



Town of Barnstable Town Council

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MEETING AGENDA TOWN HALL HEARING ROOM April 26, 2018 7:00 PM

Councilors:

Eric R. Steinhilber
President
Precinct 2

James H. Crocker Jr.
Vice President
Precinct 5

John G. Flores
Precinct 1

Paul Hebert
Precinct 3

Britt Beedenbender
Precinct 4

Paul C. Neary
Precinct 6

Jessica Rapp Grassetti
Precinct 7

Debra S. Dagwan
Precinct 8

James M. Tinsley
Precinct 9

Matthew Levesque
Precinct 10

Philip N. Wallace
Precinct 11

Paula Schnepf
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator:
Cynthia A. Lovell

Administrative
Assistant:
Kelly Crahan

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. MOMENT OF SILENCE**
- 4. PUBLIC COMMENT**
- 5. COUNCIL RESPONSE TO PUBLIC COMMENT**
- 6. TOWN MANAGER COMMUNICATIONS**
- 7. ACT ON MINUTES (Including Executive Session)**
- 8. COMMUNICATIONS- from elected officials, boards, committees, staff commission reports, correspondence and announcements**
- 9. ORDERS OF THE DAY**
 - A. Old Business**
 - B. New Business**
- 10. ADJOURNMENT**

The Town Council may vote to go into executive session under M.G.L. c. 30A, § 21 (2) to conduct a strategy session in preparation for negotiations with a nonunion employee, Mark S. Ells

NEXT REGULAR MEETING: May 3, 2018

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B. NEW BUSINESS

2018-138	Appointments to a Board/ Committee/ Commission: Licensing Authority: Nancy Karlson-Lidman, 23 Tupelo Road, Marstons Mills, as an associate member to a term expiring 06/30/2020 (First Reading)	23
2018-139	Acceptance of grants in the amount of \$250 from the Barnstable Police Patrolman’s Union, \$250 from MASSCOP Local 416 Barnstable Police Superior Officers’ Union and \$150 from the Barnstable Municipal Employees’ Association to the Barnstable Youth Commission (May be acted upon)	24-25
2018-140	Appropriation and Loan Order for \$40,000 pursuant to Temporary Repair to Private Roads Program regarding Locust Lane in Barnstable(Refer to Public Hearing 05/17/18).....	26-27

Approve Minutes –April 5, 2018

Please Note: The list of matters, are those reasonably anticipated by the council president, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Council may go into executive session. The Council may also act on items in an order other than they appear on this agenda. Persons interested are advised, that in the event any matter taken up at the meeting remains unfinished at the close of the meeting, may be put off to a continued session of this meeting, and with proper notice. Anyone requiring hearing assistance devices please inform the Town Clerk at the meeting.

A. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-074

INTRO: 03/15/18, 04/05/18; 04/26/18

2018-074 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$1,000,000 FOR THE PURPOSE OF FUNDING THE COTUIT BAY ENTRANCE CHANNEL DREDGING PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$1,000,000** be appropriated for the purpose of funding the Cotuit Bay Entrance Channel Dredging Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$1,000,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

B. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-089

INTRO: 03/15/18, 04/05/18, 04/26/18

2018-089 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$3,412,500 FOR THE PURPOSE OF FUNDING THE PUBLIC ROADS IMPROVEMENT PROGRAM AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$3,412,500** be appropriated for the purpose of funding the Public Roads Improvement Program as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$3,412,500** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

B. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-090

INTRO: 03/15/18, 04/05/18, 04/26/18

2018-090 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$103,500 FOR THE PURPOSE OF FUNDING THE DESIGN AND PERMITTING OF PHASE III OF THE DEPARTMENT OF PUBLIC WORKS OFFICES AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$103,500** be appropriated for the purpose of funding the Design and Permitting of Phase III of the Department of Public Works Offices as outlined in the Fiscal Year 2019 Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$103,500** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-092

INTRO: 03/15/18, 04/05/18, 04/26/18

2018-092 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$285,000 FOR THE PURPOSE OF FUNDING THE SCHOOL ADMINISTRATION BUILDING MECHANICAL COOLING UPGRADES PROJECT AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$285,000** be appropriated for the purpose of funding the School Administration Building Mechanical Cooling Upgrades Project as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$285,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-093

INTRO: 03/15/18, 04/05/18, 04/26/18

2018-093 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$100,000 FOR THE PURPOSE OF FUNDING THE DESIGN OF THE BUMPS RIVER BRIDGE REPAIRS AS OUTLINED IN THE FISCAL YEAR 2019 FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$100,000** be appropriated for the purpose of funding the Design of the Bumps River Bridge Repairs as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$100,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-094

INTRO: 03/15/18, 04/05/18, 04/26/18

2018-094 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$253,740 FOR THE PURPOSE OF FUNDING THE DEMOLITION OF THE PORTABLE STRUCTURES AT THE FORMER MARSTONS MILLS ELEMENTARY SCHOOL AND THE HAZARDOUS MATERIAL EVALUATION STUDY OF THE MAIN FACILITY AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$253,740** be appropriated for the purpose of funding the Demolition of the Portable Structures at the Former Marstons Mills Elementary School and the Hazardous Material Evaluation Study of the Main Facility as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$253,740**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-095

INTRO: 03/15/18, 04/05/18, 04/26/18

2018-095 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$45,000 FOR THE PURPOSE OF FUNDING THE DESIGN OF THE SIDEWALK ON OCEAN ST. AS OUTLINED IN FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$45,000** be appropriated for the purpose of funding the Design of the Sidewalk on Ocean St. as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that **\$45,000** be transferred from available funds within the Capital Trust Fund, and that the Town Manager is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

A. OLD BUSINESS (Public Hearing) (Roll Call) (2/3 Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-096
INTRO: 03/15/18, 04/05/18, 04/26/18

2018-096 APPROPRIATION AND LOAN ORDER IN THE AMOUNT OF \$667,000 FOR THE PURPOSE OF FUNDING THE DESIGN AND HAZMAT REMOVAL PROJECT AT THE ARMORY BUILDING AS OUTLINED IN THE FISCAL YEAR 2019 – FISCAL YEAR 2023 CAPITAL IMPROVEMENT PLAN

General Fund Capital Improvement Plan

ORDERED: That the sum of **\$667,000** be appropriated for the purpose of funding the Design and Hazmat Removal Project at the Armory Building as outlined in the Fiscal Year 2019 – Fiscal Year 2023 Capital Improvement Plan, including the payment of costs incidental or related thereto; and that to meet this appropriation, that the Town Treasurer, with the approval of the Town Manager, is authorized to borrow **\$667,000**, and that in accordance with Chapter 44, Section 20 of the General Laws, any premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds and notes, may be applied to pay such project costs, 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.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

ITEM #2018-097

INTRO: 03/15/18, 04/05/18, 04/26/18

**2018-097 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$4,000,000
BE TRANSFERRED FROM GENERAL RESERVES TO THE CAPITAL TRUST
FUND**

General Fund Capital Improvement Plan

ORDERED: That the Town Council hereby appropriates and transfers from available funds the sum of **\$4,000,000** (four million dollars) from the General Fund to the Capital Trust Fund

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>03/15/18</u>	<u>Refer to Public Hearing 04/05/18</u>
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

BARNSTABLE TOWN COUNCIL

ITEM #2018-097
INTRO: 03/15/18, 04/05/18, 04/26/18

SUMMARY

TO: Town Council
THROUGH: Mark S. Ells, Town Manager
FROM: Mark Milne, Director of Finance
DATE: March 15, 2018
SUBJECT: Appropriation and Transfer Order in the amount of \$4,000,000 be transferred from General Reserves to the Capital Trust Fund

BACKGROUND: The Town of Barnstable's capital needs are many. The Fiscal Year 2019 to Fiscal Year 2023 Capital Improvement Plan for the General Fund included a total of **\$141 million** in submissions over the next 5 years. The Fiscal Year 2019 Capital Budget includes funding for **\$13.9 million**. Additional funding sources need to be identified going forward to continue to address the projects on this list. Excess General Fund reserves have been dedicated to the Capital Trust Fund previously and this request seeks to do the same. The Capital Trust Fund is used as a financial tool to accumulate resources that are used to fund the town's capital program. Transferring these funds will allow the Town to fund a more aggressive capital program over the next 5 years.

ANALYSIS: Positive operating results for the fiscal year ending June 30, 2017 resulted in the growth of the town's Free Cash as certified by the Massachusetts Department of Revenue. The growth in Free Cash was the result of unexpended appropriations and actual revenues exceeding budget estimates. The main components of the unexpended appropriations were from vacancy savings in personnel budgets across all departments and all revenue categories reported favorable budget variances. The Town's Free Cash was certified at **\$16,197,155** on July 1, 2017. This request is to transfer **\$4 million** of the amount into the Capital Trust Fund. With this additional transfer it is projected that the fund could finance a total of **\$87 million** in capital improvements over the next 5 years. This includes a combination of bond financed and cash financed projects.

FISCAL IMPACT: In accordance with Town Council policy, an amount equal to 4% of the General Fund's operating budget, net of transfers, must be set aside for extraordinary and/or unforeseen expenditures from its certified Free Cash balance. The remaining balance is available for appropriation subject to Town Council approval. The allocation of the free cash balance as of July 1, 2017 in concurrence with town policies and the revenue sharing agreement between the municipal and school operations is as follows:

Town Council Reserve	\$5,977,565
Municipal Savings	\$3,371,341
School Savings	<u>\$6,848,249</u>
Total	\$16,197,155

The proposed transfer of \$4 million will be drawn from the school savings accounts. Combined with the Town Council reserve of almost \$6 million, the total remaining balance in the General Fund free cash account (\$12.1 million) represents about 8.2% of the overall General Fund Operating Budget (2 times the amount of the Town Council's reserve policy).

TOWN MANAGER RECOMMENDATION: Mark S. Ells, Town Manager recommends approval of the Transfer Order.

STAFF ASSISTANCE: Mark Milne, Director of Finance

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

ITEM # 2018-103
INTRO: 04/05/18, 04/26/18

2018-103 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Disability Commission:** Marc Brunco, 21 Highpoint Road, Marstons Mills as a regular member to a term expiring 6/30/19; **Public Works Commission:** Ed Eichner, 141 Pine Tree Drive, Centerville, as a regular member to a term expiring 06/30/18; **Shellfish Committee:** Christopher Freeman, 247 High Street, West Barnstable, as regular member to a term expiring 06/30/19; **Water Quality Advisory Committee:** Fred Dempsey, 48 Field Stone Road, West Barnstable, as a regular member to a term expiring 06/30/18; **Zoning Board of Appeals:** Mark Hansen, 51 Joyce Anne Road, Centerville, as an associate member to a term expiring 06/30/20

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
<u>04/05/18</u>	<u>First Reading</u>
_____	_____

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

A. OLD BUSINESS (Public Hearing) (Majority vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-104
INTRO: 04/05/2018, 04/26/18**

**2018-104 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$ 449,900
FOR THE FISCAL YEAR 2018 AIRPORT CAPITAL BUDGET FOR THE
PURPOSE OF FUNDING VARIOUS AIRPORT CAPITAL IMPROVEMENT
PROJECTS**

ORDERED: That the sum of **\$449,900** be appropriated for the purpose of funding various Airport capital improvement projects as follows:

- \$241,900 for Hanger II Drainage Improvements
- \$50,000 for Café Patio & Door Addition
- \$22,000 for Forestry Mulcher
- \$136,000 for ARFF/SRE Door Replacement

and that to meet this appropriation, that \$58,380 be transferred from the Airport Enterprise Fund operating capital budget and that \$391,520 be transferred from the Airport Enterprise Fund reserves; and that the Airport Commission is authorized to contract for and expend the appropriation made available for these purposes and be authorized to accept any grants or gifts in relation thereto.

DATE	ACTION TAKEN
<u>04/05/18</u>	<u>Refer to Public Hearing 04/26/18</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-104
INTRO: 04/05/2018, 04/26/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Assistant Airport Manager
DATE: April 05, 2018
SUBJECT: Appropriation and Transfer Order for the Fiscal Year 2018 Airport Enterprise Fund Capital Budget

BACKGROUND: MassDOT has reached out to airports indicating that they have \$3.5 million in available funding and are looking to fund eligible projects before the end of fiscal year 2018. Airport officials met with MassDOT and the following 4 projects were identified as being eligible for an 80% reimbursement from the MassDOT.

Project	Estimated Cost	MassDOT Share	BMA Share	Funding Source
Hangar II Drainage Improvements*	\$241,900	\$193,520	\$48,380	Rescind Operating Capital project for Maintenance Vehicle for \$48,000
Café Patio & Door Addition*	\$50,000	\$40,000	\$10,000	Rescind Operating Capital project for Operations Building Upgrade for \$10,000
Forestry Mulcher	\$22,000	\$17,600	\$4,400	Airport Reserve Fund
ARFF/SRE Bay Door Replacement*	\$136,000	\$108,800	\$27,200	Airport Reserve fund
Totals	\$449,900	\$359,920	\$89,980	

* These Projects not typically funded by the Federal Aviation Administration and/or MassDOT Aeronautics. Normally the projects are funded entirely by Barnstable Municipal Airport (BMA) as these are not normally considered "priority funded projects". By doing these projects now via MassDOT, BMA is saving \$359,920.

In addition to the 4 projects listed above the MassDOT will reimburse the airport for 100% of its project costs associated with its Fiscal Year 2018 Airfield Painting Project (\$75,000). This was not anticipated at the time the Fiscal Year 2018 capital budget was approved and the \$75,000 will replenish the Airport's reserve fund.

FISCAL IMPACT: The MassDOT will reimburse the Airport a total of \$434,920 for these projects. The reimbursements will replenish the Airport's reserves used to fund this appropriation and its Fiscal Year 2018 Capital Appropriation for Airfield Painting. The Airport's net share for this Appropriation is \$89,980. Of the Airport's share, \$58,380 is already included in the Fiscal Year 2018 Operating Budget and will be transferred to offset the cost of these projects and the remaining Airport share of \$31,600 will be provided from the Airport's Reserve Fund, which has a balance of \$2,217,767.

STAFF ASSISTANCE: Katie R. Servis, Assistant Airport Manager; Mark A. Milne, Director of Finance

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-105
INTRO: 04/05/2018, 04/26/18**

**2018-105 APPROPRIATION AND TRANSFER ORDER IN THE AMOUNT OF \$167,600
FOR THE FISCAL YEAR 2018 AIRPORT OPERATING BUDGET**

ORDERED: That the sum of \$167,600 be appropriated for the Fiscal Year 2018 Airport Operating Expense Budget, and that to meet this appropriation \$167,600 be transferred from the Airport Enterprise Fund Reserves.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/05/18</u>	<u>Refer to Public Hearing 04/26/18</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-105
INTRO: 04/05/2018, 04/26/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Katie R. Servis, Assistant Airport Manager
DATE: April 05, 2018
SUBJECT: Appropriation and Transfer Order in the amount of **\$167,600** for the Fiscal Year 2018 Airport Enterprise Fund Operating Budget

BACKGROUND: Barnstable Municipal Airport is requesting to increase the FY 2018 operating expense budget for the following:

- Aviation Jet Fuel Funds;
- Legal Fees; and
- Consultant Fees for environmental analysis and reporting.

Aviation Jet Fuel Funds Analysis – The airport anticipates the need to purchase another 220,000 gallons of fuel to cover April 2018 – June 2018 fuel purchases for resale. The FY2018 budget projections have caused a shortfall in available funds for jet fuel purchases for the remainder of the year due to a price increase in fuel cost and our adjusted fuel budget for FY2018 is inadequate to meet current demand. The table below identifies the budget analysis.

<i>Jet Fuel Purchases</i>	
Original Appropriation	\$1,836,000.00
Year to Date Expended	\$1,295,622.80
Encumbered Funds/Requisition	\$455,736.08
Available Budget	\$84,601.12
Total Available Funds	\$540,337.20
Loads needed for remainder of year	22
Estimated Cost per Load	\$27,000.00
Estimated Cost	\$594,000.00
Available Funds	\$540,337.20

Estimated Cost	\$594,000.00
Funds Potentially Needed	\$53,662.80

To meet projected demand and assure a contingency for any further increase in sales or changes in cost, the Airport is requesting an appropriation of \$40,000 to meet estimated fuel expenditures through the end of June 2018.

Any funds remaining at the end of the Fiscal Year will be returned to the Airport Enterprise Reserve Fund. It is therefore requested that to meet this appropriation, \$40,000 be transferred from available funds within the Airport Enterprise Reserve Fund.

Legal Fees Background - Following the commencement of the Fiscal Year 2018 budgetary cycle, the Barnstable Municipal Airport continues to incur additional legal fees and associated expert consultant expenses above and beyond the original appropriation of \$39,900 for assistance in: 1) the evaluation of the presence of Perflouroalkyl substances (PFAS) in soil and groundwater on and off airport property; and 2) the Request For Proposal Development for the K-mart parcel, property owned and managed by the Barnstable Municipal Airport. As such, the Fiscal Year 2018 budget projections have caused a shortfall in available funds for legal fees for the remainder of the year and our adjusted budget for Fiscal Year 2018 is inadequate to meet current demand; therefore, the Barnstable Municipal Airport is requesting an additional \$20,000 to cover legal fees incurred for Fiscal Year 2018.

Legal Fees Analysis – Unexpected increases in legal and expert consultant fees have been incurred and will continue to accrue for the remainder of Fiscal Year 2018. The following table identifies Legal Fees as of March 1, 2018.

Legal Fees	
Original Appropriation	\$39,900.00
Year to Date Expended	\$31,982.00
Encumbered Funds/Requisition	\$7,194.92
Available Budget	\$722.66
Total Available	\$7,917.58
March 2018 Invoice	\$14,998.86
Estimated Cost Need for Remainder of FY2018	\$12,918.72
Funds Potentially Needed	\$20,000.00

Based on the above information, it is anticipated that an additional appropriation of \$20,000 will be required to meet estimated legal and associated expert consultant expenses through the end of June 2018. Any funds remaining at the end of the Fiscal Year will be returned to the Airport Enterprise

Reserve Fund. It is therefore requested that to meet this appropriation, \$20,000 be transferred from available funds within the Airport Enterprise Reserve Fund.

Consultant Fees for environmental analysis and reporting Background - The Massachusetts Department of Environmental Protection (DEP) sent the Barnstable Municipal Airport a Request for Information (RFI) dated October 27, 2017 to supplement the Airport's previous responses to DEP regarding the collection of soil samples to further understand the potential background concentrations of per- and poly-fluorinated alkyl substances (PFAS) outside of the Airport and across the Town of Barnstable. The data collected and the resulting preliminary analysis was used to evaluate whether or not the concentration of PFAS compounds in soil excavated as part of the recent runway 15/33 reconstruction project are consistent with background conditions.

The consultant fees include a Phase II Comprehensive Site Assessment, soil testing, ground water testing, laboratory fees, analysis, reporting documentation, multiple meetings with the airport and DEP, future removal of contaminated soil adjacent to the ARFF building and within the Deployment Area and continued evaluation of the presence of perfluoroalkyl substances (PFAS) in soil and groundwater on and off airport property in an attempt to determine what may be considered as "background" in the region.

Because the RFI was delivered in October 2017, the FY2018 budget projections did not include the additional environmental analysis and reporting required by DEP and have caused a shortfall in available funds to cover such fees for the remainder of the year. Therefore, our adjusted budget for FY2018 is inadequate to meet current demand and Barnstable Municipal Airport is requesting an additional \$147,600 to cover fees incurred for FY2018.

Legal Fees	
Original Appropriation	\$60,000
Year to Date Expended	\$60,000
Encumbered Funds/Requisition	\$60,000
Available Budget	\$0
Total	\$0
Estimated Cost Need for Remainder of FY2018	\$147,600
Funds Potentially Needed	\$147,600

FISCAL IMPACT: This appropriation will be provided for using the Airport Enterprise Fund reserve, which has a current balance of \$2,217,767.

STAFF ASSISTANCE: Katie R. Servis, Assistant Airport Manager; Mark A. Milne, Director of Finance

A. OLD BUSINESS (Public Hearing) (Majority Vote)

BARNSTABLE TOWN COUNCIL

**ITEM #2018-107
INTRO: 04/05/2018, 04/26/18**

**2018-107 APPROPRIATION AND TRANSFER ORDER OF \$60,000 FOR THE FISCAL
YEAR 2018 DEPARTMENT OF PUBLIC WORKS OPERATING CAPITAL
BUDGET**

ORDERED: That the sum of **\$60,000** be appropriated from the Town’s General Fund Reserves for the Fiscal Year 2018 Department of Public Works Operating Capital Budget.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
<u>04/05/18</u>	<u>Continued Public Hearing 04/26/18</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2018-107
INTRO: 04/05/2018, 04/26/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
DATE: April 5, 2018
SUBJECT: Appropriation Order for the Department of Public Works Fiscal Year 2018 Operating Capital Budget

SUMMARY: Recent storm events have eroded the dune in front of the lower parking lot at Sandy Neck beach. In order to protect this area from further erosion, additional sand will need to be placed in this area.

ANALYSIS: The Sandy Neck Enterprise Fund's Fiscal Year 2018 Operating Budget included \$55,000 for sand replenishment. Multiple storms have resulted in excessive erosion in this area. The enterprise fund has exhausted its Fiscal Year 2018 budget for sand replenishment and now requires an additional 3000 cubic yards of sand. The cost of the sand is \$20 per cubic yard. Existing permits required the sand to be in place by April 6th. The only available funding source that could be used for this sand was the Public Works operating capital budget.

FISCAL IMPACT: The Fiscal Year 2018 Department of Public Works operating capital budget was originally intended to be used for equipment replacement. Redirecting these funds to Sandy Neck will leave them with a shortfall in funding for Fiscal Year 2018. This appropriation request from the General Fund reserves will replenish the operating capital budget. Enterprise Fund reserves cannot be directly appropriated for General Fund expenses; therefore, the Fiscal Year 2019 operating budget for the Sandy Neck Enterprise Fund will include \$60,000 for a reimbursement to the General Fund. Reserves in an Enterprise Fund can be used to reimburse the General Fund for subsidized capital costs of the enterprise not already reimbursed for the two full immediate prior fiscal years.

STAFF ASSISTANCE: Mark Milne, Director of Finance

B. NEW BUSINESS (First Reading)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-138
INTRO: 04/26/18**

2018-138 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED: That the Town Council appoints the following individuals to a multiple-member board/committee/commission: **Licensing Authority:** Nancy Karlson-Lidman, 23 Tupelo Road, Marstons Mills, as an associate member to a term expiring 06/30/2020

SPONSOR: Appointments Committee

DATE	ACTION TAKEN
_____	_____
_____	_____

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

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-139
INTRO: 04/26/18**

2018-139 ACCEPTANCE OF GRANTS IN THE AMOUNT OF \$250 FROM THE BARNSTABLE POLICE PATROLMAN’S UNION, \$250 FROM MASSCOP LOCAL 416 BARNSTABLE POLICE SUPERIOR OFFICERS’ UNION AND \$150 FROM THE BARNSTABLE MUNICIPAL EMPLOYEES’ ASSOCIATION TO THE BARNSTABLE YOUTH COMMISSION

RESOLVED: That the Town of Barnstable hereby accepts grants of **\$250** from the Barnstable Police Patrolman’s Union, **\$250** from MASSCOP Local 416 Barnstable Police Superior Officers’ Union and **\$150** from the Barnstable Municipal Employees’ Association for the Barnstable Youth Commission’s Youth Summit and does hereby authorize the Town Manager to contract for and expend said funds for that purpose.

SPONSOR: Mark S. Ells, Town Manager

DATE	ACTION TAKEN
_____	_____
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM # 2018-139
INTRO: 04/26/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: March 30, 2018
SUBJECT: Acceptance of grants in the amount of **\$250** from the Barnstable Police Patrolman's Union, **\$250** from MASSCOP Local 416 Barnstable Police Superior Officers' Union and **\$150** from the Barnstable Municipal Employees' Association to the Barnstable Youth Commission

RATIONALE: The Barnstable Youth Commission has received grants in the amount of **\$250** from the Barnstable Police Patrolman's Union, **\$250** from MASSCOP Local 416 Barnstable Police Superior Officers' Union and **\$150** from the Barnstable Municipal Employees' Association. These funds will be used to fund the door prizes at this year's Seventh Grade Youth Summit and Community Substance Abuse Prevention Forum which was held March 15 and 16, 2018.

For the past three years, the Barnstable Youth Commission successfully held its annual Seventh Grade Youth Summit and Community Substance Abuse Prevention Forum. These two events endeavored to brief students about the serious dangers of drug and alcohol abuse concerns whilst simultaneously educating parents and community leaders on the detrimental effects that they can have as well. The Youth Commission strived to locate speakers who were engaging, educated, and well-versed in their topics. The Commission specifically aimed to have speakers, for the students, who did not lecture for lengthy periods of time and got them actively involved in the subject matter. Following the widespread success and media coverage of the summit, the Youth Commission planned to continue the event for the indefinite future. In order to get all students together at the same time, the Youth Commission moved the events to Cape Cod Community College. As it is the College's vacation week, the Youth Commission has full use of the College Campus. The Youth Summit is a full school day of activities with provided lunch for all Youth Summit participants.

The Barnstable Youth Commission is extremely grateful for the generous gifts from the Barnstable Police Patrolman's Union, MASSCOP Local 416 Barnstable Police Superior Officers' Union and the Barnstable Municipal Employees' Association.

FISCAL IMPACT: There is no immediate financial impact to the Town's operating budget as a result of accepting this grant.

STAFF ASSISTANCE: Patti Machado, Recreation Director; Lt. Jean Challies, Barnstable Police Department

B. NEW BUSINESS (Refer to Public Hearing 05/17/18)

BARNSTABLE TOWN COUNCIL

**ITEM # 2018-140
INTRO: 04/26/18**

**2018-140 APPROPRIATION AND LOAN ORDER OF \$40,000 PURSUANT TO
TEMPORARY REPAIR TO PRIVATE ROADS PROGRAM REGARDING
LOCUST LANE IN BARNSTABLE.**

ORDERED: That the sum of **\$40,000** be appropriated for the purpose of making temporary repairs to Locust Lane in the Village of Barnstable, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, be authorized to borrow **\$40,000** and that the Town Manager is authorized to contract for and expend the appropriation made available for this purpose, and the Town Manager is further authorized to assess betterments and to accept any grants and/or gifts in relation to this appropriation.

SPONSOR: John Flores Councilor, Precinct 1

DATE	ACTION TAKEN
_____	_____
_____	_____

- ___ Read Item
- ___ Rationale
- ___ Public Hearing
- ___ Close Public Hearing
- ___ Council Discussion
- ___ Move/Vote

BARNSTABLE TOWN COUNCIL

ITEM # 2018-140
INTRO: 04/26/18

SUMMARY

TO: Town Council
FROM: Mark S. Ells, Town Manager
THROUGH: Daniel W. Santos, P.E.; Director, Department of Public Works
DATE: April 26, 2018
SUBJECT: Appropriation and Loan Order for **\$40,000** pursuant to Temporary Repair to Private Roads Program regarding Locust Lane in Barnstable

BACKGROUND: The successful passage of Chapter 174 of the Acts of 1994 and the passage of House Bills 4409 and 4410 by the State Legislature of Home Rule legislation authorized the Town to expend funds to repair private roads. Under this Program the abutters to roads being repaired can be charged betterment assessments for 100% of the actual costs of repairs which they can elect to pay in one lump sum or over a period of up to 20 years (with interest). This road will not be taken by the Town of Barnstable and will remain private roads. A majority of the property abutters to Locust Lane in Barnstable have expressed an interest in having repairs made to their private road and 55% of the abutters have signed a Consent and Acknowledgement Agreement for Betterment Assessment. The proposed work is the removal and replacement of the existing pavement, and installation of drainage structures.

The cost of improvements: Estimated as **\$40,000** with a cost per 20 abutters, distributed as 20 full shares, not to exceed **\$2,000** per abutter.

FISCAL IMPACT: There is no cost to the Town, as all costs will be recovered by betterments assessed on the abutters. The town will issue a bond to cover the cost of the repairs and use the revenue collected from the betterment assessments to make the annual loan repayments on the bond.

TOWN MANAGER RECOMMENDATION: The Town Manager requests favorable action by the Town Council.

STAFF ASSISTANCE: Daniel W. Santos, P.E.; Director, Department of Public Works