

Preliminary More-or-Less Draft Minutes for TCSC – May 22, 2024

The May 22 meeting of the Town Council Study Committee was called to order at 3:07 p.m. In Trailer Room B.

Attending in person: Jeff Carlson, acting chair; Caroline Baltzer, Beau Barber, Tom Dixon, Curtis Barnes.
Attending via Zoom: Rachel Mandel, Donna Martino.

The primary objective of the meeting was a Zoom presentation about the Barnstable Town Council by Mark Ells, Barnstable Town Manager. Mark stated that he has served as Barnstable Town Manager for 9 years, having previously for 35 years in the Barnstable DPW, and as Assistant Town Manager of Barnstable.

Mark noted that Barnstable voted to change from a Representative Town Meeting in 1990, resulting in both a Town Council, and a corresponding (required) Charter change to implement the new form of government. The Barnstable Town Council now consists of 13 members, elected by precinct, for four year terms. The Council body elects a President, and Vice President, who are the presiding officers.

The Town Council of the legislative body of the Town of Barnstable. The Town Manager is the Administrator – whose duties are clearly spelled out in the Charter. The Town is separate from the Barnstable County Commission, and the Cape Cod Commission, which are separate, but consulting, cooperating bodies with the Town.

The Town Manager does NOT act like a Mayor – the manager is an administrator, not a legislator. The TC relies on the professional staff for support and implementation of legislation. Leadership comes from the Town Council. The Town Manager meets extensively with Council leadership to assure the effective operation and management of the Town.

In Barnstable, the Fire and Water departments are separate, and set taxes separately by district. School Board members are elected separately, but the Town Council approves the School budget. The Airport Commission is appointed by the TC; the Airport Manager is a department head, reporting to the Town Manager. Barnstable has a full time Town Attorney on staff.

In considering a new Charter, Mark suggests that an outside consultant is helpful, but in an advisory capacity. It is not appropriate to just pick up a “canned” package from a consultant such as the Collins Center, or Mass. Municipal Assn. The Charter should fit the needs of the community. Again, a reminder, the TC is legislative, not administrative. Constant communication between the TC and the TM is essential.

Tom Dixon asked about TC term limits; Board liaison with other agencies; School Committee; whether other Boards are voting or non-voting. Mark noted that the TC may have to deal with the changing nature of various commissions. The Planning Board may recommend changes, but the Town Council approves zoning changes. The TC has ultimate authority over Zoning.

Beau Barber asked about the relationship with the Finance Committee. Mark noted that FinCom serves as advisory to the TC and TM. The Council can refer specific questions to the FinCom for recommendations, but TC ultimately decides.

Donna Martino asked about the role of non-voting taxpayers in Barnstable. Mark noted that there are some 300 boards, commissions, and committees in the community, so there are many opportunities to participate; they may non-voting, but they are engaged.

Mark noted "At the end of the day, produce what you need – but figure out how to change and adapt as necessary – and include that in the Charter" How to petition for change? (1) bring the proposal to the Council; (2) it is referred to the appropriate staff/department for review; (3) staff recommendations are referred back to TC for action. (Often the process will involve extensive public hearings as appropriate.)

In review: the role of the Town Council is to select the Town Manager; the TM supervises all departments (with exceptions as noted); the TM tracks the budget; TC approves the Capital Budget; and operating budgets; transfers within budgets can come from multiple approved budget sources. Senior management positions/department heads are appointed by the TM, but are subject to ratification by the TC.

Brief public comment followed regarding financial operations; the audit process; use of outside consultants.

The meeting adjourned at approximately 4:35 p.m. Next meeting is scheduled on Wednesday, May 29, at 3:00 p.m. in Trailer A.

Curtis Barnes
5/28/24