

**TOWN OF BARNSTABLE
TOWN COUNCIL MEETING
March 4, 2010**

Council President Frederick Chirigotis called the meeting of the Barnstable Town Council to order at 7:04 PM, on Thursday, March 4, 2010, at the Barnstable Town Hall, 2nd Floor Hearing Room, 367 Main Street, Hyannis, MA 02601.

PRESENT: Janice Barton, Richard Barry, Ann Canedy, Frederick Chirigotis, James Crocker, Jr., Debra Dagwan, Henry Farnham, Janet Joakim, J. Gregory Milne, James Munafo, Jr., John Norman, Thomas Rugo (7:15) and James M. Tinsley, Jr. **Absent:** James Crocker, Jr., Janet Joakim.

President Chirigotis led the Council in the Pledge of Allegiance and a moment of silence.

Airport Terminal Workshop

Present: Daniel W. Santos, Chairman Airport Commission and members, Michael Dunning, John Griffin, Timothy Luzietti and Ronald Persuitte; Bud Breault, Airport Manager; and Christopher Willenborg, Executive Director, Massachusetts Aeronautics Commission, Mass. Department of Transportation.

Chairman Santos said the workshop would provide an update on the status of the airport improvement projects in order to obtain a positive vote of the council on the item supporting the airport's capital improvement plan. He introduced Airport Manager Bud Breault who made the presentation.

Manager Breault, via a PowerPoint presentation (Exhibit A), reviewed responses to the 19 Resolves, adopted by the council in 2007.

Director Willenborg spoke about the process of creating the capital improvement plan for the four Mass. DOT divisions. They look to spread the costs over 3 years. Manager Breault described the impact of the proposed new road and environs. There will be only an entrance onto the rotary from the new airport road.

- Councilor Munafo asked about the zero town liability. For example, what happens if economic conditions change and the state backs out? Breault said the airport would sell land to meet such a contingency. They are looking at revised fee structures to be able to cover all expenses and anticipate increased parking revenues.
- Councilor Canedy had questions on funding additional construction and soft costs; the town's responsibility for lack of reimbursement; having a hazardous waste plan; construction during a busy time of year; and involvement of the Yarmouth representative. Breault explained that a wide variety of costs are included in the \$20M budget. Any lack of reimbursement would be covered by airport funds or rolled into the general obligation bond. There is a hazardous waste plan. Breault is hoping to have the construction fenced and there is a method to route traffic. The old terminal and facilities will not be demolished until the new are built, so there should be no public impact. The Yarmouth representative and a Yarmouth selectman have been supportive. Breault and the selectman have worked closely with Yarmouth on issues. Canedy asked Director Willenborg how confident he was of the current support, given that airport administrators have changed over the years. He said the bond issue (project began in 1999), has been included in this year's budget as well as the DOT's five-year capital projects program. This project is fully supported. However he does not anticipate stimulus money for the building; this has to be an FAA eligible project, and the FAA is doing the access road not the building.
- Councilor Milne asked if the town could possibly be responsible for the general obligation bonds. Breault said payment should come from fees; failing that, airport reserve funds can pay it back. There will be no obligation back to the town. What about Passenger Facility Charges?

How comfortable is the commission on PFCs and how do the two tenants at the airport feel about these? Breault said these have not been implemented yet but were passed unanimously by the commission. There have been some concerns by the two airlines about losing traffic to the ferries, but a \$2 charge per ticket would not be a deterrent. PFC change needs an application process and FAA approval. This one is small in comparison to the maximum allowed of \$4.50. Barnstable is one of the few airports that have none. Milne is pleased that the commission is willing to put up some land as collateral if the worse happens. Why the change of heart on the sale of the property? Possible sale funds would revert to the airport and be useable for airport improvements and other related expenses. The commission would work with the Town Manager if a sale were to occur and would still have to get approvals on appropriations from the council.

- Attorney Bruce Gilmore explained that Kmart is subject to a \$10M mortgage now; if a catastrophic event of failure of funding occurred, and properties had to be sold, the FAA would approve, so money could be used to pay down airport obligations.
- Councilor Dagwan asked about fees. Breault reviewed the fees: sale of fuel, landing fees, concession fees, parking fees, etc. As for job opportunities, a few more permanent jobs would be realized in the terminal, as well as the hope that more people and traffic will bring in more jobs.
- President Chirigotis pointed out all the other documents given to the councilors that should be reviewed.
- Councilor Norman asked Breault to comment on the exclusivity of fuel sales as well as other charges. The airport already has the exclusive right to sell fuel, has had CFC charges approved and is waiting for approval of the PFC charges, which are on the fast track. The court case on the right to sell fuel was won, then appealed and Breault is confident the appeal will not be successful. Norman also questioned the projected 8% increase in both revenue and operating expenses in the proforma. Breault felt 8% was a little high and thought they were looking at more like 3%. He will review the numbers. There have been cuts in the overall budget for next year; they are being very cautious.
- Councilor Tinsley asked if the average cost per passenger included the \$2 PFC. It does not. The per-passenger cost was based on the operating cost of the facility.
- Councilor Rugo asked about the Sullivan light. Breault said the state does not recommend it; it was not a smart place for the light. It was too close to the rotary and also would impact Rte. 28. Costs are going up and to add it now would add \$1.5M. The current plan is relatively inexpensive and meets the current concerns. It doesn't solve long term issues but they will retain the space for the light in the future. They added the one-way out to address the Wendy's concerns and are pledging use of other properties down the road. Councilor Rugo also asked that the K-Mart lease, ending in 2018, be remembered as a future revenue source.

Recess 8:14 – 8:20 PM

2010-062 DCPC IMPLEMENTING REGULATIONS – CRAIGVILLE BEACH DISTRICT

Upon a motion duly made and seconded to continue the public hearing to April 1, 2010.

VOTE: Unanimous

2010-068 AMEND ZONING ORDINANCES:-BUSINESS DISTRICT REGULATIONS IN BARNSTABLE VILLAGE

Upon a motion duly made and seconded to continue the public hearing to March 18, 2010.

VOTE: Unanimous

2010-069 AMEND ZONING ORDINANCE, ARTICLE III DISTRICT REGULATIONS §240-24.1.6, OM OFFICE/MULTIFAMILY RESIDENTIAL DISTRICT SECTION A

Upon a motion duly made and seconded to continue the public hearing to March 18, 2010.

VOTE: Unanimous

PUBLIC COMMENT

Milton Berglund spoke on the CFAC subcommittee workshop coming up next week. It is important for the town to have a financing plan in place. The problem of wastewater management is here to stay. The subcommittee report contains a recommendation to build a wastewater plant. He hopes the effort will continue.

Eliza Cox, Attorney from Nutter, McClellan & Fish, is representing Botsini-Prime LLC, who owns the Wendy's property on Iyannough Road. They support the terminal expansion but have concerns. They believe it is of critical importance for a serious traffic solution not a temporary rotary egress, given that the rotary has an unknown lifespan. They would prefer consideration of the Sullivan Lot light because, according to the Cape Cod Commission finding that the Sullivan light does not impact rotary. The access plan needs further work.

COUNCILOR RESPONSE

Councilor Canedy is not opposed to looking at Attorney Cox's material. The Cape Cod Commission will have another opportunity to comment and the old plan will cost \$1+ million more. Look at the long term solutions and have some different scenarios, including working on the access road and light.

Councilor Farnham agreed that no one has intention to harm a local business such as the Wendy's property. However, he feels there is no way the project can be delayed further to come up with another traffic study. It has been in the planning for ten years. The terminal and tower need to be completed. The traffic solution is temporary and a good fix which can't be held up because of the concerns of one business, which it will not harm.

President Chirigotis understands that there is concern regarding use of the traffic rotary. This was not to be a solution for the rotary, which is different from the airport project. Traffic will be discussed and continue to be addressed.

Councilor Milne asked the manager to involve Growth Management staff to weigh in on some of what is in the letter (Exhibit B).

ACT ON MINUTES

Upon a motion duly made and seconded it was voted to postpone action on the minutes of February 25 to March 18, 2010.

VOTE: No opposition.

ORDERS OF THE DAY

OLD BUSINESS

2010-070 AMEND ZONING ORDINANCE-CHAPTER 240, ARTICLE II, ZONING MAP OF THE TOWN OF BARNSTABLE

Upon a motion duly made and seconded a public hearing was opened at 8:40 PM.

VOTE: No objection

Peter Freeman gave the rationale. This extends the zoning to include one parcel in the same corridor as adjacent parcels. (See Exhibit C)

Manager John Klimm said the property owners were open to working through the planning board. There has been a high end development along Rte 132. This will add to it and the staff is supportive.

- Councilor Munafo wondered why the parcel was omitted from the zoning initially.

- Both Councilors Rugo and Farnham agree that including this parcel makes sense.
- Councilor Canedy said it was in the COMM Fire District. If it were in a GIZ, other requirements could be added. She asked if the owner will do some cleanup of the property down towards the pond. Freeman said it would require a special permit which could add other requirements such as a cleanup.
- President Chirigotis pointed out that Rte.132 has become a gateway to Hyannis and this is the last property that is in need of work. The owners will address issues on the property they own.
- Councilor Rugo asked about the relocation of any current tenants. Rental is weekly and they would see that tenants are relocated.
- Councilor Milne asked if they were hooked up to a sewer or had intention to do so. They are not yet, but the impact of office use is lower, so a Title 5 could suffice. There is initiative to look at that with the pond and the land bank property.

Upon a motion duly made and seconded the public hearing was closed at 8:55 PM.

VOTE: No objection

2010-070 AMEND ZONING ORDINANCE-CHAPTER 240, ARTICLE II, ZONING MAP OF THE TOWN OF BARNSTABLE

Upon a motion duly made and seconded it was

ORDERED:

That Chapter 240, Article II of the Zoning Ordinance is hereby amended as follows:

By amending the official zoning map of the Town of Barnstable titled “ZONING MAP OF THE TOWN OF BARNSTABLE, MA,” and “ZONING MAP OF THE TOWN OF BARNSTABLE, MA Sheet No 4 of 7, Centerville, adopted September 1, 1998 as amended to July 16, 2009, by expanding the HB, Highway Business Zoning District as it abuts Iyannough Road (Route 132) in Centerville, rezoning from Residence D-1 to Highway Business the first 300-feet of Assessor’s Map 253, Parcel 019 as it abuts Iyannough Road (Route 132). This proposed expansion of the Highway Business Zoning District is shown on a maps entitled “Proposed Amendment to the Town Zoning Map expanding the Highway Business District; Proposed Amendment to the Town Zoning Map expanding the Highway Business District - Barnstable – Sheet 1 of 7; Proposed Amendment to the Town Zoning Map expanding the Highway Business District - Hyannis Sheet 3 of 7; Proposed Amendment to the Town Zoning Map expanding the Highway Business District - Centerville Sheet 4 of 7 ” all dated December 17, 2009 as prepared by the Town of Barnstable GIS Unit.

VOTE: 11 Yes (Roll Call) Unanimous

2010-071 AMEND GENERAL CODE, CHAPTER 76 – SCHEDULE OF FEES

Consumer Affairs Director, Tom Geiler gave the rationale. The average fee change is 2.8%.

Councilor Farnham wanted to see the current fees vs. the proposed fees. Director Geiler explained that the current fees were on the comparison sheets in the summary; however the current fees were not juxtaposed with the proposed fees and were not easily compared.

Councilor Barry feels confident to vote tonight.

A motion was made and seconded to Move the Question.

VOTE: 7 Yes, 5 No

On Item 2010-071

VOTE: 7 Yes, 4 No (Roll Call) (Canedy, Farnham, Milne, Munafu)

During a recess that began at 9:15 PM, President Chirigotis noted to the board that the council had not held the public hearing on Item 2010-071 prior to voting on it earlier. He asked Town Attorney Ruth Weil if this would be a problem. She suggested a public hearing be opened at this time.

Upon a motion duly made and seconded a public hearing was opened at 9:20 PM.

VOTE: No objection

Upon a motion duly made and seconded the public hearing was closed at 9:20 PM.

VOTE: No objection

Councilor Farnham said he still feels the proposed fee changes still do not reflect the differences from the prior fees.

A motion was made and seconded to Move the Question

VOTE: No objection

2010-071 AMEND GENERAL CODE, CHAPTER 76 – SCHEDULE OF FEES

Upon a motion duly made and seconded it was

ORDERED, that Chapter 76 of the General Code of the Town of Barnstable is hereby amended by deleting three Chapter 76 sections, and replacing them with the following amended sections.

Chapter 76 of the General Code:

76-3 Weights and Measures annual fees (MGL C.98§56)

76-4 Licensing

76-6 Building

§ 76-3. Weights and Measures annual fees (MGL C. 98, § 56).

Description	Fees <u>1 – 3</u>	Per Device <u>4 or more</u>
Scale with capacity over 10,000 lbs.	\$250	\$225
Scale with capacity 5,000-10,000 lbs.	\$135	\$110
Scale with capacity 100-5,000 lbs.	\$ 80	\$ 70
Scale with capacity less than 100 lbs.	\$ 50	\$ 45
Weights (each)	\$ 8	\$ 6
Liquid measures	\$ 30	\$ 30
Liquid measure meters	----	----
Lubricant meters	\$ 50	\$ 45
Motor fuel meters	\$ 50	\$ 45
Vehicle tank meters	\$110	\$100
Vehicle tank meter gravity	\$175	\$150
Bulk storage tank meter	\$175	\$150
Mechanical pumps, each stop	\$ 10	\$ 10
Taxi meters (semi-annually)	\$ 55	\$ 50
Commercial odometer – hubodometer	\$ 55	\$ 50
Leather measure	\$175	\$150
Dry measure, one bushel or less	\$ 85	\$ 85
Dry measure, more than one bushel	\$120	\$120
All other measuring devices	\$125	\$125
Rope, wire or chain measuring devices	\$ 25	\$ 20
Reinspection fee (after official rejection)	\$ 95	\$ 95
Reverse Vending Machines		
Bottle and Can redemption Inspection		
Disposable Test Material Supplied by Inspector	\$25.00	\$20
Disposable Test Material supplied by Store	\$15.00	\$10

Automatic Electronic Check-Out Systems

3 or less cash registers (per inspection)	\$85.00	N/A
4-11 cash registers (per inspection)	\$170.00	N/A
12 or more cash registers (per inspection)	\$280.00	N/A

§ 76-4. Miscellaneous licenses and permits. [Amended 6-1-2006 by Order No. 2006-128]

MGL C./Section	Description	Fees
101, § 33	Temporary license to sell for charitable purposes	\$ 10
138, § 30A	License for pharmacist to sell alcoholic beverages	\$2,000
140, § 2	Licenses for inns and restaurants	\$ 100
140, § 21B	License to serve nonalcoholic beverages	\$ 100
140, § 32B	License for mobile home parks	\$ 50
140, § 32B	License for motels	\$ 50
140, § 34	License for lodging house	\$ 50
140, § 49	License for vehicle for sale of food	\$ 250
140, § 56A	License for shooting gallery	\$ 100
140, § 59	Auto dealer license	\$ 150
140, § 177A	License for automatic amusement devices	\$ 100
140, § 183A	Entertainment annual	\$ 250
140, § 183A	Entertainment daily	\$ 25
140, § 1851	License for fortune tellers	\$ 250
140, § 192	License for rental boats (freshwater)	\$ 100
	License to store hazardous materials	\$ 100
	Septic system inspection filing	\$ 25
	Board of Health request for variance	\$ 85
	Application fee – licenses and permits	\$ 100

§ 76-6. Building, sign, wiring, plumbing and gas permit fees.

Building Permits

Description	Fees
Residential (R03, R-4 Use Groups)	
New Buildings	
Application fee	\$100
Permit fee	\$5.10 per \$1,000 of construction value
Additions, alterations/renovations	
Application fee	\$50
Permit fee	\$5.10 per \$1,000 of construction value \$35 minimum
Commercial and all other use groups	
New Buildings	
Application fee	\$150
Permit fee	\$9.10 per \$1,000 of construction value
Additions, alterations/renovations	
Application fee	\$100
Permit fee	\$9.10 per \$1,000 of construction value; \$60 minimum
Permit fee for all other structures (not specified)	\$9.10 per \$1,000 based on actual value; \$100

Plumbing Permits

Description	Fees
Residential, per unit	\$ 40/first fixture plus \$12 each additional fixture

Commercial, per unit

\$ 60/first fixture plus \$15 each additional fixture

Gas Permits

Description

Residential, per unit
Commercial, per unit

Fees

\$ 40/first fixture plus \$12 each additional fixture
\$ 60/first fixture plus \$15 each additional fixture

Electrical Permits

Description

Residential
New construction per unit
Additions/renovations
Less than 500 SF
Greater than 500 – 1,500 SF
Greater than 1,500 SF
Minor alterations/appliances
Change of service/meter
Accessory structures (garage,barn,etc, excluding separate meter)
Temporary service
Meters per unit
Smoke detectors/alarms

Fees

\$150
\$ 30
\$ 50
\$100
\$ 30
\$ 30
\$ 30
\$ 30
\$ 30
\$ 30
\$ 30

Commercial

New construction per unit
Additions/renovation
Less than 1,000 SF
Greater than 1,000-2,500 SF
Greater than 2,500 SF
Minor alterations/appliances, etc.
Change of service/meter
Temporary service
Signs
Carnivals/fairs
1-10 concessions/rides
10 concessions/rides

\$200+\$25 per 1,000 SF greater than 4,000 SF
\$ 75
\$100
\$150 + \$25 per 1,000 SF greater than 4,000
\$ 30
\$ 40
\$ 30
\$ 30
\$ 50
\$ 100

Signs

Description

Under 25 SF
Over 25-50 SF
Over 50-75 SF
Over 75 SF

Fees

\$ 50
\$ 75
\$150
\$200

Miscellaneous Permits and Fees

Description

Accessory building: all use groups
Greater than 120 SF – 500 SF
Greater than 500 SF – 750 SF
Greater than 750 SF – 1,000 SF
Greater than 1,000 SF – 1,500 SF
Greater than 1,500 SF
Change of permit holder
Pre-building code structure, certificate of occupancy
Change of use permit (no construction)
Foundation permit (separate from building permit for cause only)
Zoning compliance certificate (lots/existing uses/structures)
Reinspections (for work not ready for inspection, incomplete work or failure of
Removal of stop-work order
Replacement of lost permit inspection cards

Fees

\$ 35
\$ 50
\$ 75
\$100
Same as new building permit based on actual cost
\$ 35
\$ 75
\$ 25
\$ 35
\$ 50 minimum + research time
\$100
\$ 50
\$ 50

Chimney/fireplace (new and reconstruction)	\$ 35
Certificates of inspection	\$10 increase CMR 780 Table 106 \$ 50 minimum
Permit renewals	
First renewal	\$ 50
Second renewal (for cause only)	\$ 75
Inground swimming pools	\$125
Aboveground swimming pools	\$ 75
Decks, open porch	\$ 60
Relocation/moving (includes new foundation)	\$250
Demolition	
Residential principal buildings (\$4.10 per \$1,000 of construction value)	Minimum \$125; (\$5.10 per \$1,000 of construction value)
Accessory buildings	\$ 50
Commercial buildings (\$8.10 per \$1,000 of construction value)	(\$9.10 per \$1,000 of construction value)
Home occupation (no construction)	\$ 35
Pre-permit plan review (one and two family)	\$ 75
Temporary residential certificate of occupancy (for cause only)	\$ 75
Residential certificate of occupancy	\$ 25
Temporary commercial certificate of occupancy (for cause only)	\$ 75
Commercial certificate of occupancy	\$ 75
Pre-permit plan fees	\$100
Site plan (fees)	
Project construction cost under \$5,000	\$100
\$5,000 - \$14,999	\$200
\$15,000 - \$49,999	\$250
\$50,000 - \$249,999	\$350
\$250,000 or more	\$500
Permit related to work begun prior to time allowed for acquiring permits under	Two times permit cost

[Added 10-19-2006 by Order No. 2007-033]

Express Permits

Description

	Fees
Minimum	\$ 35
Residing/reroofing (residential)	\$ 5.10 per \$1,000 of construction value
Wood/coal stoves	\$ 35
Replacement windows	\$ 35
Sheds under 120 SF	\$ 35
Others (as determined by inspector)	\$ 35

Tents (See § 240-9D of Ch. 240, Zoning)

Description

	Fees
Residential	\$ 25
Fund raiser/special event/nonprofit agency	\$ 25
Commercial (temporary accessory structure)	\$100
Organized and supervised recreational camp (special permit required)	\$ 50

Description

	Fees
Pre-permit plan review (one and two family)	\$..75
Temporary residential certificate of occupancy (for cause only)	\$ 75
Residential certificate of occupancy	\$ 25
Temporary commercial certificate of occupancy (for cause only)	\$ 75
Commercial certificate of occupancy	\$ 75
Pre-permit plan fees	\$100
Site plan (fees)	
Project construction cost under \$5,000	\$100
\$5,000 - \$14,999	\$200
\$15,000 - \$49,999	\$250
\$50,000 - \$249,999	\$350
\$250,000 or more	\$500

Permit related to work begun prior to time allowed for acquiring permits under Building, Electrical, Plumbing and Gas Code

Two times permit cost

[Added 10-19-2006 by Order No. 2007-033]

Express Permits

Description

Fees

Minimum	\$ 35
Residing/reroofing (residential)	\$5.10 per \$1,000 of construction value
Wood/coal stoves	\$ 35
Replacement windows	\$ 35
Sheds under 120 SF	\$ 35
Others (as determined by inspector)	\$ 35

Tents (See § 240-9D of Ch. 240, Zoning)

Description

Fees

Residential	\$ 25
Fund raiser/special event/nonprofit agency	\$ 25
Commercial (temporary accessory structure)	\$100
Organized and supervised recreational camp (special permit required)	\$ 50

VOTE: 7 Yes, 3 No, 1 Abstention (Roll Call) (Canedy, Milne, Munafo – No; Farnham – Abstain)

NEW BUSINESS

2010-087 ESTABLISH DESIGNATED GIFT ACCOUNT HYANNIS YOUTH AND COMMUNITY CENTER

Upon a motion duly made and seconded this item was continued to April 1, 2010.

VOTE: No Objection

2010-088 GRANT ACCEPTANCE OF \$1,647,786 FROM FAA

Upon a motion duly made and seconded this item was continued to April 1, 2010.

VOTE: No Objection

Substitute Text:

2010-089 GRANT ACCEPTANCE OF \$35,000 FROM MASS. SEAPORT COUNCIL

Upon a motion duly made and seconded it was

RESOLVED: That the Barnstable Town Council does hereby accept a Commonwealth of Massachusetts Seaport Advisory Council grant in the amount of \$35,000 for 80% of the Bismore Park Marina Project

Manager Klimm gave the rationale.

Director of Community Services Lynne Poyant discussed the match of an additional \$8,750 which is the 20% responsibility of the town and will come from the FY10 Marina Enterprise Budget.

A motion was duly made and seconded to use the substitute text.

VOTE: Unanimous

Councilor Tinsley asked if the cost ran over the match amount would the money come from the same account. Poyant said the account has \$20,000, so money would be available.

A motion was made and seconded to move the question.

VOTE: Unanimous

On Item 2010-089

VOTE: Unanimous

Recess 9:15 PM – (see revote of Item 2010-071 above)

2010-090 GRANT ACCEPTANCE UP TO \$3,750,000 FROM MASS EXEC. OFFICE OF FINANCE

Upon a motion duly made and seconded it was

RESOLVED: That the Barnstable Town Council does hereby accept a Commonwealth of Massachusetts Executive Office of Administration and Finance grant in the amount of 75% of the project up to \$3,750,000 for the replacement of the Barnstable Bulkhead

Manager Klimm gave the rationale.

A motion was made and seconded to move the question.

VOTE: Unanimous

On Item 2010-090

VOTE: Unanimous

2010-091 AMEND GENERAL ORDINANCE: SEC. 177-1 SANDY NECK BEACH PARK

Upon a motion duly made and seconded this item was referred to a public hearing on March 18, 2010.

VOTE: Unanimous

2010-092 APPROPRIATION \$5,000 FROM SANDY NECK SURPLUS FUNDS

Upon a motion duly made and seconded this item was referred to a public hearing on March 18, 2010.

VOTE: Unanimous

Lynne Poyant explained that this is a one-time increase for active wear.

LATE FILE

Item 2010-093

John Klimm requested this item be placed on the agenda this evening. The airport issues and business plan needs to be read and understood, particularly in the area of risk. Concerns were alleviated once the new airport manager was selected and he and the commission have all dedicated themselves, with numerous meetings since Thanksgiving. He would like this item addressed on March 18th. This is a reasonable request and the BMA has a significant time line. Not doing this postpones the process needlessly with possible loss of state funding if it goes into the next fiscal year. The request is reasonable.

President Chirigotis suggested the public hearing be held on April 1.

**2010-093 CAPITAL EXPENSE APPROPRIATION TRANSFER AND LOAN ORDER
BARNSTABLE MUNICIPAL AIRPORT TERMINAL - \$21,430,851**

Upon a motion duly made and seconded this item was referred to a public hearing on April 1, 2010.

VOTE: Unanimous

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

Councilor Norman was concerned and would like the staff to review the airport's business plan. Klimm said they will do that and hopes all will review it as well. The huge issue is the business plan and risk. There is no idea what the state will do with the rotary. No one knows what the final plan for the rotary is five years down the road.

Councilor Munafo objected to the increased flights as well as the need to pick a point where it is reasonable and anything else above will not work. He is concerned about the delay that will be an issue with the time frame and then the funding. Chirigotis said the town cannot tell the state what to do with the road. The state should care what the town's issues are.

Councilor Farnham suggested Finance Director Mark Milne review the airport materials and respond. Klimm asked if there was any interest in having a workshop to go over this. Councilor Farnham likes the idea and to have a month would be helpful. Klimm suggested the possibility of a workshop or one-on-one meetings. Farnham said a workshop would be a good idea.

Mark Milne said the increase in revenue is in the 2% to 3% range and is consistent throughout the 20 years on revenue side.

President Chirigotis said that the current method of appointing people to the Appointments Committee is not according to charter. He notified everyone regarding their committee preferences so he could select from a list of members who wanted to serve. Those who submitted names have been appointed as follows: Councilors Joakim, Farnham, Dagwan, Crocker, and himself. He asked the council to ratify the committee.

Councilor Milne was not aware of the new process and has not seen anything like it in ten years. Also, appointments are addressed in the Administrative Code. He suggested starting the process from zero. Councilor Barton pointed out that six months have passed and the council should just appoint the group and revisit the issue in November. Milne also questioned the "all members shall serve for one year" clause. Chirigotis does not interpret that as term limits, but requiring an annual appointment.

President Chirigotis asked that the council ratify the committee.

VOTE: Unanimous

TOWN MANAGER COMMUNICATIONS

None.

Upon a motion duly made and seconded the meeting was adjourned at 9:45 PM.

VOTE: Unanimous

Respectfully submitted,

Lucia Fulco,
Assistant Town Clerk