



The Town of Barnstable

Office of Town Manager

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September 15, 2022

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for September 2 thru 15, 2022

1. Ann Quirk, Town Clerk will provide us with an election update
2. Cape Cod has been declared at a Level 3 – Critical Drought level by the Energy and Environmental Affairs (EEA) Secretary Beth Card. This declaration will remain in effect until the next declaration anticipated in mid-September. This is basically a ban on the non-essential use of water. Barnstable's fire districts have been monitoring the drought conditions through the Commonwealths Drought Management Task force. <https://www.mass.gov/info-details/drought-status>. There have been substantial brush fire elsewhere in the state that have been worsened by the drought conditions. Cape Cod generally and Barnstable specifically have not been affected to that extent. No additional regulations or prohibitions have been enacted from a Fire Department standpoint, primarily because open burning is prohibited currently by the state. If drought conditions do not improve that may be a consideration for the open burning season. We will continue to coordinate with and monitor the situation with Barnstable's Fire and Water Departments. Residents and business can check the Mass.gov website and search "drought" for specific information relevant to their questions on this matter or contact your local water or fire department.
3. As previously reported on July 20, 2022, the federal district court granted the Town's motion to dismiss the Clean Water Act lawsuit filed against the Town by the Conservation Law Foundation (CLF). On August 17th, CLF filed a motion for reconsideration with the district court. The Town's response to that motion was filed on September 7th. If the court denies CLF's motion, CLF will have a new period of 30 days in which to appeal the Court's decision granting the motion to dismiss. We will keep you advised as this matter progresses.
4. We are proceeding with the budget action calendar for FY 2024. The action items in the budget calendar include the meetings of the School Committee held as they develop the FY 2024 proposed operating budget. As noted in the Budget Action Calendar a joint meeting of Town Council and School Committee is tentatively scheduled for October 20, 2022. We are also preparing the budget instruction for FY 2024 with a planned distribution on September 19, 2022. Our Finance Director has reported favorable budget results for the revenue and expenses in FY 2022.

We will include context behind these numbers as part of the 5 year projection for FY24-FY28 that will be issued prior to the joint meeting of the Council and School Committee. For information on our fiscal year budgets please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.

5. On July 26, 2022, I provided the Board of Health an update regarding the proposed regulatory changes under consideration by the Department of Environmental Protection to Title 5. As previously reported on June 1, 2022, the Town of Barnstable was informed of regulatory revisions the Massachusetts Department of Environmental Protection (MassDEP) is developing to ensure that timely actions are taken to restore and protect coastal estuaries that have been impacted by excessive nitrogen pollution. The two regulatory approaches they developed and plan to publish for public comment shortly provide communities with choices on how to address the growing pollution problems affecting our waters. The two proposed changes involve (1) revising Title 5 regulations to establish "Nitrogen Sensitive Areas" (NSAs) for watersheds draining into an estuary where there is an EPA-approved "Total Maximum Daily Load," which finds that the estuary is impaired by nitrogen and (2) a regulatory revision to formally establish the "watershed permit." These permits are 20-year permits that are based on long-term wastewater plans that will achieve water quality goals and provide communities the opportunity to utilize a range of approaches, including centralized sewer treatment and innovative approaches. We met with MassDEP on July 6, 2022 to further discuss these proposed changes and we have drafted a letter summarizing our comments on the proposed changes for MassDEP's consideration as they finalize their draft regulations. We submitted written comments on the presentation and anticipate participation in draft review of proposed regulations as soon as such draft regulations are issued. I have suggested that MassDEP present said draft changes to a joint meeting of the Town Council and Barnstable Board of Health as these changes are significant and merit such a presentation. We will keep you advised as these important regulatory revisions progress.
6. The Harbormaster Division within Marine and Environmental Affairs will be holding a lottery drawing for three of its currently closed mooring waitlists. The lottery opened today (September 15) at 1 PM and closes October 1st at Midnight. The winners will be drawn at random on October 5th at 1 PM. The following locations have been selected for this lottery along with the number of names that will be drawn: Cotuit Town Dock/Ropes, Cotuit Oyster Company/Cordwood, and Prince Cove. For more information please log onto the Town of Barnstable website or call 508-790-6273
7. The Planning & Development Department is hosting a Community Housing Forum on Wednesday, September 21st at 6:00 PM at the Barnstable Adult Community Center. Findings of the early public outreach and data collection efforts will be presented. The forum will be an in-person meeting; a Zoom webinar format will be accessible for limited remote participation and engagement by the public. [Registration is required for Zoom participation](#); details are available on the Town's 'Housing' website under Housing Production Plan 2022. We also encourage you

to [take the housing needs survey](#) and share your housing story and your perspective on the greatest housing needs in Barnstable.

8. The Town of Barnstable, Barnstable Police, and the five Fire Districts would like to invite Town Councilors and residents to the first ever “55+ COMMUNITY SAFETY DAY” on Thursday, September 22nd from 11am-2pm. This event is free and will bring fun, educational, and safety resources to our Communities’ older adults at the Barnstable Adult Community Center, 825 Falmouth Road, Hyannis, MA. Public safety and over 30 community partners will provide older residents the real-world tools and information to keep them safe in their home, online, and in their neighborhood. Again, this event is free and they’ll be free food, swag, and raffles. Barnstable’s 55+ Community Safety Day is Thursday, September 22nd from 11am-2pm at the Barnstable Adult Community Center.
9. Over the next several days, staff from the Recreation Division and HYCC will be engaging with students at Barnstable High School to share information on current employment opportunities and encourage our youth to apply for seasonal positions including Recreation Assistants, Gym Assistants, After School Program Assistants and Rink Assistants. For more information on current openings and to apply for a position, please log on to the Town of Barnstable website at <https://www.townofbarnstable.us/departments/humanresources/Employment-Opportunities.asp>.
10. Dan Santos, Director of Public Works, shall provide an update on the Barnstable’s Water Management Plan including the Comprehensive Waste Management Plan.