

TOWN COUNCIL MEETING
April 26, 2007

A quorum being duly present, Council President Janet Joakim called the meeting of the Barnstable Town Council to order at 7:00 pm, on Thursday, April 26, 2007 at the Barnstable Town Hall, 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA.

PRESENT: Richard Barry, Janice Barton, Gary Brown, Ann Canedy, Frederick Chirigotis, James Crocker, Jr., Henry Farnham, Janet Joakim, J. Gregory Milne, James Munafo, Jr., Tom Rugo and Harold Tobey. **Absent:** Leah C. Curtis.

Vice President Brown led the Council in the Pledge of Allegiance and a moment of silence, remembering our troops.

BARNSTABLE LAND TRUST PRESENTATION

Jaci Barton, Barnstable Land Trust, congratulated the council on Barnstable's selection as one of the top 25 "2007 Best Green Places To Live In America" by Country Home Magazine.

Barton briefly updated the council on the accomplishments of the Pathways project. They continue to map trails, keep trails open, etc. They may need to make more purchases to maintain the existence of the pathways.

Ms. Barton also discussed in detail a new opportunity in 2007 for land owners to place conservation restrictions on their land and receive extraordinary tax benefits for the next sixteen years. The land is kept within the family with development restricted and a tax savings. The property may be sold or passed on, however the restriction stays in place. The law, which passed last August, gives new tax incentives through 12/2007. (See Exhibits A1 and 2.) The tax benefit has increased from 30% of the AGI for six years to 50% of the AGI for 16 years. This is bigger and better than before and may be better than any other time in ones life.

PUBLIC COMMENT

John Julius spoke on conservation restriction easements. He had a 1991 Conservation Restriction handbook. He found many instances where conservation land was purchased by the town without conservation restriction easements per the instructions in the handbook. He asked why the instructions were not followed in 2003. Did the town follow all necessary and legal channels when purchases occurred?

Robert Tucker spoke about the mess around the lacquer thinner place near the Salvation Army. He also commented on the proposed windmill on West Main which will be paid off in three or four years because it is a business. Homeowners cannot get a payoff at such a rapid rate. He was concerned that a business was identified 'on the air.' He said that the council should be concerned about the \$50 M in taxes from Cape Cod which is going overseas. Someone should enforce the laws. He feels the chief would enforce them but his hands are tied.

Peter Doiron agrees with Maine Sen. Olympia Snow who believes people deserve more from elected officials. He spoke about the renovations in the hearing room. Exit 6.5 is always with us. It was planned for Mary Dunn Road. Mary Dunn is now a scenic road so Exit 6.5 will be moved to Braggs Lane. He feels there have been secret takings.

John Alden was a member of the council review committee. They put time into the report and are pleased with the results. He was pleased to be on the committee.

Carolyn Garbitt spoke about the proposed alum treatment at Mystic Lake, which, she feels, has risks.

Sylvia Doiron asked who she should contact regarding dirty areas around some businesses.

COUNCIL RESPONSE TO PUBLIC COMMENT

President Joakim told Mrs. Doiron that staff will look at the area in question. The appropriate contact is regulatory services or the town manager.

Councilor Canedy spoke regarding the legality of the conservation restrictions. Both of the ones with which she was involved have the required restrictions. Regarding Exit 6.5, it is not a done deal and they should be accepting public comment, and concerns.

Councilor Farnham suggested Ms. Barton leave brochures.

Councilor Milne agrees with Mr. Tucker about mentioning business names, and apologizes if he did that regarding the wind power issue. He explained that the turn-around time has to do with the size of the project. Residential projects will take longer for payback because they use less electricity. Businesses will use more and see a quicker payback. The areas around the Salvation Army have not complied with the clean-up. He asked the town manager to address the conservation restrictions and the land bank.

Councilor Munafo said there has been success in his precinct with properties that have not maintained themselves. The new lighting and sound in the studio had to do with vanity; he was pleased to see it happen too and see himself in a better light.

Town Atty. Robert Smith responded to the conservation restriction question. The town has absolutely conformed. Lawyers take positions that benefit their clients. While there have been accusations that the town has made mistakes, the town has adopted certain beneficial legal positions. Others may have different opinions and interpretations. He used Boston Common, which has historical significance, as an example of wise multiple use, e.g. the garage underneath it. The approach is to squeeze multiple uses out of one piece of property. The town is doing it right; he defends it and will go to court if necessary.

ACT ON MINUTES

Councilor Munafo did not realize that the regular meeting, which would normally have been scheduled for April 19th had not been officially cancelled. To stay consistent with the ordinance and charter he attended the meeting, called it to order and, seeing no quorum, adjourned it. He presented minutes to that effect.

Upon motion duly made and seconded it was voted to approve the minutes of April 19, 2007.

VOTE: 1 Yes, 11 Abstentions

Upon motion duly made and seconded it was voted to approve the minutes of April 5, 2007 with the following corrections: delete "Councilor Canedy doesn't like residences....senior living...Hyannis Downtown Zoning", and replace with "Councilor Canedy objects to the extension of the Hyannis Regulatory agreement into the Barnstable Village section of the Industrial Park. This zoning tool was to be just for the Hyannis Downtown Zoning District (GIZ)."

VOTE: 10 Yes (Chirigotis and Rugo abstained)

COMMUNICATIONS FROM ELECTED OFFICIALS, BOARDS, COMMISSIONS, STAFF, CORRESPONDENCE, ANNOUNCEMENTS AND COMMITTEE REPORTS

President Joakim read the proclamation from Country Home Magazine acknowledging the Town of Barnstable as one of the 2007 top 25 Best Green Places in America. (see Exhibits B1 and 2)

Councilor Brown said that no one opposes a wind farm, just its placement. He thanked Mark Ellis for cleaning up Cedar Street.

Councilor Barton reported that various student and team accomplishments were recognized at the recent School Committee meeting.

Councilor Farnham reviewed some upcoming West Barnstable activities. The West Barnstable annual meeting was postponed due to a power outage at the hall.

Councilor Tobey spoke about the Senior Center tea that celebrated volunteers and unveiled their new logo. He read an announcement of an intergenerational history event on May 24.

Councilor Munafo thanked the town manager, Atty. Smith and Administrative Assistant Don Grissom for attending the April 19th council meeting. He thanked the town manager for help in making areas safer and spoke about the problem of speed as well as the failure of the public to abide by traffic laws.

Councilor Canedy reported that the Nickerson cottage had been transferred to its new location. The actual cost to the town was \$1,650. The remainder of the \$10,000 has been returned to the CPC. She also noted that the sidewalk under the railroad bridge is in bad condition and will be repaired.

Councilor Rugo thanked Paul Niedzwiecki for his efforts to minimize the adverse development of Rte. 132.

Councilor Crocker thanked those who spoke about the cleanup at the Darby property. It has been accomplished. He also announced that Jaci Barton has been honored for her efforts in conservation.

President Joakim reported that the council review committee met made it clear that they are not trying to subvert the charter commission.

President Joakim announced that the following items would be rescheduled as follows: 2007-083 to May 3; 2007-101 to May 3; 2007-105 to May 24; and 2007-115 to May 24.

Councilor Munafo asked Atty. Smith if postponing an item further, after moving it to a date certain, was legal. Smith said he might caution about a postponement, but he does not think this will be a problem. President Joakim needed this to be done in a few cases because the people involved need additional time.

There were no objections to the postponements.

A motion was made and seconded to take the capital budget items (2007-090 to 2007-099) out of order. There was no objection.

The council recessed briefly at 7:58 PM.

ORDERS OF THE DAY
OLD BUSINESS

CAPTIAL BUDGET

Town Manager John Klimm opened the capital budget presentation, describing the process that began last fall. He thanked the councilors for their dedication and leadership with respect to capital projects. He reviewed the monies spent and anticipated to be spent over the next five years.

Mark Milne, Finance Director, gave a power point presentation (See Exhibit C)

Klimm thanked Mr. Milne and his staff, Budget Analyst, Robert O'Brien, and the department heads and their staffs.

2007-090– APPROPRIATION ORDER - MARINA ENTERPRISE FUND RESERVE CAPITAL IMPROVEMENT PLAN
(Public Hearing continued)

Town Manager Klimm gave the rationale. He thanked Councilor Canedy for her hard work on these issues.

Upon a motion duly made and seconded it was voted to close the public hearing at 8:23 PM.
VOTE: Unanimous

2007-090 APPROPRIATION ORDER
Marina Enterprise Fund Reserve Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$60,000** be appropriated for the purpose of funding the design and permitting of a replacement for the existing 443 lineal feet of wooden bulkhead along the eastern and southern sides of the Barnstable Harbor Marina as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, **\$60,000** be transferred from available funds within the Marina Reserve 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

VOTE: Unanimous (ROLL CALL)

2007-091– APPROPRIATION ORDER - SEWER ENTERPRISE FUND CAPITAL IMPROVEMENT PLAN
(Public Hearing continued)

Klimm gave the rationale.

Upon a motion duly made and seconded it was voted to close the public hearing at 8:25 PM.
VOTE: Unanimous

2007-091 APPROPRIATION AND LOAN ORDER
Sewer Enterprise Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$570,000** be appropriated for the purpose of funding the purchase and installation of a replacement generator used to supply emergency power at the Waste Water Treatment Plant in Hyannis as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$570,000**, 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.

VOTE: Unanimous (roll call)

2007-092– APPROPRIATION ORDER CAPTIAL TRUST FUND CAPITAL IMPROVEMENT PLAN – ROAD REPAIR
(Public Hearing continued)

Klimm gave the rationale. The largest item is for public road repair. These repairs can be done throughout the town because the council is committed to funding this project.

Silvia Doiron asked about repairs to Braggs Lane. DPW Director Mark Ells explained that Braggs Lane is a combination of public road and private road. The town makes repairs on the public portion of the roadway. He would address emergencies on the private areas but would need the homeowners to agree to fund repairs.

Upon a motion duly made and seconded it was voted to close the public hearing at 8:31 PM.

VOTE: Unanimous

Councilor Crocker asked about the construction schedule starting July, given reductions in DPW staffing. Ells said the department has been moving forward for the last two years within an 18 month schedule. He anticipates completing these within 24 months. Roger Parsons is the new road and drainage manager and they have been re-staffing. Crocker said he was grateful to see Ells taking the time to hire the right people for these positions.

Councilor Chirigotis asked Ells to comment on the Centerville project. Ells said it was going well both in Cotuit and Centerville.

Councilor Canedy said that Braggs Lane has been a priority of the civic association.

Councilor Milne asked about the section of Ocean Street between Main and South because it is in deplorable shape. Ells said it was under design and will either be coming forward in the future or he may do it with Chapter 90 funding.

Councilor Chirigotis left the hall.

2007-092 APPROPRIATION ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$3,250,000** be appropriated for the purpose of funding the repair of the Town's public roads and drainage systems as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, **\$3,250,000** be transferred from available funds within the Town's Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes, and be authorized to accept any grants or gifts in relation thereto

VOTE: 11 yes (roll call)

2007-093 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – GIS

(Public Hearing continued)

Klimm gave the rationale. He described the many important uses for this information.

Lou Gonzaga said the GIS maps are great and asked whether the Cape Cod Commission provided them.

Upon a motion duly made and seconded it was voted to close the public hearing at 8:45 PM.

VOTE: Unanimous

James Benoit, GIS Coordinator said the commission does provide some maps, but mostly to other towns.

Councilor Munafo asked about the efficacy of maintaining a department vs. purchasing the service. Dan Wood, Director of Information Technology, said the importance is the ability to respond immediately to requests. In-house staff knows the data and takes ownership of the projects. The data is functional and accurate. Outsourcing does not take ownership of the projects. Klimm said he could ask large out-of-house entities to bid on the service comparatively to what the town does.

Councilor Farnham asked how compatible Barnstable's system is with the CCC system. Benoit replied that they are compatible and already transfer data back and forth.

Councilor Crocker suggested using GIS mapping software to look at the town's tree inventory which could be FEMA reimbursable if a hurricane hits. Benoit said it could be done. Crocker also asked about poles and curb cuts. Those are already in place.

2007-093 APPROPRIATION AND LOAN ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$275,000** be appropriated for the purpose of funding the following update and enhancement of the Town's Geographic Information System(GIS): (1) an update of the system's base maps by conducting an aerial photo flyover of the Town in the spring of 2008; and (2) to enhance the system by conducting a LiDAR (Light Detection and Ranging) aerial survey necessary to developing a town-wide digital terrain model and creating new town-wide contour mapping as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$275,000**, 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.

VOTE: 11 yes (roll call 2/3)

2007-094 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – SIDEWALKS

(Public Hearing continued)

Klimm gave the rationale.

Upon a motion duly made and seconded it was voted to close the public hearing at 8:55 PM.

VOTE: Unanimous

Councilor Munafo appreciated the efforts for sidewalks and would like to see more work done in the future.

Councilor Milne concurs. He asked about a pedestrian walkway at a section of Ocean Avenue around Sea Street beach. Ells said the area is under design so it could include a pedestrian walkway from the beach. Town Engineer Robert Burgmann said they are looking at the designs now. He wants to be sure the project won't have to be redone when they do the street work to cross the culvert in that area.

Councilor Barton said she enjoys seeing Marstons Mills residents using sidewalks and asked about a priority list on sidewalks. Ells said there is a sidewalk plan that can be explained.

Councilor Canedy, Director Ells and Manager Klimm are in contact with the state on the poor condition of sidewalks on Route 6A, which is a state road. She also reported that the piece under the railroad overpass will be started in the next few weeks.

Councilor Farnham added that when he talked with Mass. Highway regarding fitting in sidewalks with the resurfacing of 6A, the state said the town would have to accept the responsibility for maintenance of any new sidewalks. The town did not want to do that. Ells said that was accurate and he would look it over again, but no resources are available right now. It needs to be determined if it is a priority.

President Joakim said sidewalks will be needed on Lumberts Mill Road if they get the light.

2007-094 APPROPRIATION AND LOAN ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the construction of sidewalks along town-owned roads as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, and that the 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.

VOTE: 11 Yes (roll call)

2007-095 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – MUNICIPAL BUILDINGS

(Public Hearing continued)

Klimm gave the rationale.

Upon a motion duly made and seconded it was voted to close the public hearing at 9:05 PM.

VOTE: Unanimous

Councilor Canedy asked about the bathroom at the harbor. It is being upgraded through existing funds.

Councilor Crocker asked about the elevator. The motor on the elevator is aging and needs to be replaced.

2007-095 APPROPRIATION AND LOAN ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$297,000** be appropriated for the purpose of funding the following improvements to Municipal buildings: (1) renovation of Joshua's Pond Beach House and the design of a new or renovated Craigville Beach House; and (2) health and safety improvements to Barnstable Town Hall including upgrades to the 4th floor air-conditioning system, insulating chilled water piping and repairs to the elevator as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$297,000**, 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.

VOTE: 11 yes (roll call)

2007-096 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – COASTAL WATER QUALITY

(Public Hearing continued)

Klimm gave the Rationale.

Upon a motion duly made and seconded it was voted to close the public hearing at 9:10 PM.

VOTE: Unanimous

Councilor Crocker asked about the time frame for completion. It will be 18 months. Crocker thinks it is a great project.

Councilor Canedy left the hall.

2007-096 APPROPRIATION AND LOAN ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding an on-going program to improve coastal water quality by addressing road runoff and road related water quality problems affecting coastal waters as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, and that the 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.

VOTE: 10 yes (roll call)

Councilors Canedy and Chirigotis returned.

2007-097 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – LAKES AND PONDS

(Public Hearing continued)

Klimm gave the rationale.

Emory Anderson, President of the Indian Pond Assn., spoke in support of this item, especially for the alum treatment. He feels the control of algae is necessary and a wise investment. Mystic Lake has been designated as a site for preservation of diversity.

Peter Doiron agrees that the lake is important but disagrees with the use of alum. He recommends holding off on the alum application until the connection between aluminum and Alzheimer's disease is determined.

Upon a motion duly made and seconded it was voted to close the public hearing at 9:20 PM.

VOTE: Unanimous

Councilor Brown asked Robert Gatewood, Conservation Administrator, if the project were implemented, would viable fishery return.

Councilor Canedy said the Hinckley Pond has phosphorous issues too and asked if the program will expand to include other ponds. Klimm said his intent is to have an ongoing program. These ponds were of high priority.

Councilor Milne asked about the origination of the phosphorous, septic system limitations, safety of alum and cautions regarding treatment of lakes. Ells said Title 5 septic systems don't address phosphorous. Its sources are more limited. It is already contained in the pond sediments. Nutrient management is mostly concerned with Phosphorous. Gatewood added that the success at Mystic Lake is good. The lion's share of the phosphorous is locked into the sediment and when the oxygen level decreases, the phosphorous is released to the surface causing the algae bloom. The town has had astounding success on Hamblin's Pond over the last 12 years. The alum traps in the phosphorous by coating the bottom with a flocculent layer.

Councilor Munafo asked if septic systems produce phosphorous and about the link to Alzheimer's. Ells replied that septic systems are not the source of phosphorous – laundry detergent is. Gatewood said he is not aware of any link between aluminum and Alzheimer's.

Councilor Crocker shared that he felt these were some of the best capital requests for quality of life on the Cape!

2007-097 APPROPRIATION AND LOAN ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$250,000** be appropriated for the purpose of funding the following improvements to the town's lakes and ponds: (1) reestablish a permanent connection from Rushy Marsh Pond in Cotuit to Nantucket Sound; (2) dredging design and permitting of Mill Pond in Marstons Mills to restore the ecology of the pond that will result eventually in limiting the nutrient enrichment of the Three Bays; and (3) design and permitting of an alum treatment to Mystic Lake in Marstons Mills to confine sediment nutrients as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$250,000**, and that the 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.

VOTE: 12 yes (roll call)

2007-098 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – TOWN DOCK

(Public Hearing continued)

Klimm gave the rationale. Funding will come from user fees from the steamship authority and commercial fishermen.

Upon a motion duly made and seconded it was voted to close the public hearing at 9:39 PM.

VOTE: Unanimous

Councilor Rugo wanted to be sure the dock is accessible to the public. Harbormaster Daniel Horn assured that the public will have access. Klimm said it will be a very public spot.

Councilor Munafo asked about the projected life and payback. Ells said it was a ten year payback. Burgman said the dock will have a 20 –25 year life.

Councilor Crocker asked for a review of the project since money has been appropriated before. Bergman said there are 2 docks: the one to the east is already funded; these funds are for the one next to Baxter's. Bergman added that plans have been drawn for both docks and they are two-thirds of the way through the permitting process. Both projects will go through in the fall. Paul Niedzwiecki added that a pathway through the SSA to rest rooms will be opened and available to the public.

2007-098 APPROPRIATION AND LOAN ORDER

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$350,000** be appropriated for the purpose of funding the rebuilding of the existing town dock at the end of Pleasant Street Hyannis to align with the section of dock adjoining the town dock immediately to the east (the rebuilding of the latter was funded in the FY 2007 – 2011 Capital Plan) as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager. And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$350,000**, 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.

VOTE: 11 yes, 1 abstention (Crocker) (roll call)

2007-099 – APPROPRIATION AND LOAN ORDER CAPITAL TRUST FUND CAPITAL IMPROVEMENT PLAN – SCHOOL FACILITIES

(Public Hearing continued)

Klimm recognized the school superintendent Patricia Grenier, school committee chairman Ralph Cahoon and Facilities Manager, Joe Slominski. He then gave the rationale for each of the suggested improvements.

Peter Doiron asked if the two schools in #2 and #3 were the ones that may become obsolete.

Upon a motion duly made and seconded it was voted to close the public hearing at 9:56 PM.

VOTE: Unanimous

Chairman Cahoon said the only school slated for closing at this time is the Osterville Bay School. These items are needed for the near future to keep the schools operational. Any other closings will be a matter of years.

Councilor Farnham asked about the security additions. Joe Slominski explained that the schools are locked once the kids enter. They are trying to upgrade the doors that have not been upgraded. For example, installing a magnetic fob system on some of the perimeter doors will keep staff from propping them open with a wooden block. They are working with the Barnstable Police Department on the safety deficiencies.

Councilor Canedy heard the uniform ID tags are a union issue. Some schools routinely wear ID tags. It is not a union issue, but an individual person issue.

President Joakim asked if the security cameras will be used in the parking lots. Mr. Cahoon said they have cameras in trouble locations. In other schools they focus on the doors. Exterior cameras will be something new.

Councilor Crocker asked what portion of the school budget is designated to routine maintenance. The total maintenance budget is \$1.7 M, \$1 M of which is salaries and benefits. This money is for outside contractors.

2007-099 APPROPRIATION AND LOAN ORDER (ROLL CALL 2/3 VOTE)

Capital Trust Fund Capital Improvement Plan

Upon a motion duly made and seconded it was

ORDERED: That the sum of **\$916,600** be appropriated for the purpose of funding the following improvements to Barnstable School facilities as outlined in the FY 2008 - FY 2012 Capital Improvement Plan as recommended by the Town Manager:

- (1) School Safety Improvements at various schools including among others an upgrade of locks and controls, new doors and hardware and expanded coverage by security cameras.
- (2) Parking Lot Reconstruction at Marstons Mills West and Osterville Elementary Schools and crack-sealing of newer parking lots such as the High School.
- (3) School Facilities Repairs various Interior and exterior repairs to several schools including the Middle School, High School, and the Cotuit, Marstons Mills West and Hyannis East Elementary Schools.
- (4) School Kitchen Equipment Replacement at the High School including a new dishwasher, walk-in refrigerator door, six full sized convection ovens and two new steamers.

And that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$916,600, 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.

VOTE: 12 Yes (roll call)

The council recessed at 10:13 PM for a few minutes.

Councilor Farnham commented on the CFAC report with respect to the capital projects budget and discussed briefly several of their suggestions. They are an a-political committee.

2007-114 – ORDER AMENDING GENERAL ORDINANCES RELATIVE TO USE OF JET SKIS AT SHOOT FLYING HILL ROAD

Upon a motion duly made and seconded it was

ORDERED:

That Item 2007-012, as adopted by the Council on August 17, 2006, is hereby amended by striking out section 2.

Town Attorney Smith gave the rationale.

Councilor Crocker explained that this just cleans up inconsistency but does not retract the ban.

VOTE: 11 Yes, 1 Abstention (roll call)

2007-117 COMMUNITY PRESERVATION FUND APPROPRIATION FOR HISTORIC PRESERVATION

Upon a motion duly made and seconded it was voted refer this to a public hearing on May 3, 2007.

VOTE: Unanimous

NEW BUSINESS

2007-118 WAIVER OF FEES FOR CONSTRUCTION OF HYANNIS YOUTH AND COMMUNITY CENTER

Upon a motion duly made and seconded it was voter to refer this item to a public hearing on May 3, 2007.

VOTE: Unanimous

Items 2007-119 through 2007-136 were voted unanimously as a group.

2007-119 APPROPRIATION ORDER – POLICE DEPARTMENT

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.

VOTE: Unanimous

2007-120 APPROPRIATION ORDER – BARNSTABLE MUNICIPAL AIRPORT ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.

VOTE: Unanimous

2007-121 APPROPRIATION ORDER – EDUCATION

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.

VOTE: Unanimous

2007-122 APPROPRIATION ORDER – DEPARTMENT OF PUBLIC WORKS GENERAL FUND BUDGET

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-123 APPROPRIATION ORDER – DEPARTMENT OF PUBLIC WORKS SOLID WASTE ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-124 APPROPRIATION ORDER – DEPARTMENT OF PUBLIC WORKS WATER POLLUTION CONTROL ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-125 APPROPRIATION ORDER – DEPARTMENT OF PUBLIC WORKS WATER SUPPLY ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-126 APPROPRIATION ORDER – REGULATORY SERVICES DEPARTMENT

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-127 APPROPRIATION ORDER – COMMUNITY SERVICES DEPARTMENT GENERAL FUND BUDGET

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-128 APPROPRIATION ORDER – COMMUNITY SERVICES DEPARTMENT GOLF COURSE ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-129 APPROPRIATION ORDER – COMMUNITY SERVICES DEPARTMENT MARINA ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-130 APPROPRIATION ORDER – COMMUNITY SERVICES DEPARTMENT SANDY NECK PARK ENTERPRISE FUND

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-131 APPROPRIATION ORDER – GROWTH MANAGEMENT DEPARTMENT

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-132 APPROPRIATION ORDER – TOWN COUNCIL DEPARTMENT

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-133 APPROPRIATION ORDER – TOWN MANAGER DEPARTMENT

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-134 APPROPRIATION ORDER – ADMINISTRATIVE SERVICES DEPARTMENT

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.
VOTE: Unanimous

2007-135 APPROPRIATION ORDER – OTHER REQUIREMENTS

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.

VOTE: Unanimous

2007-136 REVOLVING FUNDS AUTHORIZATIONS ORDER

Upon a motion duly made and seconded this item was referred to a public hearing on May 17, 2007.

VOTE: Unanimous

2007-137 CHARTER AMENDMENT TO CHANGE TOWN COLLECTOR POSITION FROM ELECTED TO APPOINTED

Upon a motion duly made and seconded this item was referred to a public hearing on May 24, 2007.

VOTE: Unanimous

2007-138 APPOINTMENTS

Upon a motion duly made and seconded this item was referred to a second reading on May 24, 2007.

VOTE: Unanimous

2007-139 HYANNIS YOUTH AND COMMUNITY CENTER UTILITY EASEMENTS

Upon a motion duly made and seconded this item was referred to a second reading on May 3, 2007.

VOTE: Unanimous

2007-140 APPOINTMENTS

Upon a motion duly made and seconded it was

ORDERED That the Barnstable Town Council appoint the following individual to a multiple member board/committee/commission:

WATER POLLUTION CONTROL BOARD APPOINTMENT:

Paul J. Canniff, DMD, 106 Hayes Road, Centerville, MA 02632, term expires 06/30/2009

Councilor Munafò raised a point of order on whether it is a second reading. Smith said it could be acted upon at this meeting without an additional vote since it has been introduced.

VOTE: 5 Yes, 7 No (Yes votes: Milne, Joakim, Rugo, Canedy, Barton)

Upon a motion duly made and seconded it was voted to adjourn the meeting at 10: 31 PM.

VOTE: Unanimous

Respectfully submitted,

Lucia Fulco,
Assistant Town Clerk