter in the bond market, blocks or lots of bonds maturing in the early years are charged lower rates of interest at the time of sale while those maturing in the later years are charged a higher rate of interest at the time of sale. As economic conditions change, so do interest rates. The Treasury is always alert to opportunities to refund (refinance) outstanding bonds to achieve future interest savings.

ANALYSIS: Authorization of this item will position the Town to act quickly to changing economic conditions that may result in interest savings on the Town's outstanding general obligations bonds dated 1999 through 2004. As with any other borrowing authorization, this refunding authorization will not be effective until 30 days after its final passage. The Town is actively researching this opportunity and is targeting February 2007 as the next potential refunding date.

FISCAL IMPACT: Impact will be favorable to future annual debt service. The issuance costs associated with any refunding will be factored into projected savings and are paid for from a premium charged to the buyer of these refunded bonds at the time of sale.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends favorable action.

STAFF ASSISTANCE: Debra Blanchette, Town Treasurer

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

BARNSTABLE TOWN COUNCIL

<p>2007-058 ORDER AMENDING SECTION 220-10 OF THE GENERAL ORDINANCES INTRO.: 12/07/06; 12/21/06; 01/04/07</p>
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ORDERED,

That the general ordinances are hereby amended by striking out section 220-10 and inserting in place thereof the following:

§ 220-10. Suspension of requirement for televising meetings.

All regular meetings of the Town Council and School Committee shall be televised, unless, by a vote of 2/3 of those present and voting, because of emergency conditions or some other substantial reason stated as part of the vote, the body in question suspends the requirements hereof. Nothing contained in this article shall be so construed as to conflict with the requirements of MGL Chapter 39, § 23A et seq.

SPONSOR: Town Councilor Henry C. Farnham

DATE

ACTION TAKEN

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_____	_____

B. NEW BUSINESS (FIRST READING)

BARNSTABLE TOWN COUNCIL

2007-065 APPOINTMENTS

INTRO.: 01/04/07

That the Barnstable Town Council appoints the following individuals to a multiple member board/committee/commission:

WATERWAYS COMMITTEE APPOINTMENT:

Frederick Komenda, 65 Elliot Road, Centerville, MA 02632, term expires 06/30/2007

PORT COUNCIL REAPPOINTMENT:

Robert Jones, PO Box 324, Hyannisport, MA 02647, term expires 12/31/2008

SPONSORS: Appointments Committee

DATE

ACTION TAKEN

A. NEW BUSINESS (FIRST READING)

BARNSTABLE TOWN COUNCIL

**2007-067 TOWN COUNCIL RULE CHANGE RE: AGENDA ORDER OF
BUSINESS
INTRO.: 01/04/07**

RESOLVED,

SECTION 1.

That the Rules are hereby amended by striking out Rule 5E and inserting in place thereof the following:

“RULE 5E - ORDER OF BUSINESS.

At every regular meeting of the Town Council, the order of business shall be as follows:

1. Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Workshops/presentations
5. Public Comment
6. Act on Minutes
7. Order of the Day
 - A. Old Business
 - B. New Business
8. Communication/response from Elected Officials and staff.
9. Adjournment”

SPONSOR: Town Councilor Henry C. Farnham

DATE

ACTION TAKEN

_____	_____
_____	_____

B. NEW BUSINESS (MAY BE ACTED UPON) (Time Sensitive)

BARNSTABLE TOWN COUNCIL

**2007-068 ACCEPTANCE OF A FY 2007 & 2008 GRANT FROM THE EXECUTIVE OFFICE
OF ENVIRONMENTAL AFFAIRS IN THE AMOUNT OF \$500,000.**

INTRO.: 01/04/07

RESOLVED: That the Town Council does hereby accept the grant award in the amount of \$500,000 from the Executive Office of Environmental Affairs under the Urban Self-Help Grant program.

SPONSOR: Town Manager John C. Klimm

DATE

ACTION TAKEN

_____	_____
_____	_____

BARNSTABLE TOWN COUNCIL
AGENDA ITEM SUMMARY
2007-068
INTRO.: 01/04/07

TO: Town Council
FROM: John C. Klimm, Town Manager
THROUGH: Ruth Weil
DATE: December 26, 2006
SUBJECT: Acceptance of a FY 2007 & 2008 Urban Self-Help Grant in the amount of \$500,000 from the Executive Office of Environmental Affairs.

BACKGROUND: Based upon a grant application submitted by the Growth Management Department, the Town of Barnstable has been awarded the Urban Self-Help grant from the Executive Office of Environmental Affairs in the amount of \$500,000, which will contribute a little more than half of the \$965,000 needed for the proposed improvements. The grant will be used for design and construction costs to renovate Bismore Park including plans to reconstruct, relocate and renovate the visitor's center with restrooms that are handicapped accessible and to replace the existing "lollipop" parking meters.

ANALYSIS: Acceptance of this grant will contribute to the downtown revitalization efforts improving public recreation space on Hyannis Harbor.

FISCAL IMPACT: This grant functions as a reimbursement and requires the full amount identified in the grant to be appropriated. The Town is entitled to a reimbursement in the amount \$500,000. The sum of \$965,000 needs to be appropriated to qualify for the \$500,000 reimbursement.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends acceptance of this grant.

STAFF ASSISTANCE: Ruth J. Weil

B. NEW BUSINESS (To Be Referred To Public Hearing January 18th)

BARNSTABLE TOWN COUNCIL

**2007-069 COMMUNITY PRESERVATION FUND APPROPRIATION FOR COMMUNITY HOUSING AND HISTORIC RESOURCES FOR ASSESSOR MAP AND PARCEL NUMBERS 326-020 AND 326-019
INTRO.: 01/04/06**

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of One Hundred Fifteen thousand and No/100 (\$115,000.00) Dollars be appropriated and transferred from the amount set aside for Community Housing in the Community Preservation Fund on June 15, 2006 under agenda item number 2006-144 and the sum of Three Hundred Seventy Five thousand and No/100 (\$375,000.00) Dollars be appropriated and transferred from the amount set aside for Historic Resources in the Community Preservation Fund on June 15, 2006 under agenda item number 2006-144; that the Growth Management Department is authorized to contract for and expend the amount of (\$375,000.00) with the prior approval of the Town Manager for the purpose of acquiring in order to undertake preservation, rehabilitation or restoration of the Historic Resources contained on the property having the address of 50 Pearl Street, Hyannis, MA, map and parcel number 326-020; that the Growth Management Department is authorized to contract for and expend the amount of (\$115,000.00) with the prior approval of the Town Manager for the purpose of acquiring in order to undertake preservation, rehabilitation, restoration and creation of Community Housing on the property having the address of 46 Pearl Street, Hyannis, MA, map and parcel number 326-019, consisting of a minimum of two affordable units for low and moderate income persons; and that the foresaid resources be placed under custody and control of the Town Manager and the Town Manager is authorized to carry out the purposes described through appropriate dedication or restriction and accept any gifts or grants in relation to.

SPONSOR: Town Manager upon recommendation of the Community Preservation Committee

DATE

ACTION TAKEN

_____	_____
_____	_____

BARNSTABLE TOWN COUNCIL
AGENDA ITEM SUMMARY
2007-069
INTRO.: 01/04/07

TO: Town Council
FROM: John C. Klimm, Town Manager
THROUGH: Ruth Weil
DATE: December 26, 2006
SUBJECT: Community Preservation Fund Appropriation for Community Housing
and Historic Resources for Assessor Map and Parcel Numbers 326-020 and 326-019

RATIONALE: For Affordable Housing and Historic Preservation: The Community Preservation Committee (CPC) met on December 19, 2006 and has recommended that the town support the funding request of \$490,000.00 from the Growth Management Department to acquire two single family historic dwellings at 46 and 50 Pearl Street. \$115,000.00 is requested for Affordable Housing and \$375,000.00 is requested for Historic Preservation.

Both homes are historic, as they were built in 1830 and 1920. The intent is to renovate and restore these properties to create a minimum of two affordable apartments and workspace for artists on site. The acquisition and renovation of these properties would serve both a Historic Preservation and a Community Housing purpose under the Community Preservation Act (CPA). This project will help to preserve the character of the Town by both restoring the historic buildings on the site and by creating affordable housing units, which are both priorities in the Local Comprehensive Plan. In addition, the proximity of these two properties to the Guyer Barn and Barnstable Town Hall creates a unique economic and cultural opportunity for the Town and promises to further promote Hyannis as a regional hub for arts and culture activities.

The use of CPA funds to create affordable housing meets the following criteria: contributes to the goal of 10% affordability, promote a socioeconomic environment that encourages a diversity of income, ethnicity, religion and age, provide housing that is harmonious in design and scale with the surrounding community, promotes the use of existing buildings or construction on previously developed or Town owned sites, and converts market rate to affordable units.

The use of CPA funds for historic preservation meets the following criteria: protect, preserve, enhance and restore a threatened historical resource of significance. The site is located within the Hyannis Main Street Waterfront Historic District and would provide a public benefit.

An additional funding source from the Community Development Block Grant is proposed to cover the remaining acquisition costs of \$260,000.00.

B. NEW BUSINESS (To Be Referred To Public Hearing January 18th)

BARNSTABLE TOWN COUNCIL

<p>2007-071 COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC REHABILITATION INTRO.: 01/04/07</p>

ORDERED: That, pursuant to the provisions of G. L. c. 44B, the sum of Forty Thousand and No/100 (\$40,000.00) Dollars be appropriated and transferred from the amount set aside for Historic Resources in the Community Preservation Fund on June 15, 2006 under agenda item number 2006-144; that the Department of Public Works is authorized to contract for and expend the amount of (\$40,000.00) for the purpose of rehabilitation of the New Town Hall, including courtyard entry area contained on the property having the address of 367 Main Street, Hyannis, MA, map and parcel number 326-021.

SPONSOR: Town Manager upon recommendation of the Community Preservation Committee

DATE

ACTION TAKEN

**BARNSTABLE TOWN COUNCIL
AGENDA ITEM SUMMARY
2007-071
INTRO.: 01/04/07**

TO: Town Council
FROM: Town Manager John C. Klimm
THROUGH: Lindsey Counsell, Chairman Community Preservation Committee
DATE: December 29, 2006
RE: Community Preservation Fund Appropriation for Historic Rehabilitation

RATIONALE: The Community Preservation Committee (CPC) met on December 19, 2006 and has recommended that the town support the funding request of \$40,000.00 from the Structures & Grounds Division (S&G) of the Department of Public Works, for rehabilitation of the New Town Hall, including the courtyard entry area.

The Town Hall was built in the late 1800's and is on the National Register of Historic Buildings and within the Hyannis Main Street Waterfront Historic District. The current doors are heavy and in poor condition. The positioning of the hand rails and steps are a hazard to the many visitors to the building. The design has been approved by the Historic Commission and is compatible to the historic architecture of the existing building by matching the design of adjacent period doors, windows and wainscot paneling which aid in tastefully integrating the vestibule into the fabric of the building.

The use of CPA funds for historic preservation meets the following criteria: protect, preserve, enhance, restore and/or rehabilitate town-owned properties, features or resources of historical significance; This project is a public benefit in that it allows for easy and safe access to the building by the public.