



Town of Barnstable Town Council

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Councilors:

Frederick Chirigotis
President
Precinct 4

Janice L. Barton
Vice President
Precinct 10

Ann B. Canedy
Precinct 1

Tom Rugo
Precinct 2

Michael P. Hersey
Precinct 3

James H. Cote
Precinct 5

Janet S. Joakim
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Dr. Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

June M. Daley
Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Acting Administrator:
Barbara A. Ford

Administrative
Assistant:

TOWN COUNCIL MEETING AGENDA May 3, 2012 7:00 PM

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
 - **Cape Cod Commission Executive Director Paul Niedzwiecki**
–Annual update
 - **Cape Cod Water Protection Collaborative**
Executive Director Andrew Gottlieb—*Evaluating the Merits of*
a Regional Approach to Wastewater Management
- 3. PUBLIC COMMENT (May be limited to 2 minutes)**
- 4. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 5. ACT ON MINUTES (Includes Executive Session)**
- 6. COMMUNICATIONS FROM ELECTED OFFICIALS,
BOARDS, COMMISSIONS, STAFF, CORRESPONDENCE,
ANNOUNCEMENTS AND COMMITTEE REPORTS**
- 7. ORDERS OF THE DAY**
 - A. OLD BUSINESS**
 - B. NEW BUSINESS**
- 8. TOWN MANAGER COMMUNICATIONS**
- 9. ADJOURNMENT**

NEXT REGULAR MEETING: May 17, 2012

ITEM NO.	INDEX TITLE	PAGE
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A. OLD BUSINESS

2012-106	Acceptance of a gift from the Barnstable Land Trust, Inc. a conservation restriction and an access easement on land off Fox Hill Road, Centerville (May be acted upon)	3 - 4
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B. NEW BUSINESS

2012-109	Appropriation—\$217,346 CPC funds for the historic preservation of the US Custom House (Trayser Museum) (Refer to public hearing 05/17/12)	5 - 6
2012-110	Appropriation—\$59,078 CPC funds for the historic preservation of the Old Selectmen’s Building, West Barnstable (Refer to public hearing 05/17/12)	7 - 8
2012-111	Appropriation—\$107,800 CPC funds for the historic preservation of the Old Town Hall portico (JFK Museum) (Refer to public hearing 05/17/12)	9 - 10

- The Town Council may vote to enter into executive session for the purpose of discussing strategy for contract negotiations with nonunion personnel, acting administrator of the Town Council, Barbara Ford

Approve Minutes --April 26, 2012

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 (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM# 2012-106

INTRO: 04/26/12, 05/03/12

2012-106 ACCEPTANCE OF A GIFT FROM BLT, INC., A CONSERVATION RESTRICTION AND AN ACCESS EASEMENT OFF FOX HILL ROAD, CENTERVILLE

RESOLVED: that the Town Council accepts from the Barnstable Land Trust, Inc. (grantor) a gift to the Town of Barnstable (grantee), a conservation restriction and an access easement of approximately 6.55 acres of land off Fox Hill Road, Centerville, Map 190 Parcel 46 for conservation and public, passive recreation and that the Council President and the Town Manager are hereby authorized to sign said documents.

SPONSOR: Councilor Janice Barton

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-106
INTRO: 04/26/12, 05/03/12

SUMMARY

TO: Town Council
FROM: Councilor Janice Barton
DATE: 04/19/2012
SUBJECT: Conservation Restriction and Access Easement to the Town of Barnstable from the Barnstable Land Trust, Inc. approximately 6.55 acres of land off Fox Mill Road, Centerville

SUMMARY: This item has been placed on the agenda for the Council's approval and acceptance of a conservation restriction and easement to be granted to the Town of Barnstable by the Barnstable Land Trust, Inc., covering 6.55 acres off Fox Hill Road in Centerville. The land is shown on Barnstable Assessor's Map 190 as Parcel 46. No Town funds are involved.

BACKGROUND: Barnstable Land Trust purchased the 6.55 acre "Coombs Bogs" property in January of 2012. This ecologically significant property is comprised, in part, of three cranberry bogs. Two of the bogs have grown up to swamp maples and pussy willows. The third bog has a more open field habitat. A grassy, unimproved cart path and trails run along dikes that surround and connect the bogs. A trail on the adjoining 12.47 acre Andrews Property purchased in 2000 with Land Bank funds connects directly to the unimproved cart path on this BLT Property. The access easement offered by BLT ensures that the north-south trail along the westerly side of the bogs will always remain open for pedestrian access.

BLT received a State Conservation Partnership reimbursement grant towards its acquisition of this 6.55-acre parcel. The grant requires that a conservation restriction be placed on the property and that the property be open to the public. BLT is asking that the conservation restriction and easement which allows for public access for passive recreation purposes be held by the Town of Barnstable.

BLT's acquisition, together with the conservation and access easement to the Town, will enhance the adjoining Town conservation lands, preserve important wildlife habitat, protect freshwater wetlands and water quality downstream, and expand public passive recreation opportunities.

ANALYSIS: This proposed conservation restriction conforms to the Open Space Policy of the Town, adopted in 1981, which "encouraged...grants of conservation restrictions" which yielded "benefits to the Town," and furthers the Town of Barnstable's 2005 Update to its Open Space Plan.

Specifically, the Conservation Restriction and Access Easement have the following public benefits and will:

- ◆ increase the amount of protected open space in town;
- ◆ provide public passive recreational opportunities;
- ◆ link and extend a trail system;
- ◆ protect the integrity of the surface waters of Fullers Mill Pond;
- ◆ provide additional protection to a nearby potential vernal pool;
- ◆ preserve important wildlife habitat;
- ◆ protect the quality of downstream waters of the Bumps River and associated wetland system;
- ◆ preserve the scenic quality and character of this undisturbed area.

APPROVALS: The Conservation Commission and Land Acquisition and Preservation Committee have each voted to support this conservation restriction.

B. NEW BUSINESS (Refer to public hearing 05/17/12)

BARNSTABLE TOWN COUNCIL

**ITEM# 2012-109
INTRO: 05/03/12**

2012-109 APPROPRIATION--\$217,346 CPC FUNDS FOR HISTORIC PRESERVATION OF THE US CUSTOM HOUSE (TRAYSER MUSEUM), BARNSTABLE

ORDERED: Pursuant to the provisions of G.L. c. 44B, that the sum of Two Hundred Seventeen Thousand, Three Hundred Forty-Six Dollars and No/100 (\$217,346.00) be appropriated and transferred from the amount set aside for Historic Resources under the Community Preservation Fund for the preservation of the Trayser Heritage Museum located at 3353 Main Street, Barnstable, MA on Parcel 046 of Map 299; and that the Acting Town Manager is authorized to contract for and expend the amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, and accept any gifts and grants in relation thereof, for the preservation of the historic structure to include; windows, glazing, painting, masonry and flashing repairs and project related costs. Grant funds awarded by the Massachusetts Historical Commission under the Massachusetts Preservation Projects Fund reimbursement grant will reduce the Community Preservation Fund allocation dollar for dollar.

SPONSOR: Acting Town Manager, Thomas K. Lynch, upon recommendation 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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-109
INTRO: 05/03/12

SUMMARY

TO: Town Council
FROM: The Community Preservation Committee
DATE: April 24, 2012
SUBJECT: U.S. Custom House, Historic Preservation

BACKGROUND: The Community Preservation Committee (CPC) met on Monday, March 26, 2012 and unanimously voted to recommend, to the Town Council through the Town Manager, the funding request by the Department of Public Works (DPW) in the amount of \$217,346.00 for the Historic Preservation of the Trayser Heritage Museum located in Barnstable Village.

RATIONALE: This historic structure, originally built in 1856 as a Customs House and Post Office, is the only building in Barnstable listed on the National Register of Historic Places that achieves a “totally preserved building” status. The Custom House is publicly owned and the Massachusetts Historical Commission has held an historic preservation restriction on the structure since 1989.

The Department of Public Works applied to the Massachusetts Historical Commission for a Massachusetts Preservation Projects Fund reimbursement grant in the amount of \$100,000.00 to offset the total cost of the Trayser Heritage Museum preservation project. Any grant funds received will reduce the amount of CPA funds allocated for this project but the project itself is not dependent upon receipt of the grant.

The first phase of this project consists of preservation work that complies with the Secretary of the Interiors Standards for the Treatment of Historic Properties, which includes windows, glazing and painting, masonry and flashing repairs and administrative project costs.

The appropriation of these funds will allow for the preservation and long term protection of this significant local maritime structure located in Barnstable’s historic Village.

B. NEW BUSINESS (Refer to public hearing 05/17/12)

BARNSTABLE TOWN COUNCIL

**ITEM# 2012-110
INTRO: 05/03/12**

**2012-110 APPROPRIATION--\$59,078 CPC FUNDS FOR HISTORIC PRESERVATION OF
THE OLD SELECTMEN'S BUILDING, WEST BARNSTABLE**

ORDERED: Pursuant to the provisions of G.L. c. 44B, that the sum of Fifty-Nine Thousand Seventy-Eight Dollars and No/100 (\$59,078.00) be appropriated and transferred from Undesignated portion of the Community Preservation Fund for the preservation of the Old Selectmen's Building to include site, utility and foundation work and project related costs; and that the Acting Town Manager is authorized to contract for and expend the amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the preservation of the historic resource consisting of the Old Selectmen's Building located at 2377 Meetinghouse Way, West Barnstable, MA of Map 155 on Parcel 040.

SPONSOR: Acting Town Manager Thomas K. Lynch at the request 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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-110
INTRO: 05/03/12

SUMMARY

TO: Town Council
FROM: Community Preservation Committee
DATE: April 24, 2012
SUBJECT: Old Selectmen's Building – Historic Preservation

BACKGROUND: The Community Preservation Committee (CPC) met on Monday, March 26, 2012 and unanimously voted to recommend, to the Town Council through the Town Manager, the funding request by the Department of Public Works (DPW) in the amount of \$59,078.00 for the Historic Preservation of the 123 year old structure, the Old Selectmen's Building, in West Barnstable Village.

RATIONALE: The Old Selectmen's Building was built in 1889 and housed the Barnstable Board of Selectmen. The Old Selectmen's Building is individually listed on the National Register of Historic Places, State Register and is located within the Old King's Highway Historic District and the West Barnstable Village Historic District. Currently, the building is owned by the Town of Barnstable and is leased as gallery space for various local artists during the late spring, summer and early fall.

The total project cost for the first phase of the preservation project is \$145,093.00. Matching funds in the amount of \$59,815.00 have been set aside from an artist gift account solely utilized for expenditures on the Old Selectmen's Building to offset the project cost.

ADA improvements in the amount of \$26,200.00 have also been added to the scope of the project which will be fully funded out of the DPW operating budget also offsetting the CPC funding request.

Funds in the amount of \$59,078.00 are being sought by DPW through the Community Preservation Committee for the preservation project which includes site, utility and foundation work and project related costs.

B. NEW BUSINESS (Refer to public hearing 05/17/12)

BARNSTABLE TOWN COUNCIL

**ITEM# 2012-111
INTRO: 05/03/12**

2012-111 APPROPRIATION--\$107,800 CPC FUNDS FOR HISTORIC PRESERVATION OF THE OLD TOWN HALL (JFK MUSEUM)

ORDERED: Pursuant to the provisions of G.L. c. 44B, that the sum of One Hundred Seven Thousand, Eight Hundred Dollars and No/100 (\$107,800.00) be appropriated and transferred from the Undesignated portion of the Community Preservation Fund for the preservation of the Old Town Hall to include lead paint removal, painting of signs, copper downspout and drain replacement, hanging light fixture, restoration of lawn fixtures and flag light, door frame, roofing repair of slate and mortar joints, flashing and selective window masonry lintel replacements; and that the Acting Town Manager is authorized to contract for and expend the amount appropriated, subject to oversight of the project expenses by the Community Preservation Committee, for the preservation of the historic resource consisting of the Old Town Hall located at 397 Main Street, Hyannis, MA on Parcel 138 of Map 326.

SPONSOR: Acting Town Manager Thomas K. Lynch at the request 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

BARNSTABLE TOWN COUNCIL

ITEM# 2012-111
INTRO: 05/03/12

SUMMARY

TO: Town Council
FROM: Community Preservation Committee
DATE: April 24, 2012
SUBJECT: Old Town Hall (JFK Museum) – Historic Preservation

BACKGROUND: The Community Preservation Committee (CPC) met on Monday, March 26, 2012 and unanimously voted to recommend, to the Town Council through the Town Manager, the funding request by the Department of Public Works (DPW) in the amount of \$107,800.00 for the Historic Preservation of the Old Town Hall located on Main Street in the village of Hyannis.

RATIONALE: The Old Town Hall building housing the JFK Museum is within the Hyannis Waterfront Historic District. The preservation of the portico on this historic resource includes; removal of lead paint, painting of signs, copper downspout and drain replacement, hanging light fixture, restoration of lawn fixtures and flag pole light, door frame, roofing repair of slate and mortar joints and flashing and selective window masonry lintel replacements. CPC Historic Preservation Consultant Jim Hadley fully supports the project goal of preserving the portico back to its former characteristics unique to the historically authentic community in Downtown Hyannis.