



# The Town of Barnstable

## Office of Town Manager

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April 27, 2023

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for April 7 through April 27, 2023

1. We are proceeding with the Budget Action Calendar for FY2024 as scheduled. The Capital Budget for FY2024 and Capital Plan for FY2024 to FY2028 have been submitted to the Town Council and are scheduled to commence public hearings this evening. Mark Milne, Director of Finance, has provided a prerecorded summary of the FY2024 Capital Improvement Plan. <https://streaming85.townofbarnstable.us/vod/10498-Town-Manager-Communication1/vod.mp4> The Town Manager Hearing on proposed changes to fiscal year fees was held on Tuesday, March 21<sup>st</sup> at 11:00 AM via Zoom. The proposed fees have been approved as proposed and are posted on the Town website. FY 2024 Operating budget hearings commence in June 2023. For information on our fiscal year budgets, please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.
2. I have been invited to be a panelist for the Cape Cod Chamber of Commerce's Blue Economy Foundation, Plymouth Area Chamber of Commerce, and Plymouth Foundation the inaugural **Big Blue Conference: Big Ideas, Blue Careers**. The Big Blue Conference is the Cape Cod Blue Economy Foundation's first conference intended to spark conversations and inspire actions relevant to the vitality of Cape Cod and the surrounding Blue Economy. It will be held at Massachusetts Maritime Academy on Tuesday, May 2, 2023, 11am to 4pm and Wednesday, May 3, 2023, 8am to 1pm. More information can be found here: <https://capecodma.simpleviewcrm.com/webapi/rsvp/v2/?action=details&noredirect=1&eventId=1438>
3. The [Great Streets Downtown Hyannis](#) project team invites you to attend the upcoming meeting to review final design concepts for the Downtown Hyannis transportation network. The presentation will take place on Wednesday, May 17, 2023 from 7:00-8:00pm in the James H. Crocker, Jr. Hearing Room, 2nd floor, of Barnstable Town Hall, 367 Main Street, Hyannis. Light refreshments will be served. The design plans, which include the potential for a return to two-way travel downtown, were informed by input from stakeholders such as yourself, and

feedback from local residents and merchants through iterative and multi-pronged community input process. More information on this effort can be found on the project website at [www.tinyurl.com/HyannisGreatStreets](http://www.tinyurl.com/HyannisGreatStreets). There is still an opportunity to submit comments on the proposed intersection designs and cross sections through the online comment tool. The meeting will be recorded, live broadcast, and available on the project website for later viewing.

4. Our Legal Department continues to participate in the discussion to prohibit discharge of radioactive wastewater into Cape Cod Bay during the decommissioning process of the Plymouth Nuclear Power Plant. Under separate email we provided Town Council with a letter sent by the law firm representing the Association to Preserve Cape Cod to the Secretary of Energy and Environmental Affairs and the Office of Coastal Zone Management in which it urges the state to rely on the Ocean Sanctuaries Act to prohibit Holtec International from discharging radioactive wastewater into Cape Cod Bay as part of the decommissioning process of the Pilgrim Nuclear Plant in Plymouth. We will keep the community advised on this matter as it progresses.
5. On April 21, 2023 the Town received an email from John Cox, President of Cape Cod Community College (CCCC), notifying the Town of the recent Division of Capital Asset Management and Maintenance (DCAMM) notice for a public hearing schedule for May 3, 2023, at the Lorusso Technology Building, Cape Cod Community College, Room 114, to provide the public an opportunity to comment on the land transfer on 4Cs' campus from Mass Department of Transportation to DCAMM. CCCC has been working closely with the DCAMM to finalize the process of reallocating control over 21 acres of land adjacent to parking Lots 3 and 4 from the MassDOT. The Premises are currently undeveloped, landlocked and contain walking trails. Cape Cod Community College intends to use the land as is and to conduct a planning exercise to inform CCCC regarding the feasibility of other uses or subsequent disposition. Any disposition would require legislative authorization. M.G.L. c.7C Section 37 requires that notice be provided to governmental bodies in the affected area at least 120 days prior to any purchase, sale, rental, lease, transfer, or change in use of one or more acres of real property owned by the Commonwealth on behalf of state agencies. This notice is intended to satisfy the requirement of the statute. The notice period may be reduced from 120 days with the agreement of certain public officials. The letter date April 19, 2023 from DCAMM requests the Town's agreement to a reduction of the 120-day notification period to 30 days from the date of this notice and the Town's approval. This is permitted under M.G.L. c.7C, Sec. 37 and if approved by the Town will allow DCAMM to proceed with the acquisition without delay. We have taken this request under advisement.
6. As reported in the last Town Manager Communications, last summer Barnstable was required to stop beach raking at some of our public beaches after a complaint was received by the Massachusetts Natural Heritage and Endangered Species Program regarding endangered species habitat. After further discussions with this state agency as recently as April 5, 2023 and in order to be compliant with state and federal laws, we need to temporarily discontinue raking at beaches that are

designated as Endangered Species Habitat. The beaches that will not be raked in 2023 are Dowses, Kalmus, Craigville, Covell's and Fortes Beach. We are committed to exploring permitting opportunities for raking these beaches in the future. This will likely involve a Beach Raking Management Plan that is reviewed by the state agency for compliance with the Endangered Species Act. We will keep our community advised as we progress on this matter.

7. As stated in previous Town Manager Communications, we continue to meet with State Officials on the proposed regulatory changes to Title 5 and Watershed Permit regulations. Our most recent meeting was held on March 22, 2023 to discuss specific questions MassDEP (Department of Environmental Protection) had relative to our comment letters. No further discussions have occurred with state officials and the draft regulations are still under development to our knowledge. We will keep you advised of our progress on this matter.
8. On Wednesday, April 12, 2023, Town of Barnstable Consumer Affairs Officer Christopher Kelsey, in partnership with the Licensing Division, hosted the Alcoholic Beverages Control Commission (ABCC) for an all Cape & Islands Training Seminar tailored to licensing staff, law enforcement, licensing board members and legal counsel. The regional training attracted over 40 participants including licensing staff, legal counsel, and law enforcement from most Cape & Island towns. The Training Seminar lasted about an hour and a half and covered a range of topics from the application process to the role of the regulator. The meeting was recorded and can be found on the [Licensing Division webpage](#) under the resources tab.
9. Kelly Collopy, Communications Manager for the Public Works Department, will provide an update on Water Resource Management planning including the Comprehensive Wastewater Management Plan.