



Town of Barnstable Town Council Meeting

May 17, 2012

A quorum being duly present, Council President Frederick Chirigotis called the May 17, 2012, Town Council meeting to order at 7:00 p.m. in the Hearing Room of Town Hall, 367 Main St., Hyannis, MA.

PRESENT: Janice Barton, Ann Canedy, Frederick Chirigotis, James Cote, Debra Dagwan, June Daley, Jessica Rapp Grasseti, Michael Hersey, Janet Joakim, John Norman, Thomas Rugo, James Tinsley, Jr. **Absent:** Jennifer Cullum

The Pledge of Allegiance was led by President Chirigotis, followed by a Moment of Silence.

ANNUAL BUDGET PRESENTATION:

Acting Town Manager, Thomas K. Lynch and Finance Director Mark Milne began the meeting with a presentation on the operating budget and a 112 second review of Fiscal 2012. Funding priorities presented by Acting Town Manager, Thomas K. Lynch included the following: (Exhibit A)

- Financial Accountability
- Dedicated Staff
- Community Resources
- Initiatives and Priorities

The Budget Overview presentation was introduced by Finance Director, Mark Milne and gave a summary including the following:

- Consolidation of Employee benefits in the General Fund
- Allocation of DPW Salaries to Enterprise Funds
- Community Services Department Restructured
- Enterprise Funds

CVEC PHASE II - WORKSHOP

This workshop was postponed until a later time.

PUBLIC COMMENT

Opened public hearing.

- Bill Cronin invited the public to attend the Greater Hyannis Civic Association meeting.
- Audra Parker, invited everyone to attend a public hearing on Wednesday to reject the contract of Cape Wind. (Exhibit B)
- Holden Ramage thanked the Town Councilors for their hard work. He asked the Councilors use these two years to search for the best possible person for this job. If you are going to do something do it right.
- Robert Tucker said it's awesome that Thomas Lynch is going to be offered the job as Town Manager. Rents are getting out of sight in the town.

- Deborah Converse of the Barnstable Housing Authority, thanked the Town Council for deciding to continue with Mr. Lynch.
- Warren Rutherford said he supports Tom Lynch for the Town Manager position. Rutherford said let's try not to go back, support the Acting Town Manager.
- Matthew Weir spoke for bringing awareness of wind power and the noise the turbines make when you are trying to sleep.
- Meg Loughran encouraged the council to get more detailed information on the Cape Wind power.
- Bill Elkins said hire the very best qualified. The existing, sitting, Town Manager fits that bill.
- John Julius asked where is the search, what happened? We will be watching this vote. Julius held up a document that alleges the poison water by the airport, under the tarmac. Julius said the residents of Hyannis deserve better.
- Terry Duenas stated he has worked with Tom Lynch and recommends Tom as the best candidate for the position of Town Manager.
- Felicia Penn stated she cares deeply about this town. She asked what happened to conducting a national search for a Town Manager?
- Gloria Rudman read a statement regarding the accomplishments achieved by Tom Lynch. She urged the Council to support Tom Lynch as Town Manager for the next two years.

Closed public hearing

COUNCIL RESPONSE TO PUBLIC COMMENT

Councilor Hersey responded that the Hyannis Water District has a program and a protocol to improve the water quality of Hyannis water. Currently the water supply has gotten better; the board is working very hard.

Councilor Canedy thanked the young man from her precinct, for coming to the microphone and stating his opinion.

ACT ON MINUTES (Includes Executive Session)

A motion was made and seconded to approve the minutes of May 3, 2012.

VOTE: Unanimous

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

Councilor Dagwan announced a few upcoming events in town including the Municipal Airport dedication ceremony, and the Ocean Street Shanties opening.

Councilor Joakim announced the upcoming Memorial Day parade and pancake breakfast in Centerville.

A. OLD BUSINESS (Public hearing continued)

2012-100 APPROPRIATION--\$34,396.56 FROM HYCC GIFT ACCOUNT FOR EVENT SIGN INTRO: 04/05/12, 04/26/12, 05/17/12

Upon motion duly made and seconded it was voted to move to a public hearing on June the 21st

VOTE: Unanimous to move to a public hearing on June 21st

2012-109 APPROPRIATION--\$217,346 CPC FUNDS FOR HISTORIC PRESERVATION OF THE US CUSTOM HOUSE (TRAYSER MUSEUM), BARNSTABLE INTRO: 05/03/12, 05/17/12

Lindsey Counsell, Chairman of Community Preservation Committee gave the rationale for the preservation of this historic structure. Mark Marinaccio gave a presentation of the Barnstable Custom House. (Exhibit C)

A motion duly made and seconded to move the question.

VOTE: 12 Yes (Roll Call)

Upon motion duly made and seconded it was

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.

VOTE: Passed 12 Yes

2012-110 APPROPRIATION--\$59,078 CPC FUNDS FOR HISTORIC PRESERVATION OF THE OLD SELECTMEN'S BUILDING, WEST BARNSTABLE INTRO: 05/03/12, 05/17/12

Lindsey Counsell, Chairman, of Community Preservation Committee gave the rationale for the preservation of this historic structure. Mark Marinaccio gave a presentation of the Old Selectmen's Building. (Exhibit D)

Opened Public Hearing.

- Gloria Rudman spoke in favor of preserving this historical landmark.

Closed public hearing.

Discussion ensued with questions regarding:

- previous work on this building
- contributions by the artists
- basement foundation work needed
- adding a ramp and the impact on the historical aspect.

A motion was duly made and seconded to move the question.

VOTE: Unanimous (12 Yes)

Upon motion duly made and seconded it was

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.

VOTE: 12 Yes (Roll Call)

2012-111 APPROPRIATION--\$107,800 CPC FUNDS FOR HISTORIC PRESERVATION OF THE OLD TOWN HALL (JFK MUSEUM) INTRO: 05/03/12, 05/17/12
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Lindsey Counsell, Chairman, of Community Preservation Committee gave the rationale for the preservation of this historic structure. Mark Marinaccio gave a presentation of the Old Town Hall. (Exhibit E)

Opened Public Hearing.

- Warren Rutherford supports this project.

Closed Public Hearing

- Councilor Canedy supports use of CPA Funds for this building but made the point that CPA was the only source of funds, unlike the previous 2 appropriations. She suggested creating a friends account, dedicating a portion of admission fees or rent revenue to offset maintenance costs.

A motion was duly made and seconded to move the question

VOTE: Unanimous (12 Yes)

Upon motion duly made and seconded it was

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.
VOTE: 12 Yes, (Canedy-No) (Roll Call)

B. NEW BUSINESS

**2012-108 ESTABLISH A GIFT ACCOUNT TO ACCEPT GIFTS FOR THE PRESERVING ARTS AND ARTIFACTS IN THE TOWN OF BARNSTABLE
INTRO 05/17/12**

Acting Town Manager, Thomas K. Lynch, gave the rationale.

A motion was duly made and seconded to move the question

VOTE: Unanimous (12 Yes)

Upon motion duly made and seconded it was

RESOLVED, That the Town Council, pursuant to the provisions of G.L. c. 44, §53A, hereby establishes an account for the purposes of receiving gifts to maintain and preserve the art and artifacts owned by the Town of Barnstable and hereby authorizes the Town Manager to accept and approve the expenditure of monies from said gift account for that purpose.

VOTE: Unanimous (12 Yes)

**ITEMS# 2012-112 through 2012-138 FY13 OPERATING BUDGET ORDERS
INTRO: 05/17/12**

2012-112 APPROPRIATION \$11,178,649 to fund the FY13 Police Department Budget

Upon motion duly made and seconded this item was moved to a public hearing on June 7th

VOTE: Unanimous to move to a public hearing on June 7th

2012-113 APPROPRIATION \$55,900,835 to fund the FY13 Public Schools Budget

Upon motion duly made and seconded this item was moved to a public hearing on June 7th

VOTE: Unanimous to move to a public hearing on June 7th

2012-114 APPROPRIATION \$7,349,458 to fund the FY13 Barnstable Municipal Airport Enterprise Fund Budget

Upon motion duly made and seconded this item was moved to a public hearing on June 7th

VOTE: Unanimous to move to a public hearing on June 7th

2012-115 APPROPRIATION \$7,863,952 FY13 Department of Public Works General Fund Budget

Upon motion duly made and seconded this item was moved to a public hearing on June 7th

VOTE: Unanimous to move to a public hearing on June 7th

2012-116 APPROPRIATION \$2,656,754 FY13 Department of Public Works Solid Waste Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th

VOTE: Unanimous to move to a public hearing on June 7th

2012-117 APPROPRIATION \$4,684,189 FY13 Department of Public Works Water Pollution Control Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-118 APPROPRIATION \$3,454,571 FY13 Department of Public Works Water Supply Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-119 APPROPRIATION \$2,515,247 FY13 Regulatory Services Department

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-120 APPROPRIATION \$2,529,989 FY13 Community Services Department General Fund Budget

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-121 APPROPRIATION \$2,870,000 FY13 Community Services Department Golf Course Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-122 APPROPRIATION \$2,766,644 FY13 Community Services Department Hyannis Youth and Community Center Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-123 APPROPRIATION \$617,000 FY13 Community Services Department Marina Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-124 APPROPRIATION \$684,442 FY13 Community Services Department Sandy Neck Park Enterprise Fund

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-125 APPROPRIATION \$901,437 FY13 Growth Management Department General Fund Budget

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-126 APPROPRIATION \$276,543 FY13 Town Council Department

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-127 APPROPRIATION \$652,806 FY13 Town Manager Department

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-128 APPROPRIATION \$5,157,780 FY13 Administrative Services Department

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-129 APPROPRIATION \$9,456,306 FY13 Debt Service

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-130 APPROPRIATION \$19,589,846 FY13 Employee Benefits & Insurance

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-131 APPROPRIATION \$1,525,444 FY13 Libraries

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-132 APPROPRIATION \$166,908 FY13 Other Grants

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-133 APPROPRIATION \$3,233,250 FY13 Assessments

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-134 APPROPRIATION \$4,945,690 FY13 Transfers

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-135 REVOLVING FUNDS AUTHORIZATION ORDER

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

2012-136 AUTHORIZING EXPENDITURE COMCAST LICENSING FEES TO FUND PUBLIC, EDUCATION & GOVERNMENT (PEG) ACCESS CHANNELS

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

**2012-137 APPROPRIATION-COMMUNITY PRESERVATION FUND FY13 \$940,623 FOR PROGRAM SET-ASIDES AND \$150,000 FOR ADMINISTRATION EXPENSES
INTRO: 05/17/2012**

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

**2012-138 APPROPRIATION \$2,664,783 FOR COMMUNITY PRESERVATION FUND
FY13 DEBT SERVICE INTRO: 05/17/12**

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

**2012-139 TRANSFER \$184,401 FOR AIRPORT RUNWAY PAVEMENT CRACK
REPAIRS AND AN OILY WATER SEPARATOR INTRO: 05/17/12**

Bud Breault, Airport Manager gave the rationale.

Upon motion duly made and seconded it was

ORDERED: That the sum of \$124,401 be transferred from Council Order 2012-092 for the purpose of funding the replacement of the 2004 airfield sweeper, to council order 2011-074 for the purpose of increasing funding available for the condition survey and localized repairs to cracks in the pavement at the airport; and that \$60,000 be transferred from Council Order 2012-092 for the purpose of funding the replacement of the 2004 airfield sweeper, to Council Order 2011-077 for the installation of an oily water separator in the airport's emergency response and fire fighting (ARFF) building; both as approved by the Federal Aviation Administration (FAA) aviation capital improvement program (ACIP).

VOTE: Unanimous

**2012-140 AMEND ADMINISTRATIVE CODE §241-47.10 COMMUNITY SERVICES DEPT.
INTRO 05/17/2012**

Upon motion duly made and seconded this item was moved to a public hearing on June 7th
VOTE: Unanimous to move to a public hearing on June 7th

**2012-141 APPOINTMENT OF THOMAS K. LYNCH AS TOWN MANAGER
INTRO 05/17/12**

A motion was duly made and seconded to amend this item to postpone to June 7

VOTE: In favor of postponement Canedy, Hersey and Cote.

Opposed- Barton, Chirigotis, Dagwan, Daley, Rapp Grasseti, Joakim, Norman, Rugo, Tinsley.

A discussion ensued regarding external search.

A motion was duly made and seconded to amend the contract offer to one year

VOTE: 1 in Favor (Canedy)

11 Opposed

Upon motion duly made and seconded it was

ORDERED, that the Town Council, acting under the provisions of Section 4-1 of the Charter of the Town of Barnstable, hereby appoints Thomas K. Lynch with an address of 95 Phinneys Lane, Centerville, MA, 02632, as Town Manager for a term beginning June 17, 2012 and ending on June 30, 2014, subject to contract negotiations.

VOTE: 9 Yes, 3 No (Canedy, Norman, Cote)

TOWN MANAGER COMMUNICATIONS:

Town Manager, Thomas K. Lynch covered the following items:

- Additional Dredging money for Barnstable Harbor

- Upcoming tour of water control facility
- Kennedy Trail open on Memorial Day
- Airport
- Repairs
- Thanked the council for their support.

ADJOURNMENT

Upon motion duly made and seconded it was

VOTED: To adjourn.

ADJOURNED: at 9:30 p.m.

Respectfully submitted,

Ann M Quirk, CMC
Assistant Town Clerk/Town of Barnstable

Exhibits:

- A. FY2013 Proposed Operating Budgets
- B. Cape Wind Update
- C. Barnstable Customhouse
- D. Old Selectmen's Building
- E. Old Town Hall