



# The Town of Barnstable

## Office of Town Manager

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February 18, 2021

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for period February 5, 2021 thru February 18, 2021

1. The Town of Barnstable was informed on February 16, 2021 that the Conservation Law Foundation (CLF) filed a Clean Water Act complaint against the Town. CLF have not yet served the complaint on the Town, and the litigation process does not start until that happens. I issued the following statement in response to that lawsuit: *“The Town of Barnstable is taking decisive and effective action to improve water quality in our coastal waters, streams and ponds. The Town’s Comprehensive Wastewater Management Plan, recently approved by the Massachusetts Secretary of Energy and Environmental Affairs, will fully achieve the nitrogen reductions needed to meet Federal clean water standards. The Town has already invested \$30 million toward the first phase of sewer construction needed to address this problem, and additional construction is planned to begin later this year, including upgrades to the Hyannis wastewater treatment plant. By the end of the decade, sewer expansions will be in place to remove nearly half of the nitrogen needed to protect our waters, with the remainder completed in subsequent phases. Contrary to the CLF’s allegations, the Town adheres to applicable environmental requirements. It operates the Hyannis wastewater treatment plant in full compliance with a Groundwater Discharge Permit issued to the Town by the Massachusetts Department of Environmental Protection. If CLF is seeking to change the manner in which the plant is permitted, they need to take up that issue with state and federal permitting agencies. Moreover, CLF’s actions could hinder the Town’s current efforts to address the problem of nitrogen pollution in our waters by diverting financial and staff resources away from that work. Nitrogen pollution of the Cape’s waters is a large-scale and costly problem. Barnstable is committed to ensuring that we do all that we can to protect and restore the health of our coastal waters, which are the lifeblood of our economy and quality of life. We encourage CLF and others concerned about this issue to support these efforts and work together with us.”* We will keep you advised through future executive session as we progress through this legal matter.
2. The Town of Barnstable has led the region’s efforts to protect and preserve our water resources. With the recent state approval of our Comprehensive Wastewater Management Plan (CWMP), a 30-year plan focused on protecting the

health of coastal, inland and drinking water quality, we embark on perhaps the most aggressive infrastructure and resource protection plan in the history of our community. We call upon our community to engage with us in the next phase of the plan, a review of fiscal policy to support the implementation of the approved CWMP. A Special Town Council meeting was held on October 29, 2020 to discuss proposed fiscal policy considerations in support of implementation of the CWMP. We have also provided subsequent reviews with Town Council, the Comprehensive Financial Advisory Committee, civic groups and the general public and we will continue to do so as we progress through this important discussion. The fiscal policy under consideration would establish how to equitably distribute the remaining cost of the CWMP. The Town Manager's proposal to Town Council includes the following:

- First, review and approve the proposed Sewer Assessment Ordinance which includes a sewer assessment to each individual property receiving the planned sewer; and
- Second, discuss the use of general funds to pay for the remaining portion of cost associated with proceeding with the CWMP.

The Barnstable Town Manager will host a virtual public forum on February 25, 2021 at 10:00 AM, 2:00 PM, and 7:00 PM. to discuss a proposal for a Sewer Assessment Ordinance to finance a portion of the cost to construct the sewer expansion in the Town of Barnstable. Mark Milne, Director of Finance, and Dan Santos, Director of Public Works, will accompany the Town Manager at this virtual forum. We have planned a second public forum on March 25, 2021 as we compile our public's comments and concerns regarding this proposal. We encourage all to engage in this important discussion. Please go to the Town's home page and click on Barnstable Water Resources button on the left side of the screen to find relevant information and links.

3. We anticipate a storm event starting today and continuing into Saturday. Many residents called following the last storm regarding plowing of sidewalks. We appreciate the calls and want our public to know that we are plowing sidewalks following the completion of roadway and parking lot clearing.
4. As a reminder, the Town of Barnstable continues to follow the Orders and Directives of our Governor. The Governor continues to frequently update these Orders and Directives. I encourage everyone to go to the [Mass.gov COVID website](#) or the [Town of Barnstable website](#) and read these Orders and Directives. Our staff continues to meet daily to plan and implement proper actions which are in step with the Governor's orders and MA DPH guidelines. We continue to remind everyone to follow the State guidelines and to take these basic precautions which include:
  - Wear a face covering;
  - Wash your hands frequently;

- Maintain proper physical distancing:
  - Stay home from work, school, sports and other activities when ill.
5. We are proceeding with the tasks in the budget action calendar for FY 2022 as scheduled. For information on our fiscal year budgets please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.
  6. Debra Blanchette, Town Treasurer, announced that the Town of Barnstable received competitive bids from bond underwriters on Tuesday, February 9, 2021, for a \$2,745,000, 15-year taxable bond issue at an average interest rate of 1.20%. The Town received a total of five (5) bids on the Bonds. Bond proceeds will be used to finance private roadway improvements. Prior to the sale, S&P Global Ratings, a municipal bond credit rating agency, affirmed the Town's 'AAA' bond rating, the highest rating attainable. The rating agency cited the Town's very strong economy, very strong management with strong financial policies and practices, strong budgetary performance, very strong budgetary flexibility, very strong liquidity, strong debt and contingent liability profile, and strong institutional framework as positive credit factors.
  7. We continue with regular conversations with Vineyard Wind regarding the status of the Phase I and Phase II projects. Vineyard Wind continues to work with Barnstable staff regarding both Phases of the project. They anticipate commencing construction on Phase I in the spring of 2021 and are proceeding with permitting on Phase II. We have engaged in discussion with Vineyard Wind regarding a Host Agreement for a potential Phase III. I anticipate Vineyard Wind providing an update to the Town Council on the status of their projects both current and future at a meeting in March. We will keep you advised as this project progresses.
  8. Dan Santos, Director of Public Works, will provide us an update on the Route 28/Willow Street intersection improvement project.
  9. Dan Santos, Director of Public Works, will provide us an update on Barnstable's Comprehensive Wastewater Management Plan.