

Cotuit Fire District
Prudential Committee
27 June 2016
5:00 pm

- Fran: I'm going to call the June 27, 2016 Cotuit Fire District Prudential Committee to order. Could we have introductions, please?
- Laurie: Laurie Hadley, Prudential Committee.
- Fran: Fran Parks, Prudential.
- Michael: Michael Daley, treasurer.
- Fran: Any public comment?
- Fran: No public comment.
- Fran: Treasurer. I put reserve fund transfers on there anyway.
- Michael: Did you purposely skip over the reappoint clerk?
- Fran: No.
- Laurie: Did we ask him?
- Fran: Yes, we asked him. I asked Charlie if he wanted to continue on for another year, and he said yes, so I will accept a motion to ...
- Laurie: I move we appoint Charles Eager as our district clerk.
- Fran: Second. All in favor?
- Fran: Aye.
- Laurie: Aye.
- Michael: As far as I know, there's no reserve fund required. We had pretty much looked at all the budgets, fire department seemed fine, all of the retro has been paid, the raises have been worked into the payroll system. Everything seems to be working fine. I looked at water, they were fine. The district council had sent a bill about a week ago for the Prudential Committee and the water department for the final bill, and I heard from the water superintendent that he wanted the portion of the bill for the easement restriction to be allocated to the Prudential Committee but as far as I know it's theirs. They paid all the other legal bills, and that's why Mark billed them. I told him if you needed a reserve fund to let us know and we'd do it this afternoon, and he hasn't, so I think he's fine. We're good on that item.

Fran: I met with the West Barnstable Prudential Committee and Mr. Daley last week, the week before?

Michael: Two weeks ago.

Fran: Two weeks ago to discuss the shared treasurer position, and the major question was what was the advantage to West Barnstable, which I think is that if we both go out together we'll end up getting more qualified applicants.

Laurie: That's what I felt, if with their salary and our salary combined, he'll be making, we can get somebody that will be more willing I think to do it. I would expect that we would pay the greater share of the salary, because I'm sure we have more work.

Michael: To follow up, I think is there's going to be additional meeting, the two chairs and the fire chief and myself, from West Barnstable, the chief of West Barnstable agreed to get together to flesh out some sense of ...

Laurie: They got the impression when we hired, I can't even think of her name now, the girl that we did hire, that Amy ran out of town ...

Michael: Kristin.

Fran: Kristin.

Laurie: Kristin. We had also interviewed the young lady that works at West Barnstable, and she at that time didn't want to take on additional hours, and I think they got the impression we were trying to steal her away from them. We weren't. We had no intention of doing anything like that, so maybe you can reassure them.

Michael: I don't think there's any ... It was a good meeting, and I'm sure the follow-up meeting will be even better. At least you're trodding a path that is more apropos than not apropos.

Laurie: It's not really different than what we've got now, except that we have the advantage of the two salaries and can offer a better deal.

Michael: Yes, from a marketing perspective if nothing else. I think that's moving along nicely.

Fran: You wanted us to look over the Plymouth County Op Ed Trust Program, we need to cast a vote for governing board member.

Michael: Actually it's the governing board's representative to the investment committee. I think there's two candidates on the ballot?

Fran: There's Ron Clark, who's the president, from the town of Carver, and he's the incumbent, and there's Andrea Germaine from Dennis-Yarmouth Regional School District.

Michael: I don't know either one of them.

Laurie: You don't know either one of them. Neither do I, but I just ...

Fran: My preference would be for Mr. Clark.

Laurie: Do you know him?

Fran: I don't know him, but I've been reading a great deal in the newspaper about the DY school committee.

Fran: I just don't think I'd vote for anyone from that committee.

Laurie: I move we vote for Ron Clark as our governing board member.

Fran: Second.

Laurie: All in favor?

Fran: Aye.

Laurie: Aye.

Michael: Thank you very much, and I'll deal with the requisite paperwork and get it into them in a timely manner for you. Thank you very much.

Fran: I just put U.S. Department of Agriculture just out of habit.

Michael: It's a good habit, I guess. As you saw, I think last week, I sent you the update from the USDA, and the public advertising period for the application is closed or about to close, and they were validating the exactly what date that would be, but in the interim it appears that they're going to lower the interest rates on the loan portions of this program, effective July 1, and that we would be eligible for the newer interest rates, given that they haven't made the award yet.

Fran: Terrific.

Michael: It's likely we're going to end up paying a little bit less interest than we would if we had got an award sooner, but there's no indication that there isn't going to be some sort of award. On the other side of that, you sign the notes, the closing went well, the money's been delivered, we've paid off the trust, and we've got the money in the bank to finish up the tank project, so we're in good shape cash-wise as well.

Laurie: Very good.

Fran: Just as a note of interest on the tank project. Apparently somebody has donated 7 thousand dollars to put a C on the tank.

Laurie: The water department was okay with that?

Fran: Apparently. They were talking about it at their meeting.

Laurie: Seems to me they were hell bent not to.

Michael: My goodness. That's that one. Do you want me to take the next one too?

Fran: Please.

Michael: As you may recall, the policy on this property on the workers comp and an umbrella that was attached to enhance the liability coverage on this property were separately paid for and provided by a different agent than provided all the other coverage, and the coverage has been merged on this property and the umbrella and the workers comp that we're using September, so I assume that'll, it'll flow into the same agency's hand, so at this point all the property and liability insurance for properties and vehicles and all of your liability coverage is in the hands of the one provider that has typically provided most of the coverage.

Fran: Is that going to save us ...

Laurie: We've been trying to accomplish that for at least thirty years.

Michael: I believe it will, because I believe there was a redundant umbrella policy that basically added liability coverage to the district here. A company that you do yours tends to do a blanket company so there won't be any need to cover it separately because your already exist will just layer on top of the coverage here. I haven't seen the final figures for the cost of this coverage, but we never got an estimate from the other agency on the renewals anyway, so it was never clear how much that coverage was going to be, but once we get all the final numbers in and we pay the bills, I can compare it to what it was last year and I think it will probably be less for the current year than it was last year.

Fran: More convenient, anyway.

Michael: Easier for management to deal with, because it's one call to the same person who got most of the department or the property now. It's good.

Fran: The next item is Freedom Hall, the rental.

Laurie: The fees as I understand them now are nothing for 501(c)3 based Cotuit, the Civic Association and the Boy Scouts.

Fran: Correct.

Laurie: Fifty dollars for a resident of Cotuit who wants to hire the hall, a hundred for someone does not, and I don't know that we ever really discussed other nonprofits.

Fran: I don't think so.

Laurie: I don't think so, so I've been giving them the same break we give the Cotuit nonprofits.

Fran: What nonprofits are ... Like the Friends, or ... They don't pay anything, do they?

Laurie: The library uses it, the Boy Scouts use it, we have had inquiries from other, a couple of other nonprofits. One held a meeting here. The other one decided not to. I've had out of the district commercial agencies that have wanted to use it, but that fell through too, because they decided the parking wasn't adequate. I tried to warn them, but ...

Fran: Are we collecting a fee?

Laurie: Yes, for anybody that ...

Fran: No, not for that ... I'm thinking of a security deposit if they break anything.

Laurie: No, I have not been asking for security deposits. I will. That's me being forgetful.

Fran: I think we need to do that.

Laurie: Yes, we do.

Michael: I could offer to make it easier for you, if is you're going to do it, have them make a check out to the district, but don't deposit it, and then ...

Laurie: Give it back to them.

Michael: Give it back to them, or if they're regulars, every six months, that way you're not cashing checks and then cutting checks. It'll be a month of Sundays before we can pay people if you do that. If they break it, put it in. That'll work just fine for us.

Laurie: You've got to let me know, because you're the one who comes up here the day after and checks it.

Fran: The parking lot. I was ... Lapoint, I'm pretty sure that's their name, Lapoint owned this house back here.

Laurie: Lapoint, I don't know them.

Fran: They have been given a demolition permit by the historic commission to tear the house down and build a new house. I was up here ... Before that, I went over to the town to see if they had pulled a demolition permit and or a building permit, because I wanted to find the name of the builder, but they haven't done that yet. Down Cape Engineering was here, a week ago Friday, along with a truck from Bortolotti it was the entire length of the Masonic lodge in our parking lot, along with Down Cape Engineering and somebody from the town and ... I just don't think they should be ... I'm sure they're planning on using our parking lot to stage.

Laurie: For a while, during the demolition and construction, yes.

Fran: The construction, and that's not what it's there for. I don't want to be bad ...

Laurie: No, and the hall is used, and they have no idea ... Just because it's the weekend doesn't mean the hall's not going to be used during the day. In fact the library has several events scheduled here during the day.

Fran: Mosquito Yacht Club has stuff here during the day.

Laurie: They do their annual meeting here, they do their dance here, although I guess they do it at Burgess's, if Tommy Burgess, but if the weather's iffy ...

Laurie: They come here, right. When I came Saturday, again, there was a rental truck that took up at least two-thirds of the parking lot parked out here, so it was difficult to even pull into the lot, plus the landscaping trailer that's out there.

Laurie: That's not the landscaping trailer for the Lapoint. That's somebody else, because the landscaping trailer was here Wednesday night?

Laurie: There was a young man working on the lawn across the street who said, "I know who" about the rental truck, he said, "I know where he went. I'll go tell him he's got to move it," and darned if he didn't.

Fran: I wonder if it's the people who bought the house on the other side of the Harbor View?

Laurie: It was definitely they had ... It had the blanket things they use to cover when they move ...

Michael: It seemed to me that the Prudential board has the authority to promulgate regulations pertaining to your property. While it's a public property, there are certain rights that executive bodies have to control the property, so certainly signage and notification and the police department that it's not 24/7 and park as you will would probably solve the problem, but you've got to get the signage.

Laurie: How do we word it? I mean, the neighbors use it if they have a cocktail party.

Fran: It's really ... I happen to be an expert on no parking in parking lots and the police and getting cars towed.

Laurie: How did you acquire that knowledge?

Fran: When I was a trustee at the church, because of the church parking lot, and it's not ... First of all, you have to prove that the person had been there for X amount of time, number one. Then you have to get the police to come and put a ticket on it. Then you can call the tow-away people, but until all of that happens ...

Michael: Right, it's hard.

Fran: It's not easy.

Michael: You can only bluff them with your signage, and then try to enforce it, but that would be the way I think you would have to do it, is a regulation of some sort.

Fran: Since you're better at this than I am ...

Laurie: I can't think of anything I'm better at than you.

Fran: I'm going to ask you to compose a letter to our neighbor back here about we're not going to ...

Laurie: Letter

Fran: I'll send you his name and address. I have it at home. I forgot it. I'll send you, and just let him know that it's not going to be acceptable for them to use this parking for any demolition, construction, anything. They're going to have to find someplace else to park, because they don't, they may think they have a legal right of way over this parking lot. They don't.

Laurie: Okay.

Fran: Without question. I can prove it.

Laurie: Okay, I'll take your word for it.

Michael: It is your property, and you can control it as an executive board. It's just how much you can, enforcement, when you're providing your own police department. However, your bylaws do allow you to hire watchmen. Get some college kids that want to watch the parking lot.

Laurie: There's a thought.

Fran: Yeah, right, summer jobs. This is a copy ... Moving on to the Barnstable County web service. This is the contract that they sent us. I asked them, Mark, to look it over, and

the only concern he had was that there's a thirty-day wind-down period if Barnstable County decides to terminate the agreement. I seriously doubt that they're going to hold this to that.

Laurie: If they do, we'll deal with it.

Fran: Certainly the fees that they're going to charging are less than ... It's almost half of what we've been paying now.

Fran: I thought she was ...

Michael: She's making the transition fairly easy. I saw her email and ...

Fran: To the best of my knowledge it's ...

Laurie: I like her. I knew her first from the library, and I was the one who recommended her.

Michael: She seems ... I'm not a user, but Tony and I saw the email. She's trying desperately to make it seamless, so that's good.

Fran: I'm going to ... Do you agree?

Laurie: Yes.

Fran: We'll accept this and sign it.

Laurie: It's fine with me. Do we need to sign all the copies?

Fran: No, I think just I have to sign.

Laurie: Just you.

Michael: Ideally, you probably want to have two, because then an original for us and an original for them.

Fran: Blue.

Michael: Perfect. Do you need another one?

Laurie: No, she's got one.

Michael: Of course, because of its intergovernmental ...

Laurie: There's only space for one here, but I'll ...

Michael: Intergovernmental agreements do now require thirty people participation.

Fran: 6/27?

Laurie: Yes.

Michael: Happy New Year.

Fran: You can give that one to Mike. Do you want one, or want me to keep it, or ...

Laurie: I thought he had a copy.

Michael: I have a copy, but is it signed?

Fran: That's signed.

Michael: We need to send them two, so the commissioner signed too and send us an original back for our files, and they'll have the one that they signed, and they'll sign one and send it back to us.

Fran: Final item on the agenda is the open meeting law complaint. It's from Agnes Murray. "I don't understand how the annual district meeting where it could be published with favorable Prudential committee recommendations when there weren't any discussions or any vote taken to recommend the articles on the warrant at the public meeting of the committee." Her recommendation is "If you believe that I'm incorrect, please tell me the date of the meeting where the determination of favorable recommendations occurred. Otherwise I want you to publish in the same newspaper that the warrant was published a statement of apology for misrepresenting to the taxpayers of the district."

I've already sent her a letter. "At the May 16th 2016 meeting the Prudential Committee treasurer, Mr. Daley, advised the committee that he'd already included in the articles for the annual meeting the recommendations of the warrant articles by the Prudential Committee, and if the committee disagreed, that could be changed. The one article the committee questioned was the employee salary increases by the water commissions. The chair of the water commissioners, Mr. Barnicle, presented the water commissioner's rationale for the salary increases to the Prudential Committee. The committee appreciated his presentation, and we left in place the positive recommendations of the article. There is no requirement in the Cotuit Fire District bylaws that the Prudential Committee vote to recommend or not recommend the articles in the warrant for the annual meeting or for any district meeting. Article 5 Section 2 of the district bylaws state 'The Prudential Committee shall receive the proposed budgets and articles of the district officers and the departments proposed for inclusion in the warrant for the annual district meeting at the regularly scheduled meeting at the Prudential Committee meeting held during the month of March of each year, and shall make recommendations therefore to the annual meeting.'"

That was the letter I sent ...

Laurie: I think we're intelligent enough that if we disagreed with any of the recommendations we would have spoken up and discussed it.

Fran: Correct. I agree with that. I sent this off to the attorney general's office. I sent it off to Mrs. Murray. She picked it up. We had the return receipt, and on top of that, this is not an item that's covered by the open meeting law, the operation of a committee. If she sends it in, we'll hear about it. If not, we won't. Did you get a chance to read the minutes?

Laurie: I had. I don't have them with me, but I've read them, and I make a motion we approve the minutes of the May 23, 2016 meeting.

Fran: Second. All in favor?

Laurie: Aye.

Fran: Aye. That's the conclusion of our agenda for today.

Fran: Move to adjourn.

Laurie: So moved.

Fran: Thank you very much.