



# The Town of Barnstable

## Office of Town Manager

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March 19, 2024

To: Barnstable Town Councilors

From: Mark S. Ells, Town Manager

RE: Town Manager update for March 6 through March 19, 2024

1. The Cape Cod Commission was created in 1990 by an Act of the Massachusetts General Court and confirmed by a majority of Barnstable County voters to protect the region's unique natural, coastal, historical, cultural, and other values. The Cape Cod Commission is made up of 19 appointed members, including representatives from each of Barnstable County's 15 towns, one County Commissioner, one Native American, one Minority representative, and a Governor's appointee. Towns are requested to appoint a representative to the Cape Cod Commission for a term of three years at a time. The appointment of such representation is the responsibility of the Town Manager on behalf of the Town of Barnstable. All Cape Cod Commission members are citizen volunteers who receive and evaluate information from the Cape Cod Commission's professional staff, consider policies to guide the agency's activities, and make regulatory decisions about development proposals under the agency's jurisdiction. The next appointment of a three-year term will commence on April 24, 2024. After consultation with the Town Council President, the Town Manager is encouraging residents who are registered voters that might be interested in serving the Town of Barnstable in this volunteer capacity to submit a letter of interest to the Town Manager by April 5, 2024 for consideration.
2. We are proceeding with the budget action calendar for FY 2025. Departments have prepared FY 2025 proposed changes to fiscal year fees and submitted to the Town Manager for a public hearing that was held on Tuesday, March 19, 2024 via Zoom at 11:00 AM. The proposed fees are posted on the Town website and comments will be accepted through April 19, 2024. The FY25 proposed capital program and FY25 to FY29 Capital Plan has been submitted to the Town Council and is available on the town's website for viewing. The Comprehensive Financial Advisory Committee (CFAC) has reviewed the proposed plan and has issued their report which has also been delivered to the Town Council and is available on the website. Finance Director Milne will provide an overview of the proposed FY25 CIP at the April 4 Town Council meeting and CFAC will provide an overview of their report. The School Committee will hold a public hearing on the proposed FY25 school department operating budget at their March 20th meeting. A copy of the proposed budget is available on the school's website. The School Committee is expected to vote on the proposed budget at their April 3rd meeting. For information on our fiscal year

budgets please view the Town's Open Budget website at <http://budget.townofbarnstable.us>.

3. The town has received the audit report on its Annual Comprehensive Financial Report for the fiscal year ending June 30, 2023. The auditors expressed a "clean" opinion on the financial statements which can be found on pages 19-22 of the report. Highlights from the town's financial statements include the following:
  - Town assets exceeded liabilities by a total of \$420 million;
  - The town's net position increased by \$60 million;
  - The town's governmental funds had a total balance of \$192 million of which \$59 million was available for appropriation;
  - General fund expenditures totaled \$181 million; an increase of \$8 million over the prior year;
  - Long-term debt increased \$3 million to a total of \$117 million; and
  - The town's pension liability increased \$38 million to \$120 million and the OPEB liability decreased \$32 million to \$98 million as of June 30, 2023.

The financial statements and audit report have been posted to the town's website under the Finance area.

4. As previously reported Governor Maura Healey [signed an Executive Order creating the Commission on Clean Energy Infrastructure Siting and Permitting](#) (CEISP) in an effort to meet the emissions limits outlined in the Clean Energy and Climate Plans (CECP). Massachusetts will need to site a significant amount of new energy infrastructure, including new solar and wind generation, storage, transmission, and distribution infrastructure. The CEISP is a Commission that is described as one that will bring together stakeholders to swiftly remove barriers to responsible clean energy infrastructure development. The CEISP will be tasked with reducing permitting timelines, ensuring communities have input in the siting and permitting of clean energy infrastructure, and ensuring that the benefits of the clean energy transition are shared equitably. The Commission has been instructed to make recommendations on administrative, regulatory, and legislative changes to existing permitting and siting procedures by March 31, 2024. Committee members John Mangiaratti, Acton Town Manager and First Vice President, Massachusetts Municipal Association, and Matthew Teague, President, Reef Realty, Ltd, a resident of Barnstable, reached out to me immediately following the meeting regarding Barnstable's involvement in this process and continue to share information from the Committee proceeding as it progresses. We will keep you advised of our progress on this effort.
5. As previously reported and in response to requests by Town Council and the public regarding monitoring the activation of the Vineyard Wind cable landing at Covell's Beach, I continue discussions with Vineyard Wind and requested regular communication with Barnstable Officials and our public regarding the safe and compliant operation of their system. Vineyard Wind is developing informational signage to be installed at the site to illustrate location and other project information so that those who visit Covell's Beach may have access to such information. The informational signage will be installed in spring 2024. They are preparing a means of public access to information regarding issues of concern such as Electromagnetic

Frequency (EMF) as well as other safety compliance aspects so that the public will know that the system is functioning in a safe and compliant manner. The Town of Barnstable plans to retain an independent third-party expert to verify such safety issues. We will keep you informed of the progress on this matter.

6. On January 18, 2024 the Executive Committee of the Cape Cod and Islands Water Protection Fund (CCIWPF) Management Board voted to endorse the strategy for meeting the Funds financial needs. Upon further discussion with the State regarding the request, the CCIWPF Executive Committee met on March 6, 2024 to discuss a potential funding approach that may allow the CCIWPF to achieve the targeted 25% principal subsidy level for eligible wastewater projects into the future. Our Finance Director and Treasurer attended the meeting with me and shared their advice as the CCIWPF Executive Committee considers a modification to the bylaws and revised modeling assumptions. The CCIWPF Executive Committee made a favorable recommendation regarding the proposed funding approach and referred the matter to the Bylaws and Regulations Committee. The Bylaws and Regulations Committee will meet at 10am on Friday, March 22<sup>nd</sup> via Zoom to be followed by a full CCIWPF Board meeting to discuss and potentially vote on the modified funding approach and any bylaw and regulation changes resulting from the modified funding. We will keep you advised of our progress on this matter.
7. On March 18, 2024, the Town of Barnstable received notice of eligibility for subsidy from the Cape Cod and Islands Water Protection Trust Fund (CCIWPF) for Qualified Projects identified in the “Draft 2024 Intended Use Plan for the Clean Water State Revolving Fund”, dated December 27, 2023, published by the Massachusetts Department of Environmental Protection. While the Final 2024 Intended Use Plan has yet to be published, the CCIWPF anticipates Barnstable’s projects will be listed. Any Qualified Project appearing on the Intended Use Plan Project Listing is eligible for a subsidy under the CCIWPF. This subsidy is in addition to, not in place of, any financial assistance awarded under the Clean Water State Revolving Fund (SRF) Program. We will keep you advised as we progress on this matter.
8. At the Town Council meeting on March 7, 2024, we conducted a workshop regarding private roads. The presentation included a brief history, a summary of private roads, and potential future action to be taken regarding taking of private roads. Town staff will proceed as followed based on past and the most recent direction from Town Council:
  - a. Continue to bring batches of roadway easements for sewer installation on private roads in the continuing efforts to secure State Revolving Fund eligibility for any and all sewer construction projects as outlined in the Town Council approved Comprehensive Wastewater Management Plan.
  - b. Discuss with Town Council during the FY 2025 Capital Budget hearings whether to proceed with use of Special Revenue Funds created by Special Legislation (2014) for Sewer Construction and Private Way Maintenance and Improvement or to proceed with the layout and acceptance of private roads proposed in FY 2025 CIP and once accepted included as public roads in the Town Pavement Management Program.

- c. Proceed with conducting a pavement conditions assessment of public and private roads to better understand the financial implications of taking private roads and adding said roads into the public road inventory.
  - d. Notify Town Council when/if a new road is being proposed in Barnstable so that a further discussion can occur regarding whether said road should be accepted as a public road.
  - e. Conduct another Private Roads workshop with Town Council following budget hearings to further discuss details and impacts of implementing a “Taking of Private Roads” policy. Town Manager’s Office, Legal, and DPW will continued to compile needs information to advance this discussion with Town Council.
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.