



The Town of Barnstable

Office of Town Manager

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June 17, 2021

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for period June 4, 2021 thru June 17, 2021

1. We are proceeding with the tasks in the budget action calendar for FY 2022 as scheduled. We submitted the recommended FY 2022 Operating Budget to the Town Council for a first reading on May 20, 2021 and commenced public hearings on June 3, 2021 continuing to this evening. For information on our fiscal year budgets please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.
2. The Assistant Town Manager provided an update regarding the lifting of the State of Emergency on June 15, 2021 and how that effects certain provisions of the Open Meeting Law. The Governor has signed a compromise received from the House and Senate this week which extends certain special allowances regarding the Open Meeting Law that were tied to the COVID-19 state of emergency. Certain items will require further discussion, but the legislation extends the allowance for public bodies to hold remote meetings April 1, 2022. We have taken this information under review and will discuss the impacts with you in the near future.
3. The lifting of the State of Emergency on June 15, 2021 raises the question of outdoor business spaces permitted for use on Main Street Hyannis this summer. Many people are asking if the Town plans on keeping the concrete barriers in place. We have made modification to barriers at the west end of Main Street. We will continue to review requests and take appropriate action. We do intend to honor our commitment to those businesses that received outdoor licenses and therefore plan to leave existing barriers in place through the summer season. If a modification is requested we will review with a focus on safe access and functionality. I will keep you advised of any further changes regarding this issue.
4. As we enter our summer season we would like to remind owners of rental properties that they are required to register rental units with the Town of Barnstable Health Division; this includes all rentals including annual, summer and short-term. The requirement to register rental properties has been in place in Barnstable since 2006. We are pleased to announce that property owners can now register their properties on-line through our website. In addition we are pleased to announce that

Barnstable now has a short term rental compliance hotline available for the public to submit any complaints concerning short-term rental properties. The hotline is available on-line through our Health Division website or by phone 24 hours a day at 508-504-9779. Short Term Rentals have been widely discussed in our community for quite some time. The establishment of this hotline will help insure the Town receives all complaints relative to short term rentals. As this is a new program it should be noted that our web presence is a work in progress. Inspectional Services is working with our communications director to ensure that online access to the rental registration and hotline are both convenient and intuitive. Thank you for your patience as we develop this program.

5. On June 7, 2021 The Massachusetts Supreme Judicial Court ruled on the zoning permissibility of short-term rentals. The Town Attorney has taken this ruling under review and will discuss with Town Council at a future date.
6. Town beaches will be staffed (subject to lifeguard availability) commencing June 26, 2021.
7. The Town of Barnstable will celebrate Independence Day with fireworks (weather permitting with an alternate date of the Saturday of Labor Day weekend) and a day-long celebration on Hyannis Main Street. Barnstable is working in collaboration with community partners to host a celebration on Sunday, July 4th on the Village Green, Main Street, and Hyannis Harbor. There will be family-oriented entertainment all day including entertainers, the roaming railroad, DJs, bands and other live music. We are not planning on a Main Street parade. I will provide you and our community with more details as they become available.
8. On June 16, 2021 the Conservation Law Foundation filed a complaint against the Town of Barnstable, Town of Mashpee, and State of Massachusetts Department of Environmental Protection regarding the permitting of Title V systems in nitrogen sensitive environment. We will continue to work with the parties involved and keep you advised as this matter progresses.
9. On May 20, 2021 the Town Council held the public hearing on a proposed Sewer Assessment Ordinance as part of the fiscal policy under consideration by Town Council to establish how to equitably distribute the remaining cost of the Comprehensive Wastewater Management Plan. A reviewed proposed Sewer Assessment Ordinance reflecting the amendments as approved by Town Council were posted on the Town Website on Monday, June 14, 2021 and made available to Town Council at that time in anticipation of the next scheduled hearing regarding this proposed ordinance on July 1, 2021. Both clean and redlined versions are on the Town Manager's webpage under Office Updates and can be viewed here:

https://tobweb.town.barnstable.ma.us/Departments/TownManager/Office_Updates/--2021-06-14-Sewer-Assessment-Ordinance-with-approved-amendments-for-July-1-2021-Town-Council-Meeting.pdf.pdf?tm=6/14/2021%202:47:30%20PM

https://www.townofbarnstable.us/Departments/TownManager/Office_Updates/--2021-06-14-Sewer-Assessment-Ordinance-redlined-with-amendments-for-.pdf?tm=6/14/2021%20%27:13%20PM

The Town Manager's proposal to Town Council regarding fiscal proposed fiscal policy involved a two-step approach:

- 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.

We are planning for a workshop with Town Council in August 2021 to discuss the second fiscal policy discussion which focuses on use of general funds to address any remaining costs beyond those covers by existing revenue sources.