



Town of Barnstable Town Council

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Councillors:

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Precinct 11

John T. Norman
Precinct 12

Jennifer L. Cullum
Precinct 13

Administrator to the
Town Council:
Barbara A. Ford

Administrative
Assistant:
Cynthia A. Lovell

MEETING AGENDA TOWN HALL HEARING ROOM November 20, 2014 7:00 PM

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

- **Report from the Golf Committee-
David Miller/Chair**

9. ORDERS OF THE DAY

A. Old Business

B. New Business

10. ADJOURNMENT

NEXT REGULAR MEETING: December 4, 2014

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Approve Minutes – November 6, 2014

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)

BARNSTABLE TOWN COUNCIL

ITEM # 2015-032

INTRO: 10/16/14, 11/06/14, 11/20/14

2015-032 TO SEE IF THE TOWN COUNCIL WILL AMEND THE GENERAL ORDINANCES BY ADDING A NEW CHAPTER 78 ON FERTILIZER

ORDERED: That the General Ordinances of the Code of the Town of Barnstable shall be amended by adding the following new Chapter 78 which will serve as the Town's Implementing Regulations pursuant to the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07

**"CHAPTER 78"
FERTILIZER**

§78-1. Purposes and Intent

- A. Mounting evidence supports the claim that excessive nutrient enrichment of the region's ground waters and surface waters may have significant public health significance, including direct detrimental effects on drinking water sources by increased concentrations of nitrates that can violate Safe Drinking Water Standards, and have significant negative impacts to economic, environmental and recreational resources and values in the Town and region.
- B. The Town has significant amounts of glacially deposited coarse, sandy soils that are subject to rapid water infiltration, percolation, and leaching of nutrients. These soil characteristics mean that agronomic practices of soil fertilization common in other parts of the region, state and country may not always apply in the Town, as these practices vary by soil type.
- C. The Town, recognizing that excessive, inappropriate or improper use of fertilizers is part of the overall problem of nutrient pollution promulgates the following Ordinance regarding the use of fertilizer on turf. This Ordinance incorporates by reference the University of Massachusetts Extension's Turf Management Best Management Practices. These practices, if followed, are deemed to protect the public health, safety and welfare and aid in achieving compliance with the Total Maximum Daily Loads (TMDL) for the Town's water resources prescribed by the Commonwealth of Massachusetts while allowing reasonable use of fertilizers for the enhancement and maintenance of turf quality.

§78-2. Applicability

- A. It is necessary and desirable to control by regulation in the Town of Barnstable the use of fertilizer that contains phosphorus and nitrogen for the purposes set out herein.
- B. This Ordinance allows for a reduction of nitrogen and phosphorus going into the Town's waters and wetlands by means of an organized system of education, certification, standardization and regulation of practice. This Ordinance is not intended to eliminate the use of fertilizer but only to eliminate excess amounts of phosphorus and nitrogen from reaching our water and groundwater.

This Ordinance adopts the Best Management Practices as the normal operating procedures for turf management throughout the Town.

- C. This Ordinance shall apply to turf management practices and to the application of nitrogen and phosphorus-containing fertilizer and other materials to turf within the Town, but not to plants other than turf.
- D. This Ordinance shall serve as the Town's Implementing Regulations pursuant to the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07.

§78-3. Authority

This Ordinance is adopted as Implementing Regulations pursuant to and as authorized by the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07, and by Section 9 of Chapter 262 of the Acts of 2012.

§78-4. Definitions

For the purposes of this Ordinance, the following words shall have the following meanings unless the context clearly indicates a different meaning:

“Agriculture/Agricultural Use” means farming in all of its branches including the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural, floricultural or horticultural commodities, including but not limited to cranberries.

“Barnstable” is the Town and all of its waters.

“Best Management Practices” (BMP), means a sequence of activities designed to limit a non point pollution source. For the purposes of this Ordinance and pursuant to §78-5A of this Ordinance, BMP means the edition of “Best Management Practices for Soil and Nutrient Management in Turf Systems,” prepared by University of Massachusetts Extension, Center for Agriculture, Turf Program in effect on September 18, 2014.

“Certified Fertilizer Applicator” means an Applicator certified in the manner prescribed hereunder to apply fertilizer and manage turf in conformance with the BMP.

“Combination Products,” sometimes known as “Weed and Feed,” means any product that, in combination with fertilizer, contains pre- or post-emergence herbicides, insecticides other pesticides or plant growth regulators.

“Compost” is the biologically stable humus-like material derived from composting, or the aerobic, thermophilic decomposition of, organic matter, which is used as a fertility source for turf.

“Fertilizer Applicator” means any person who applies fertilizer to turf and soils.

“Fertilizer” means a substance that enriches turf with elements essential for plant growth, such as nitrogen, phosphorus, or other substances; fertilizer hereunder does not include dolomite, limestone, or lime, grass clippings, or compost/ compost tea.” Fertilize, fertilizing, or fertilization” means the act of applying fertilizer to turf.

“Impervious surface” means a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, except for compacted areas on athletic fields such as clay or baseball infields, intensely trafficked turf and the like.

“Landscape professional” means a person, either as a sole proprietor or as part of a company, who, in exchange for money, goods, services, or other consideration, performs landscaping services. A Landscape professional can include turf management staff at a private golf course operation or other private entity.

“Landscaping” means, for purposes of this Ordinance, establishment (including by sod, seeding, or transplanting), renovation, maintenance, management or fertilization of turf

“Municipal applicator” means a public employee of a city, town, the county, or the state or federal government (or an employee of a department of and within such public entity) who fertilizes and manages turf located on property owned or controlled by a town, the county, the state or federal government (including publicly owned golf courses and athletic fields) within the scope of their official public employment responsibilities.

“Non-Certified Fertilizer Applicator” means an Applicator who is not certified in the manner prescribed hereunder to manage turf and apply fertilizer in conformance with the BMP.

“Nutrient” means any of the following 17 elements needed for growth of a plant; the three (3) non-mineral elements: carbon, hydrogen, and oxygen; the six (6) macronutrients: nitrogen, phosphorus, potassium, calcium, magnesium, and sulfur; and the eight (8) micronutrients: boron, copper, iron, chloride, manganese, molybdenum, nickel and zinc.

“Nutrient management” means the systematic control of the application and availability of nutrients to plants in order to minimize nutrient loss and to maintain the productivity of the soil.

“Readily available nitrogen” means any water-soluble nitrogen (WSN) that is readily available to turf after application.

“Slow-release, controlled-release, timed-release, or slowly soluble/ available nitrogen” means nitrogen in a form that delays its availability for uptake and use after application, and is not rapidly available to turf.

“Soil” means the upper-most layer of the earth’s surface, comprised of mineral and organic matter, which can host biological communities.

“Soil test” means a technical analysis of soil conducted by a soil testing laboratory that uses standards recommended by and in agreement with the University of Massachusetts Amherst Extension Program BMP, including a Modified Morgan soil testing procedure and extractable nutrient values.

“Turf” means grass-covered soil held together by the roots of the grass, also known as “sod” or “lawn.”

“Waters” or “Water-bodies” include, but are not limited to, streams, including intermittent streams, creeks, rivers, freshwater and tidal wetlands, ponds, lakes, marine waters, canals, lagoons, and estuaries within the Town, including without limitation all waters defined in Massachusetts General Laws Chapter 131, Section 40 and Town Wetland Ordinance or Regulations with the exception of the following: coastal and inland banks, beaches, coastal dunes, dune fields, and lands subject to coastal storm flowage, inland or coastal flooding or inundation, or within 100 feet of the hundred-year storm line.

§78-5. STANDARDS OF PERFORMANCE

A. Best Management Practices

The Best Management Practices (“BMP”), as defined herein, shall be applied to the standards of performance.

B. Performance Standards for Non-Certified Fertilizer Applicators

Fertilizer Applicators who do not hold Fertilizer Certification issued in accordance with §78-6B of this Ordinance shall comply with the following standards for fertilizer applications to turf:

- (1) Non-Certified Fertilizer Applicators shall not apply fertilizer during or immediately prior to heavy rainfall, such as but not limited to thunderstorms, hurricanes, or northeastern storms, or when the soil is saturated due to intense or extended rainfall;
- (2) Non-Certified Fertilizer Applicators shall not apply fertilizer or compost between October 1 and the following March 31;
- (3) Non-Certified Fertilizer Applicators shall not apply, spill, or deposit fertilizer on any impervious surface and fail to remove the applied, spilled, or deposited fertilizer immediately (and in which case the Applicator shall then either contain, dispose of legally or apply the fertilizer as allowed), and shall not apply, spill or deposit fertilizer in a manner that allows fertilizer to enter into storm drains;
- (4) Unless the Town’s existing Laws and Regulations, including its Wetland Ordinance or Regulations, contain a stricter standard or other enforcement or approval mechanism such as through the Town’s Conservation Commission, which shall control, Non-Certified Fertilizer Applicators shall not apply fertilizer closer than 100 feet to any water-body, or within the Zone I of a public drinking water well unless permission is obtained through the enforcement authority set out in §78-6D(1) herein allowing such activity;
- (5) A Non-Certified Fertilizer Applicator shall not apply fertilizer that contains phosphorus, unless a soil test taken not more than three years before the proposed fertilizer application indicates that additional phosphorus is needed for growth of that turf, or unless

establishing new turf or re-establishing or repairing turf after substantial damage or land disturbance, in which case the application shall be in compliance with the BMP;

- (6) A single application of fertilizer that contains nitrogen shall not exceed .9 pounds of actual nitrogen per thousand square feet, shall consist of at least 20% slow-release nitrogen fertilizer¹ and the annual rate shall not exceed 3.2 pounds of actual nitrogen per thousand square feet. Single applications shall be done at intervals of no less than four weeks until the annual maximum is reached;
- (7) The fertilizer application requirements of this §78-5B shall apply with the same limitations to Combination Products, i.e. amount of nitrogen applied, vicinity of water bodies, etc.
- (8) Non-Certified Fertilizer Applicators shall not deposit grass clippings, leaves, or any other vegetative debris into or within 50 feet of water-bodies, retention and detention areas, drainage ditches or storm water drains, or onto impervious surfaces such as, but not limited to, roadways and sidewalks, except during scheduled clean-up programs.

C. Performance Standards for Certified Fertilizer Applicators

Certified Fertilizer Applicators shall be exempt from the requirements set forth in §78-5B of this Ordinance, provided that they shall manage turf and apply fertilizer to turf in accordance with the BMP. The burden shall be on the Certified Fertilizer Applicator, if and as required, to show that he/she is applying fertilizer in accordance with the BMP.

D. Exemptions. The following activities shall be exempt from this Ordinance:

- (1) Application of fertilizer as a fertility source for Agriculture and Agricultural Use.
- (2) Application of fertilizer as a fertility source to home gardens, landscape ornamentals, shrubs, trees bushes, vegetables, fruit and container plants.

§78-6. EDUCATION, CERTIFICATION, ENFORCEMENT, AND PENALTIES

A. Fertilizer/Turf Management Education

Fertilizer education may consist of, but is not limited to, collaboration with retailers to post in-store information on town fertilizer regulations, the BMP and Fertilizer Certification requirements; mailings and flyers for the general public concerning town fertilizer regulations, the BMP and Fertilizer Certification requirements; and outreach to Landscape professionals and Municipal Applicators concerning fertilizer-related laws, the BMP and Fertilizer Certification requirements. The Town may rely on Cape Cod Cooperative Extension to assist in maintaining a program of fertilizer and turf management education that is based on the BMP.

B. Fertilizer Certification

¹ **Note:** this represents the minimum percentage: use of higher SRN content is generally preferable, especially on sandy root zones, during stress and pre-stress periods, and when there are fewer annual applications of nitrogen made to a lawn.

- (1) Any Non Certified Fertilizer Applicator may apply to the Town or Cape Cod Cooperative Extension, as the case may be, for Fertilizer Certification as a Certified Fertilizer Applicator.
- (2) The Town may seek the assistance of the Cape Cod Cooperative Extension, to establish application requirements for and the process required to obtain Fertilizer Certification and renewals thereof, including evidence that the applicant is proficient in the BMP.
- (3) Notwithstanding the requirement for a proficiency assessment set out in, §78-6B(2) above, Municipal applicators or Landscape professionals who meet the following criteria shall be presumed to be proficient in the BMP and may become Certified Fertilizer Applicators without the need for an additional proficiency assessment:
 - (a) Current Massachusetts Pesticide Commercial Applicator License (category 00) or Commercial Applicator License with Turf Certification (category 37) or Commercial Applicator License with Shade Tree & Ornamentals Certification (category 36), with evidence of participation in a recognized continuing education program for turf management within the past year, or
 - (b) Active membership in the Cape Cod Landscapers Association, the Golf Course Superintendents Association of Cape Cod, Massachusetts Association of Lawn Care Professionals (MALCP) or a substantially similar organization and any one of the following:
 - (i) Associate's Degree or higher in Turf Management, or closely related field, with evidence of participation in a recognized continuing education program for turf management within the past year;
 - (ii) Current Massachusetts Certified Landscape Professional (MCLP) certification or current Massachusetts Certified Arborist (MCA) certification, or substantially similar professional certification with emphasis on turf management, with evidence of participation in a recognized continuing education program for turf management within the past year;
 - (iii) Certificate of Completion from the University of Massachusetts Extension Green School (Turf or Landscape sections) or the University of Massachusetts Winter School for Turf Managers, or a horticultural certificate from Cape Cod Community College, or substantially similar professional certification with emphasis on turf management, with evidence of participation in a recognized continuing education program for turf management within the past year.
- (4) The Town may seek the assistance of the Cape Cod Cooperative Extension to help develop or administer an assessment to determine an Applicator's proficiency of the BMP and to assist with or administer a Fertilizer Certification process, which if administered by Extension, may be a county-wide process.
- (5) Municipal applicators or Landscape professionals who are Non-Certified Fertilizer Applicators may nonetheless apply fertilizer and manage turf pursuant to the standards for Certified Fertilizer Applicators set out in §78-5C of this Regulation so long as they fertilize and manage turf under the direct supervision of a manager or supervisor who has

attained Fertilizer Certification hereunder.” Direct supervision” shall mean the instruction and control by such manager or supervisor who is responsible for fertilizer applications made and that person making them, and who is either physically present at the time and place the fertilizer is applied, or if not physically present, is available if and when needed.

- (6) All Certified Fertilizer Applicators shall ensure that a copy of the official documentation of said Fertilizer Certification is readily available when and at the location fertilizer is being applied, and shall provide such Certification when requested to do so by an officer or agent of the enforcement authority set out in §78-6D(1) herein.
- (7) All Certified Fertilizer Applicators who apply plant nutrients shall maintain records for 3 years of each application made. The following information shall be recorded, when applicable:
 - (a) Name of applicator;
 - (b) Date of application;
 - (c) Address or location description of the application site;
 - (d) Type and amount of nutrients applied;
 - (e) Size of the area being treated;
 - (f) Representative nutrient value or values;
 - (g) Plant nutrient analysis of product used;
 - (h) Method and rate of application;
 - (i) Total amount used;
 - (j) An original or legible copy of the label of the plant nutrient; and
 - (k) The implementation of all activities or protocols recommended or required by the nutrient management plan, if applicable.
- (8) The records required under this §78-6B shall be made available for inspection by the Town’s Director of Health Division.

C. Retailer Requirements

Any retailer who sells, or offers for sale, phosphorus containing fertilizer shall:

- (1) Display the product separately from non-phosphorus plant nutrients; and
- (2) Post in a location where phosphorus containing fertilizer is displayed a clearly visible sign, at least 11” x 17” in dimension, which reads as follows:

“PHOSPHORUS RUNOFF POSES A THREAT TO WATER QUALITY, THEREFORE, UNDER GL Ch. 128 sec. 65A, PHOSPHORUS CONTAINING FERTILIZER MAY ONLY BE APPLIED TO LAWN OR NON-AGRICULTURAL TURF WHEN

- (i) a soil test indicates that additional phosphorus is needed for the growth of that lawn or non-agricultural turf; or
- (ii) it is used for newly established lawn or non-agricultural turf during the first growing season.”

D. Enforcement

(1) Enforcement Authority

This Ordinance shall be enforced by the Town's Director of Health Division

(2) Non-Criminal Disposition

Whoever violates any provision of this Regulation may be penalized by a non criminal disposition process as provided in G.L. c.40, §21D and the Town's non-criminal disposition ordinance. If non criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to a penalty in the amount of three hundred dollars (\$300.00) per day for each day of violation, commencing ten days following day of receipt of written notice from the Town's Board of Health. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

(3) Other Remedies

The Town's Director of Health Division may enforce this Ordinance or enjoin violations thereof through any lawful process, and the election of one remedy by the Town's Director of Health Division shall not preclude enforcement through any other lawful means.

§78-7. SEVERABILITY CLAUSE

Should any section, part or provision of this Ordinance be deemed invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining terms of this Regulation as a whole or any part thereof, other than the section, part or provision held invalid, which shall remain in full force and effect.

§78-8. AMENDMENTS

- A. No amendment to this Regulation shall be adopted until such time as the Town Council shall hold a public hearing thereon, notice of the time, place and subject matter of which, sufficient for identification, shall be given by publishing in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication to be not less than fourteen days prior to the date set for such hearing. No such amendment shall be effective unless the proposed amendment has been approved by the Town Council.
- B. Amendments shall also be subject to the procedures set out in Sections 10 and 11 of the Cape Cod Commission Act, Chapter 716 of the Acts of 1989, as amended. Specifically, amendments must also be consistent with the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07 and the Guidelines for Implementing Regulations set out therein, including the requirement for consistency with the BMP.

§78-9. EFFECTIVE DATE

The effective date of this Ordinance shall be the date provided under Section 2-8 of the Barnstable Charter or the date the Ordinance has been certified by the Cape Cod Commission as consistent with the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07, whichever occurs later

§78-10. INTERIM PROVISION

Notwithstanding any provisions to the contrary contained herein, any application of fertilizer to turf shall be made in accordance with §78-5B herein unless and until the Fertilizer Certification process outlined in§78-6B herein is implemented and in effect.”

FISCAL IMPACT: None

SPONSORS: Town Council President, Jessica Rapp Grasseti, Town Council Vice President, Ann Canedy, Councilor Frederick Chirigotis and Councilor Debra Dagwan at the request of the Citizen Advisory Committee.

DATE	ACTION TAKEN
<u>10/16/14</u>	<u>Refer to Public hearing 11/06/14</u>
<u>11/6/14</u>	<u>Continue public hearing 11/20/14</u>

- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close public hearing
- Council discussion
- Move/vote

BARNSTABLE TOWN COUNCIL

ITEM# 2015-032
INTRO: 10/16/14, 11/06/14, 11/20/14

SUMMARY

TO: Town Council
FROM: Philip M. Boudreau, Esq., Chair, Citizens Advisory Committee
DATE: October 16, 2014
SUBJECT: Amendment to the General Ordinances to adopt Implementing Regulations pursuant to the Fertilizer Management District of Critical Planning Concern designation, Barnstable County Ordinance 13-07.

RATIONALE: There is mounting evidence to suggest that excessive nutrient enrichment of the region's ground and surface waters can cause detrimental effects on drinking water sources by increased concentrations of nitrates that can violate Safe Drinking Water Standards, and can cause significant negative impacts to economic, environmental and recreational resources and values in the Town and region, specifically to our fresh water lakes, ponds and wetlands and to our salt water estuaries and embayments. Excessive, inappropriate or improper use of lawn fertilizers is part of the overall problem of nutrient pollution, contributing to the recognized degradation of these important resources.

Specifically, this regulation would control the use of lawn fertilizer that contains phosphorus and nitrogen, with the goal of reducing the amount of nitrogen and phosphorus going into the Town's waters and wetlands by means of an organized system of education, certification, standardization and regulation of practice. This Ordinance is not intended to eliminate the use of lawn fertilizers, but only to eliminate excess amounts of phosphorus and nitrogen from reaching our water and groundwater.

The lawn fertilizer limits in this regulation are based largely on the University of Massachusetts Extension's Turf Management Best Management Practices, which, if followed, should aid in the protection of the Town's natural resources and the public health, safety and welfare of the residents of the Town of Barnstable, as well as to aid in achieving compliance with the Total Maximum Daily Loads (TMDL) for the Town's water resources prescribed by the Commonwealth of Massachusetts, all while allowing the reasonable use of lawn fertilizers for the enhancement and maintenance of turf quality.

STAFF ASSISTANCE: Philip M. Boudreau, Esq., Chair, Citizens Advisory Committee
Citizen's Advisory Committee

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-035
INTRO: 11/06/14, 11/20/14

**2015-035 APPROPRIATION ORDER OF \$90,000 FROM THE SANDY NECK
ENTERPRISE ACCOUNT SURPLUS FOR THE SANDY NECK DUNE
NOURISHMENT PROGRAM**

ORDERED: That the sum of ninety thousand dollars and no/100 (\$90,000.00) be appropriated from the Sandy Neck Enterprise Account Surplus funds for the purpose of funding protective sand placement for additional dune nourishment in front of the Sandy Neck parking lot and septic system.

SPONSOR: Thomas K. Lynch, Town Manager
Philip Wallace, Town Council, Precinct 11

DATE	ACTION TAKEN
<u>11/06/14</u>	<u>Refer to public hearing 11/20/14</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-035
INTRO: 11/06/14, 11/20/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: September 16, 2014
SUBJECT: Appropriation Order of \$90,000 for sand nourishment and parking lot stabilization from Sandy Neck Enterprise Account Surplus

BACKGROUND: Over the past few years, Sandy Neck has experienced significant erosion of our beachfront that has jeopardized the integrity of the Sandy Neck parking lots and septic field due to the loss of the protective dune. In 2013, we placed 5,500 cubic yards of sand on the dune in front of the parking lots. This was the first phase of a two-phase project that ultimately will involve engineered soft-scape such as bio-degradable coir bags.

The winter of 2013/2014 consisted of many storms out of the north and we lost approximately half of the placed sand. Our Phase II dune stabilization is in the design and permitting phase and we do not anticipate commencement of the project until the fall of 2015. Therefore, we need funding for the additional placement of 4,000 cubic yards of sand to insure that the parking lots and septic field are not compromised before a more permanent solution is in place.

FISCAL IMPACT: Without additional sand placement, we could have significant storm damage to our parking lots and septic system that would be extremely costly to repair.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends the approval of the transfer of these funds.

STAFF ASSISTANCE: Nina Coleman, Sandy Neck Park Manager
Daniel Horn, MEA Director
Mark Milne, Finance Director
Daniel Santos, DPW Director
John Juros, DPW Architect

A. OLD BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM# 2015-036
INTRO: 11/06/14, 11/20/14**

2015-036 APPOINTMENTS TO A BOARD/COMMITTEE/COMMISSION

RESOLVED, that the Town Council appoint the following individuals to a multiple-member board/committee/commission:

COMPREHENSIVE FINANCIAL ADVISORY BOARD

John Schoenherr, 59 Bay Lane, Centerville as a regular member to a term expiring 6/30/15

COUNCIL ON AGING

MaryAnn Collins, 123 Connemara Circle, Hyannis as an associate member to a term expiring 6/30/17

GOLF COMMITTEE

Brian J. Conway, 31 White Pine Lane, Centerville as a regular member to a term expiring 6/30/16

PUBLIC WORKS COMMISSION

Albert B. Baker, 30 Wakeby Road, Marstons Mills as an alternate member to a term expiring 6/30/17

RECREATION COMMISSION

Michael Ewald, 95 Milne Road, Osterville as a regular member to a term expiring 6/30/15

WATER POLLUTION CONTROL

Ed Eichner, 141 Pine Tree Drive, Centerville, as a regular member to a term expiring 6/30/17

ZONING BOARD OF APPEALS

Matthew Levesque, 72 Wheeler Road, Marstons Mills, as an associate member to a term expiring 6/30/17

Robin Young, 142 Great Bay Road, Osterville as an associate member to a term expiring 6/30/15

SPONSOR: The Appointments Committee

DATE	ACTION TAKEN
<u>11/6/14</u>	<u>Second Reading 11/20/14</u>

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

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-038
INTRO: 11/06/2014, 11/20/14

2015-038 ALLOCATION OF TAX LEVY FY15 – TAX FACTOR

RESOLVED, that the Town Council hereby votes to classify the Town of Barnstable under the Classification Act at a Factor of 1 (one) for the fiscal year 2015.

SPONSOR: Town Manager at the request of the Board of Assessors

DATE	ACTION TAKEN
<u>11/6/14</u>	<u>Refer to public hearing 11/20/14</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-038
INTRO: 11/06/2014, 11/20/14

SUMMARY

TO: Town Council
FROM: Town Manager
DATE: October 27, 2014
SUBJECT: Allocation of Tax Levy FY15 – Tax Factor

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Residential Factor; a Residential Exemption; and/or the adoption of a Small Business Exemption. These tax levy-shifting tools will not change the overall amount of money that will be raised through property taxes; rather they allow the town to shift portions of the tax levy between classes of property and/or between property owners within certain property classes. The residential factor commonly referred to as the “Split Tax Rate” allows the Town Council to create separate tax rates; one for residential property owners and a separate one for commercial, industrial and personal property owners, (CIP owners). Under a residential “Factor of 1”, all property owners would pay taxes at the same rate per \$1,000 of valuation. The maximum permissible shift would increase the CIP tax rate by 150%. Since 2007, the Town Council’s policy has been to select a Residential Factor of “1”. Please see tax factor information handouts provided prior to the meeting.

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-039
INTRO: 11/06/2014, 11/20/14

2015-039 ALLOCATION OF TAX LEVY FY15 – RESIDENTIAL EXEMPTION

RESOLVED, that the Town Council hereby votes to adopt a Residential Exemption at the percentage of 20% for fiscal year 2015.

SPONSOR: Town Manager at the request of the Board of Assessors

DATE	ACTION TAKEN
<u>11/6/14</u>	<u>Refer to public hearing 11/20/14</u>
_____	_____

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-039
INTRO: 11/06/2014, 11/20/14

SUMMARY

TO: Town Council
FROM: Town Manager
DATE: October 27, 2014
SUBJECT: Allocation of Tax Levy FY15– Residential Exemption

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council is annually charged with determining the Allocation of Local Property Taxes by the adoption of a Residential Factor; a Residential Exemption; and/or the adoption of a Small Business Exemption. These tax levy-shifting tools will not change the overall amount of money that will be raised through property taxes; rather they allow the town to shift portions of the tax levy between property owners within certain property classes based on statutory criteria. The Town Council can choose to adopt a “residential exemption”. The maximum exemption allowed is 20% of the average assessed value of all Class One (or Residential) parcels. This exemption would be applied to residential parcels which are qualified as the principal residence of the taxpayer. Principal residence is a taxpayer’s domicile, that is, their fixed place of habitation, permanent home, and legal residence, as used for federal and state income tax purposes. This option shifts property taxes between residential taxpayers only and does not affect the CIP class of taxpayers. If the full 20% exemption amount is adopted, residential taxpayers whose principal residence is in the Town of Barnstable will receive a tax reduction as long as their property assessment is approximately less than \$880,000 and the residential tax rate for all taxpayers will rise to cover the exempted portion of value of the qualified properties. The tax savings these property owners realize will be shifted to all non-resident property owners and residential property owners whose assessments are greater than approximately \$880,000. At the 10% level of exemption, a lesser amount will be exempted and the residential tax rate will not rise as much as under a 20% exemption. Under this option, property tax savings are greater as the assessed value of the property declines (progressive) and the percentage exemption adopted increases. See the tax factor informational handouts provided prior to the meeting for actual numbers and analysis. The town council has voted to adopt a 20% residential exemption for the past 9 fiscal years.

A. OLD BUSINESS (Public hearing) (Roll call)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-040
INTRO: 11/06/2014, 11/20/14

2014-040 ALLOCATION OF TAX LEVY FY15 – SMALL COMMERCIAL EXEMPTION

RESOLVED, that the Town Council hereby votes not to adopt a Small Commercial Exemption for fiscal year 2015.

SPONSOR: Town Manager at the request of the Board of Assessors

DATE	ACTION TAKEN
<u>11/6/14</u>	<u>Refer to public hearing 11/20/14</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-040
INTRO: 11/06/2014, 11/20/14

SUMMARY

TO: Town Council
FROM: Town Manager
DATE: October 27, 2014
SUBJECT: Allocation of Tax Levy FY15 – Small Commercial Exemption

BACKGROUND: According to Massachusetts General Law, Chapter 40, Section 56, of the Acts of 1982 and Chapter 79 of the Acts of 1983, the Town Council is annually charged with determining the allocation of local property taxes by the adoption of a Residential Factor; a Residential Exemption; and/or the adoption of a Small Business Exemption. These tax levy-shifting tools will not change the overall amount of money that will be raised through property taxes; rather they allow the town to shift portions of the tax levy between classes of property and/or between property owners within certain property classes.

The Town Council has the option of granting up to a 10% exemption to the owner of commercial property which is occupied by qualified small businesses. This option shifts property taxes between commercial and industrial property owners only and industrial properties cannot qualify for this exemption. It does not impact residential or personal property taxpayers. Qualifying property must be commercial, assessed under \$1,000,000 and be totally occupied by businesses with less than 10 employees. Adoption of the 10% level of this exemption would result in an increase in the commercial and industrial tax rate of approximately \$0.05 per thousand for all commercial and industrial properties only, including those receiving the exemption. Unlike the residential exemption, this exemption is calculated as 10% of the individual parcel's value, rather than being a flat amount for all properties and is less progressive as a result. In the prior 8 fiscal years, the Town council voted not to adopt the small business exemption.

A. OLD BUSINESS (Public hearing) (Roll call, 2/3 vote)

BARNSTABLE TOWN COUNCIL

ITEM# 2015-042
INTRO: 11/06/2014, 11/20/14

2015-042 APPROPRIATION AND LOAN ORDER OF \$200,000 FOR THE ACQUISITION OF GOLF COURSE MAINTENANCE EQUIPMENT

ORDERED: That the sum of \$200,000.00 be appropriated for the purpose of funding the acquisition of golf course maintenance equipment, and that to meet this appropriation, the Town Treasurer, with the approval of the Town Manager, is authorized to borrow \$200,000.00, 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: Thomas K. Lynch, Town Manager

DATE	ACTION TAKEN
<u>11/6/14</u>	<u>Refer to public hearing 11/20/14</u>

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

BARNSTABLE TOWN COUNCIL

ITEM# 2015-042

INTRO: 11/06/2014, 11/20/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Community Services Director
DATE: October 23, 2014
SUBJECT: Acquisition of Golf Course Equipment

RATIONALE: Several pieces of golf turf maintenance equipment at Olde Barnstable Fairgrounds are 10-15 years old and in need of replacement. Tee mowers, rough mowers, large area leaf and debris sweeper and front end loader have all exceeded their useful life. While living within our means as an Enterprise Fund, when budget cuts occurred, they were frequently made to capital needs, especially equipment. The present equipment fails to meet our conditioning standards. The condition of the playing surfaces and consistency found on a golf course are the determining factors golfers weigh when deciding where to play. We must ensure that users of the golf course continue to find the highly conditioned, quality playing conditions they have been accustomed to and that have helped us earn us a reputation for. This drives our revenue production. Olde Barnstable Fairgrounds has been voted by golfers as being a "Top 25" public place to play in New England for 2012 & 2013. Two Toro Tri-Flex tee mowers, one Toro 4500D rough mower, one Toro Versa-Vac sweeper and a Kubota L4760 front end loader/backhoe will be acquired.

FISCAL IMPACT: The FY15 budget included funds for the first year's lease payment to acquire this equipment as this method of financing was anticipated. After approaching several leasing companies it has been determined that doing an outright purchase of the equipment and financing the acquisition with a general obligation bond issue would be the most advantageous course of action. Every leasing company approached by the golf course has a provision in their lease agreement that limits the amount of bonds the town can issue on an annual basis over the term of the lease.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends the purchase of this equipment.

STAFF ASSISTANCE: Bruce McIntyre, Director of Golf Operations

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-043
INTRO: 11/20/14**

2015-043 ACCEPTANCE OF A GRANT OF \$102,760 TO THE BARNSTABLE SENIOR SERVICES DIVISION FROM THE EXECUTIVE OFFICE OF ELDER AFFAIRS TO SUPPORT STAFF SALARIES AND PROGRAMS OF THE BARNSTABLE SENIOR CENTER

RESOLVED: That the Town of Barnstable hereby accepts a grant of \$102,760 from the Executive Office of Elder Affairs to support staff salaries and programs of the Barnstable Senior Center.

SPONSOR: Town Manager Thomas K. Lynch

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote

BARNSTABLE TOWN COUNCIL

ITEM # 2015-043
INTRO: 11/20/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH: Lynne M. Poyant, Director of Community Services
DATE: November 5, 2014
SUBJECT: Acceptance of Formula Grant of \$102,760 from the Executive Office of Elder Affairs

RATIONALE: The Executive Office of Elder Affairs awards municipalities in Massachusetts an annual formula grant based on the senior census of each town. According to the 2010 census, there are 12,845 residents over the age of 60 in the Town of Barnstable. With formula grant funding for FY15 allocated at \$8 per elder, this equates to a grant amount of \$102,760. This is the same level of funding that was received in FY14.

The formula grant can be used in a variety of ways to help support the programs and services each community offers to its senior population. Formula grant funding assists the Barnstable Senior Services Division in maintaining adequate personnel to ensure sustained delivery of our programs and services. This year's grant will fully fund our Activity Coordinator, Marketing Coordinator and also partially fund our two Outreach Coordinator positions. In addition, formula grant funds will be used to offset other operating expenses including newsletter mailings and repairs and maintenance of our Silver Express vans.

We are extremely grateful to the Executive Office of Elder Affairs and the Commonwealth of Massachusetts for their continued support of the needs of the elderly residents in our community.

FISCAL IMPACT: There is no immediate financial impact to the Town's operating budget as a result of accepting this grant. However, in order to continue this service after the grant funds are exhausted the cost will need to be added to the Senior Services operating budget if another grant is not obtained. Otherwise, the service will have to be eliminated.

STAFF ASSISTANCE: Madeline Noonan, Director of Senior Services

B. NEW BUSINESS (Refer to Public hearing 12/04/14)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-044
INTRO: 11/20/14**

**2015-044 APPROPRIATION AND TRANSFER ORDER OF \$564,977 FOR THE
CONSTRUCTION OF THE BARNSTABLE EARLY LEARNING CENTER**

ORDERED: That the sum of \$564,977 be appropriated for the construction of the Early Learning Center at Hyannis West Elementary as outlined in the 2015 -2019 Capital Improvement Plan; and to meet this appropriation, that the sum of \$275,831.60 be transferred from the balances of the Council Orders listed originally appropriated for school district capital projects, and that the sum of \$289,145.40 be appropriated from the General Fund reserves, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for this purpose.

COUNCIL ORDER	PROJECT TITLE	BUDGET
2011-072	HYWEST EXTERIOR REPAIRS	1,093.90
2012-097	BATHROOM STALL REPLACEMENTS	7,382.26
2012-097	TENNIS COURTS RENEWAL	17,232.10
2012-097	ELECTRICAL UPGRADES 2013	26,343.04
2012-097	BCHMCPS UPGRADES & REPAIRS	7,345.50
2013-106	FIRE, INSTRUSION, COMM UPGRADES	137,528.94
2013-106	NETWORK ACCESS UPGRADES	44.36
2013-106	HOT WATER CIRCULATING PUMPS	25,443.87
2013-107	GROUNDS MAINTENANCE EQUIPMENT	3,417.63
2014-099	BU HEAT CIRCULATING PIPES 2015	50,000.00
		<u>275,831.60</u>

SPONSOR: Thomas K. Lynch, Town Manager

DATE ACTION TAKEN

- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close public hearing
- Council discussion
- Move/vote

BARNSTABLE TOWN COUNCIL

ITEM # 2015-044
INTRO: 11/20/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH:
DATE: November 6, 2014
SUBJECT: Appropriation and Transfer Order of \$564,977 for the construction of the Barnstable Early Learning Center.

BACKGROUND: Barnstable Public Schools is working towards the construction of an Early Learning Center to be located at the Hyannis West Elementary campus. The Early Learning Center will provide mandated educational services to special education students and their peer models aged 2.9 through 5 years old. The current space utilized for this program is inappropriate for this young age group and is inefficiently occupying classrooms on multiple campuses.

ANALYSIS: A Space assessment completed by TBA Architects with administration and staff input has determined that the construction of 8,647 square foot building will provide an appropriate space for current and future preschool programming needs. Due to building timelines and cost considerations it was determined modular construction would be most advantageous.

FISCAL IMPACT: Council Order 2014-092 appropriated \$2,000,000 for this project. During the design process, consultation with programming staff resulted in the floor plan being expanded to meet all programming needs. Final design resulted in an additional 1,147 SF being added to the project, larger than originally budgeted. Construction contingency funding is included in this funding supplement. Additional funding totaling \$564,977 is being requested from the redirection of funds from completed school capital projects totaling \$275,831.60. The remaining funds needed to complete the construction; \$289,145.40 will be provided from the School Department's allocation of General Fund reserves which has an available balance of \$4.7 million.

TOWN MANAGER RECOMMENDATION: The Town Manager recommends approval of the appropriation and transfer order.

B. NEW BUSINESS (Refer to Public hearing 12/04/14)

BARNSTABLE TOWN COUNCIL

ITEM # 2015-045

INTRO: 11/20/14

2015-045 APPROPRIATION ORDER OF \$172,000 FOR DESIGN SERVICES FOR THE HYANNIS WEST ELEMENTARY AND BARNSTABLE WEST BARNSTABLE ELEMENTARY SCHOOL IMPROVEMENTS

ORDERED: That the sum of \$172,000 be appropriated for architectural design services for the construction of permanent classrooms located at Hyannis West Elementary and Barnstable West Barnstable Elementary campuses as outlined in the 2015 -2019 Capital Improvement Plan; and to meet this appropriation, that the sum of \$172,000 be appropriated from the General Fund reserves, and that the Barnstable School Committee is authorized to contract for and expend the appropriation made available for this purpose.

SPONSOR: Thomas K. Lynch, Town Manager

DATE ACTION TAKEN

- Read Item
- Motion to Open Public Hearing
- Rationale
- Public Hearing
- Close public hearing
- Council discussion
- Move/vote

BARNSTABLE TOWN COUNCIL

ITEM# 2015-045
INTRO: 11/20/14

SUMMARY

TO: Town Council
FROM: Thomas K. Lynch, Town Manager
THROUGH
DATE: November 6, 2014
SUBJECT: Appropriation Order of \$172,000 for design services for the construction of Classrooms at Hyannis West Elementary School and Barnstable West Barnstable Elementary School.

BACKGROUND: Between 1979 and 1992 Barnstable Public Schools installed nineteen portable classrooms to counter the lack of classroom space as student enrollment expanded during this period. These portable classrooms were intended as a temporary measure until a permanent solution could be realized or a decrease in need. Today all but six portable classrooms at three sites have been decommissioned or removed. Enrollment declines have plateaued and the promotion of in-district special education programs have made the remaining temporary classrooms a relied upon programming space.

ANALYSIS: Two temporary classrooms (approximately 1,900 SF) located at Barnstable West Barnstable Elementary (BWB) installed between 1979 and 1981 provide space for special education, art, music and technology instruction. Existing building space does not allow for the programs to be accommodated in the traditional building and space concerns require the library be located on the schools stage. BWB has been identified as a long-term school facility (TAMS Report 2003), being the only north side school in Barnstable. Current and future needs require the existing temporary space be replaced with a permanent structure of approximately 3,920 SF.

Hyannis West houses three portable trailers (3,456 SF) installed in 1992. School programs are housed in areas not intended for academic use (reading on a stage and in a former locker room, small group math instruction in a locker room, and OT/PT and Gateway in outdated temporary buildings). Space assessment (TBA Architects, 2013) identifies Hyannis West Elementary having only 89% of the required space needed to educate a student population of 340. Current and future needs require the existing temporary space be replaced with a permanent structure of 5,040 SF.

FISCAL IMPACT: Based upon preliminary review of space requirements, it is estimated 8960 SF of permanent construction over the two campuses be completed to replace five classroom trailers. Based upon recent project design costs, permanent structure design would require an appropriation of \$172,000. Funding from this project will be provided from the School Department's allocation of General Fund reserves which has an available balance of \$4.7 million.

TOWN MANAGER RECOMMENDATION:

The Town Manager recommends approval of the appropriation order.

B. NEW BUSINESS (May be acted upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-046
INTRO: 11/20/2014**

**2015-046 AUTHORIZATION OF FIXED BASE OPERATOR AT MARSTONS MILLS
AIRFIELD CONTRACT IN EXCESS OF THREE YEARS**

RESOLVED: That the Town Council authorizes the award of a contract for Management Oversight of Aviation Related Activities at Cape Cod Airfield for a term of ten years beginning November 1, 2014, and ending October 31, 2024

SPONSORS: Councilors Cushing, Norman and Wallace

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote

BARNSTABLE TOWN COUNCIL

ITEM # 2015-046
INTRO: 11/20/2014

SUMMARY

TO: Town Council
FROM: David Anthony, Chief Procurement officer
THROUGH: Jessica Rapp Grasseti, Town Council President
Thomas K. Lynch, Town Manager
DATE: November 20, 2014
SUBJECT: Authorization of Management Oversight of Aviation Related Activities at Cape Cod Airfield base Operator Contract in Excess of Three Years

BACKGROUND: The 217 acre Danforth Recreation area, purchased in October 2003, contains 86 acres of land dedicated to the preservation and operation of one of the view remaining historic grass strip airfields in the commonwealth. The Town contracts for the aviation oversight of this activity through a Contractual relationship with a licensed and experienced provider of Fixed Base operations at the airfield.

Under General Laws ch.30B, § 12(b), the Town Manager may not award this contract for Management Oversight of Aviation Related Activities at Cape Cod Airfield for a term exceeding three years, including any renewal, extension, or option, without a majority vote of the Town Council.

RATIONALE: The Town of Barnstable through the Town Manager's office and the Procurement and Risk Management office issued a request for proposals under Chapter 30b for Management Oversight of Aviation Related Activities at Cape Cod Airfield. In this proposal two contract terms were offered: one for three years and the other for ten years (Subject to Town Council approval).

A committee made up of Town Councilors Cushing and Wallace, Assistant Town Manager Mark Ells and David Anthony, CPO reviewed the two proposals received and made a recommendation to the Town Manager that a three year contract be awarded to **The Mills Air Service inc.** This is the same provider of FBO services that has held the contract for the previous nine years.

In addition, the Committee, on the strength of the proposal received also recommended consideration of the ten year contract term. The request for a ten year approval is a change from the short term three year contracts done previously. This new longer term provides stability and consistency in the aviation oversight and the awarding of this contract to Chris Siderwicz, Jr. and it anticipates that the past success they have demonstrated in the most recent years will continue.

In summarizing the proposal, the committee members felt that the proposal is highly advantageous to the Town and recommended it for award based on the following reasons:

1. They submitted a Professional proposal meeting all of the requirements of the RFP;
2. All licenses and permits have been met and were provided
3. They have specific successful experience at this facility for nearly a decade;
4. They offer a diverse set of aviation related activities with a track record of financial success;
5. There is a strong focus on the noise reduction plan
6. They have documented and strong neighborhood support;

By requesting the ten year approval, the existing three year contract will be amended to become a ten year contract at the same terms and conditions, other than the length of the contract.

FINANCIAL IMPACT: The financial offering submitted by The Mills Air service Inc. exceeded the minimum requirements of the RFP contract price of \$1,250 per month by offering a monthly payment of \$1,750 with an annual CPI increase and 2%. Included in the contract is the requirement that the Mills Air service provide full aviation coverage at their expense, naming the Town as an additional insured, This is a \$10,000 to \$12,000 yearly policy that the FBO pays for in addition to the management contract payments made to the Town of Barnstable.

A. NEW BUSINESS (May be Acted Upon)

BARNSTABLE TOWN COUNCIL

**ITEM # 2015-047
INTRO: 11/20/2014**

2015-047 TEMPORARY PROMOTION FOR CYNTHIA LOVELL, ADMINISTRATIVE ASSISTANT TO THE TOWN COUNCIL

RESOLVED: That the Town Council authorizes the Town Council President to temporarily promote Cynthia Lovell, Administrative Assistant to the Town Council, to the position of Acting Town Council Administrator with the effective date of July 1, 2014, for a period not to exceed 6 months, unless extended up to an additional 90 day period at the discretion of the Town Council President. Ms. Lovell will be compensated at the rate of \$35.39/hr. This temporary promotion is to compensate Ms. Lovell who has been performing the duties of the Town Council Administrator position due to the absence of the incumbent employee.

SPONSOR: Town Council President Jessica Rapp Grassetti

DATE	ACTION TAKEN
_____	_____
_____	_____

- Read Item
- Rationale
- Council discussion
- Move / vote