

Cotuit Fire District
Prudential Committee
23 May 2016
5 PM

Fran: I'm going to call to order the May 23, 2016 meeting of the Cotuit Fire District Prudential Committee. Is anyone recording? Amy Kates is recording. Can we have introductions please, starting with the treasurer?

Michael: I am Michael Daley, Treasurer.

Fran: Fran Parks, Prudential.

Laurie: Laurie Hadley, Prudential

Stan: Stan Goldstein, Prudential.

Charlie: Charlie Eager, Clerk.

Fran: Okay. First order of business is the reserve fund transfers for the Clerk's salary and the Custodian's salary.

Michael: You skipped over public comment.

Fran: I'm sorry, public comment? Public comment.

Amy: Amy Kates. Ms. Parks, since you didn't answer my question at the Civic Association meeting last week regarding, if reelected, were you planning on making any changes in the way in which your actions affect the committees you serve on? Since that meeting, you have now received notice of another open meeting complaint against a committee, the Union Negotiations Committee, on which you serve as chairman. Thanks for this opportunity.

Fran: Any response to public comment? Public comment is closed. Now we'll move on the treasure reserve fund transfers for the Clerk's salary and the Custodian's salary.

Michael: I have sent you the explanations and the motions ... Anybody can bring those if you want.

[Type here]

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Fran: I printed them up, everybody.

Laurie: I forgot to bring mine.

Fran: It's okay.

Michael: Okay, the first order of business would be to address the district Clerk's salary line item.

Fran: Do you want me to do this?

Laurie: I move that 250 dollars be transferred from the FY 2016 reserve fund budget line 1001-5787 to the FY 2016 District Clerk salary budget line 1010-5112.

Fran: Second. All those in favor?

Laurie: Aye.

Stan: Aye.

Michael: Aye.

Fran: So moved.

Michael: Thank you. The same is true ... The increased usage in adjustment for his benefit and salary for the year has resulted in a shortfall in the building Custodian line as well.

Laurie: I move that 1,000 dollars be transferred from the FY 2016 reserve budget line 1001-5787 to the FY 2016 building Custodian salary budget line 6001-5160.

Fran: Is there a second?

Male Voice: Second.

Fran: All those in favor?

Laurie: Aye.

Fran: Aye.

Mike: Aye. Thank you very much, and as I've told you ... In a transmission to you there, a couple of us were keeping an eye on, but at the moment, I think we'll make it. If we do run into budgetary issues before the end of the year, we'll bring it to you.

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Fran: We don't need to do anything about a note sale at this time?

Mike: No, that's a separate ... That's your next item.

Fran: Right, okay.

Stan: The reserve fund transfers are complete at the moment, we may be back.

Michael: Thank you for that. Right into the next one?

Fran: Yes-

Michael: Okay. If you're familiar with this spreadsheet ... We went through this in March when we sold the notes that we sold in March. At the time, I had told you I thought there would be some more transactions once we had a better sense of the grant application and loan application to the USDA and they were okay with us doing interim funding. They basically have accepted our application and we still haven't heard what their decision is, but everybody agrees that there's going to be some positive result.

Stan: Yes.

Michael: They've also told us that it's okay to go ahead and do the interim borrowing. If you look at this spreadsheet, there's two things in action. As we began the year, we had \$651,000 outstanding in notes that were left from the issuance activity a year ago, April. At this April, we paid down the 55,000 on the water system routes. We paid 40,000 on the mainstream mains. We're now asking you to approve a \$225,000 loan for the land restriction. That closing ... I think it's scheduled for 6...

Fran: The 8th-

Michael: June 6th or June 8th-

Fran: The 8th, I believe you said-

Michael: I haven't seen or heard it's confirmed. It was proposed. We've got our borrowing working on with me this evening scheduled for the proceeds to be delivered to the district on 31, May. I've also advised the attorney that that day would work for the proceeds being ready and available in his escrow account to do the closing on the 8th, if that's the day they go with. We're going basically take delivery of the proceeds on 31, May, and the transaction should occur about 8 days later.

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The second piece of business we're conducting tonight is the issuance of \$2.1 million in a note for the purpose of constructing a new water tank and demoing the 2 existing water tanks. That's moving right along. In effect, tonight we're going to borrow \$2,235,000. See that we pay the 62,000 on the outstanding note for the High Street real estate last April. In effect, when we complete the business this evening, we will end up with 2,819,000 of notes outstanding as of the transaction date of May 31. At the same time, I have to account for and keep everything on the straight and straight-on what the district's legislative body authorizes the debt.

Fran: Ye-

Michael: The 2nd set of accounting takes that into consideration. At the end of fiscal '15, we had 2,523,000 of debt authorized and unissued. We're going to burn that down 225 with a note and then we have an article at the district meeting to rescind the other 10,000 on that note. That's why that's shaded.

Fran: Yes-

Michael: When we complete the issuance end and vote it to district meeting, they will be authorized and unissued on the land restriction. Same is true for High Street real estate. We had 314, we issued 306 in notes and in fact, we've already paid down 62. We still have 8 that was never issued. We're going to rescind that at this annual district meeting. What's going to end up at June is we're still going to have the authority to borrow another \$180,000 for the security system within the water properties. As I've told you before, that's not adequate enough to do the work that the water department needs to do. They've done some preliminary work with the original 20,000 note that we issued last year. We believe that the grant component of the USDA package will be devoted towards allowing the district to complete that security project using federal money and our loan authority and then our loans will cover us the rest. We're hoping that we can get a grant to complete that water project and we may never need to issue that-

Fran: Yes-

Michael: 180,000. If that's the case, then at the next available district meeting we'll rescind 180,000. Coming out of the fiscal year, we still have 180,000 of debt authority to go forward with and we'll have just over \$2.8 million of notes outstanding. That's where we sit coming into this. We bid the ...

Laurie: 235

Michael: 235, 225 and 2.1. We bid those last week. We had 2 bids, Eastern Bank and our ... What we call certifying bank, the Cape Cod Five. Both bid 80 basis points for

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the interest for the 6 month loan we're going to ask you to vote for. It's a little over \$2,000 to borrow that money for 6 months. It's extremely reasonable rate still. You can recall when we were actually getting 50 basis points on bids. It's slipped up 60% actually from 50 basis points to 80, but that's the bid we got. I'm going to ask you to go to approve the issuance of the 2.325 in notes to the Cape Cod Five. If you'd be so kind to vote that, then we'll sign the paperwork and we'll execute the transaction next week.

Laurie: Okay, I move the vote to authorize ... 2.235 in bonds-

Michael: Notes.

Laurie: Notes, with the Cape Cod Five.

Fran: Second. All those in favor?

Michael: Aye.

Fran: Aye.

Mike: Good .

Fran: So moved.

Michael: Thank you very much. I'm going to give you 2 of these bank documents for each of you to sign in the budget committee section.

Fran: A black pen.

Michael: You need black or blue-

Laurie: I don't know if you still have to sign it in black or not, but that's what I was taught-

Michael: No, actually they like originals in blue so they can tell it's not a copy.

Fran: Really? Okay.

Michael: In the old days, the Xerox brand copy machines wouldn't copy [crosstalk 00:11:09]-

Fran: Yes-

Michael: so they had to use black. There's 2 of those-

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Fran: Certainly talk that time-

Michael: Along with these 2 bank documents, I concluded the IRS paperwork that's required. Me, and these 3 documents go back to the bank.

Stan: Does the Clerk need to sign it? Does the Clerk need to sign this?

Michael: No, those are not Clerk's signatures required. I just signed the note itself.

Laurie: Just print and stamp.

Charlie: I just need to sign under the-

Laurie: Yes-

Michael: Columns there and Charlie will witness and sign and seal that document.

Charlie: Okay, thank you.

Mike: That's the actual work document. I'm signing that Clerk certification. You all sign the lines right there and Charlie will witness that and seal and sign that document for the DOR.

Laurie: Is it just the top sheet or the bottom one?

Michael: No, Charlie's got the back. You just have the front.

Laurie: Okay.

Michael: Yes.

Stan: Date and sign

Michael: for the next time. We will complete this transaction on the 31st and we move forward to make the payments and also in closing to the package, it's going on to the bureau of accounts. If you recall, we took internal loan votes to let us pay bills while we're waiting for the loan. I have the documents I need to file, I'll sign and go on up with the same package to let them know that we borrowed and that we paid ourselves back, in effect. We won't have any problems with our free cash at the end of the year. That completes those 2 items on your agenda manager.

Fran: We're going to review the draft motions for the annual meeting?

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Michael: Yes, we brought you a set and I sent you a set-

Laurie: I forgot to bring mine-

Michael: That's quite alright-

Laurie: I printed them but forgot to bring them.

Michael: That's why I have them. Mainly, I've checked and rechecked the motions and the only thing the shading indicates is that who's making the motions so we can update those. There will be a set of motions that will include who he's calling on.

Ken: I need a copy

Michael: No, I think I mailed you or emailed you one.

Ken: really

Michael: Yes.

Laurie: Yes.

Michael: Anyway, once we complete this tonight we'll have-

Fran: You can take this one home with you, Ken, because I have a copy at home.

Mike: We'll go out tomorrow with the proper means. Article 1 ... I left a name, so you can use last year as a study.

Laurie: Yes.

Michael: Article 1 is to accept the movement of the district courts and the officers, so it's pretty straightforward. Who is going to take that one?

Fran: I'll do that one, yes.

Michael: Okay. Next one is the authorization to pay your elected officials. Keep that-

Fran: Keep that.

Michael: Okay. Next one is the reserve fund-

Laurie: Yes-

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Michael: Ms. Hadley.

Laurie: Yes.

Michael: Okay, looks good. This one is the finance department motion. Mr. Goldstein did that last year.

Stan: Fine with me.

Michael: Everybody's good?

Laurie: When we get to this next one, I suspect it's going to be Rick on making motions. Tom doesn't like to ... He's dyslexic. He doesn't like to have to read anything.

Michael: Okay. You want me to put-

Fran: Pisano.

Stan: Seems good. We're good.

Michael: Specific name ...

laurie: I'll give copies to Tom to give to him, so he'll know what he's got to-

Michael: I give them to the department head-

Fran: Okay-

Michael: So they can give them to their board members-

Laurie: He's chairman this year.

Michael: When I send it out tomorrow morning, I'll include one for the fire Chief and one for the water department. In article 6-

Ken: specific numbers

Female Voice: Yes.

Michael: Yeah, of course. How else could we vote it?

Female Voice: You could read the warrant for the amendment.

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Michael: No, we have a motion that fits in under the warrant article just the same as they always make. If we by law have to have a payroll, other expenses, apportioned, miscellaneous, etcetera. These motions will have to-

Fran: The thing is, they're all in the final warrant.

Michael: In this case, the fire budget is being moved the way the bylaws require them to be moved, with numbers on them.

Fran: If you're going to speak, Ken, you have to go to the microphone. You can't speak from the audience. You shouldn't be speaking at all.

Michael: The answer is yes to his question.

Fran: Yes.

Male Voice: 6.

Michael: All articles going to be moved by the same gentleman?

Fran: I believe so because I say Tom does not like to read things. He tends to ...

Michael: All right we'll put him on-

Fran: Reverse letters-

Male Voice: 6. We'll put him on 7.

Fran: 7.

Michael: All right. Article 8 ... Is the water ... I'm assuming it'll be the chair-

Fran: Yes.

Michael: It really doesn't matter. He'll recognize-

Fran: Yes.

Michael: That one is all set to go. Then we have Mr. Goldstein in article 9, which is the public buildings.

Stan: OK

Fran: Can I do that one?

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Michael: You can. Certainly. Yeah.

Fran: Can I do that one? I'll give you another one.

Stan: It's okay. You can have

Michael: You don't get extra pay for doing these. It doesn't really matter as long as we know who we're calling on. This is going to be Ms. Parks. I am in the High Street structure review-

Fran: Yes, I'll do that-

Michael: You want that one you're on?

Fran: Yes.

Michael: You got that one.

Stan: Which one's that? 12?

Fran: That's 10.

Michael: 10 is going to be Ms. Parks. 11 is the High Street office.

Fran: That's going to be Mrs. Hadley.

Michael: . All right. 12 is the street lights.

Fran: I'll take those.

Michael: Okay. Parks-

Stan: You doing number 12 there?

Michael: Yes.

Fran: I'm doing 12 and you should do 13.

Michael: Stan's doing 13?

Fran: That's the library.

Michael: It's his favorite thing. Stan .

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Fran: He's one of the few trustees that's no longer a trustee. He is one of the few that .

Michael: All right. Then we have principal interest budget, article 14.

Stan: I will do that

Michael: All right. 15, that's the benefits article.

Fran: Me? That's fine with me.

Michael: [inaudible 00:21:15] We get to the stabilization fund for [inaudible 00:21:20].
[inaudible 00:21:23] last year.

Fran: Mm-hmm (affirmative)-

Michael: You going to read?

Fran: Sure.

Michael: It's just XXX coming forward. I've made these ... This one is the rescinding of the
[inaudible 00:21:44]

Fran: Right.

Michael: We need somebody ... We never had that article before-

Fran: Right-

Michael: A fallback to put on that. Who would like to ...

Stan: [inaudible 00:21:53]

Fran: Stan.

Michael: 17, 18 is to fund the fiscal '16 budget for the settlements for ... I'm sorry, '16
budget for zones of 15 and 16-

Fran: Right-

Michael: I put Fire Commissioners on this one. I assumed that would be the same.

Fran: Yes

Michael: Okay. Now, we get to 19, which the Chief, as of today, said that he still doesn't
have a number. We're just going to indefinitely-

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Fran: Okay.

Michael: postpone article 19. Who'd like to ...

Fran: I'll do that.

Michael: We've got 2 volunteers. He's had his hand up.

Fran: Okay, let him do it.

Michael: Stanley.

Stan: I'll take it.

Michael: If, between now and then, they have a ... Number that they want to do, it's a 2/3rds vote because we're putting it back into stabilization from the budget.

Stan: Apparently, it'll be taken care of next year.

Fran: Excuse me, Ken. Public comments over.

Ken: Public comments.

Fran: Fine.

Ken: Article 19 is being indefinitely postponed-

Michael: Yes. It will come back. We go to get it back into the stabilization when we get the exact number from the Chief. What would you prefer?

Ken: Can we take it off the warrant?

Michael: You can't take it off the warrant. You pass over it or you indefinitely postpone it. Either motion would be the one. If you prefer to pass over it, that will be fine too-

Ken: A definite date

Michael: In the town of Barnstable, since at least the John Alger days, the moderator has indefinitely postponed every article until it became a town council.

Fran: There was no better moderator than John Alger

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- Michael: That would be my opinion, but if Mr. Alger thought indefinitely postponing articles was the way to kill them in his town meeting, I would recommend that. You can use anything you want. What would you prefer?
- Ken: When will it come back?
- Michael: It doesn't have to come back. It's just the way of telling-
- Ken: What
- Michael: It's indefinitely postponed .
- Michael: It's always done that way. I've never been in a meeting, town meeting or district meeting where things weren't indefinitely postponed and they never come back most of the time. I know that it might not be proper english, but it's the way they ... If you look in your Town Meeting Time rules, I bet you'll find it.
- Town meeting time [inaudible 00:24:43]. Was that your book of choice, sir?
- Fran: Yes.
- Ken: Town meeting time?
- Michael: Privileged motions, subsidiary, incidental [inaudible 00:24:56] motions. You can lay on the table...You can table it. You can move the previous question. You can extend the date. You can postpone to a time certain, which we're not doing, which is what you're talking about. We indefinitely postpone, which means never to be seen or heard from again. That's the motion we've entertained at every town meeting since I began participating in the early '80s. I was actually elected in 1980. From '80, until we dissolved the town meeting in 1989, every article was indefinitely postponed. I've seen it done. A couple of attorneys could ratify pass over. I move to pass over. I prefer Mr. Alger, but if you want to change it to something else, just tell us what you want, and we'll see if the DOR will let it go through.
- Laurie: I was there in the '70s, Mike and .
- Michael: Mr. Alger predated me .
- Fran: Yes, right.
- Michael: I was elected in 1980.
- Fran: Yeah.

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Michael: What's your pleasure?

Ken: Keep it

Michael: I think it is. Like I said, you're moderating, you can do whatever you want. You control it.

Michael: Settled.

Fran: Fine

Michael: Our motion to indefinitely postpone seems to be settles
Fran: Right. Did we decide who's going to present that?

Michael: Stanley. He said he would.

Stan: Yes, I did. These are the dollars that we didn't spend from the authorization fire truck-

Michael: We authorized a fire truck purchase at the last district meeting.

Stan: Yes.

Michael: To come from stabilization. Chief is concluding the purchase.

Stan: Yes.

Michael: If you want that to just drop back down into pre-cash, it could happen. If you want to put stabilization money back in stabilization, which is pretty depleted, you can do that. This article is set up to allow the district meeting to put back what wasn't necessary into stabilization, which is where it came from. I don't have that authority. I can close it to fund balance, which would end up in pre-cash.

Stan: Yes.

Michael: My preference would be to have the meeting set up to put it back where it came from. The Chief isn't ready to say you can have 10 back, or 15 back or 20 back, whatever. He's still playing with the edges.

Michael: Next annual meeting-

Stan: Next annual meeting-

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Michael: Right, because the article's going to be brought forward into the '17 books. It's going to be opened up for whatever balance is left. He's going to spend more money in '17. Certainly by this time next year, he should be done buying a truck and we should know exactly what we would have put back into that fund balance for the stabilization.

OK: Okay.

Michael: Okay, we're up to 20. 20 becomes your bylaws-

Laurie: Right-

Michael: The motion is basically, I move the district to approve article 20 as written [inaudible 00:28:12] We can write motions that have every word. Nobody give them a handout that-

Fran: Yes.

Michael: Says, "this is what we've got. This is why we're going to say yes," then the motion is in order.

Laurie: What I usually do is put the change ... If I write the article out as it's going to appear, I put the change in italics.

Michael: Yes. Then, article 20 Is going to ... Add an article ... Add to article 6 section 5, which will read, "the court shall receive all requests for information from the public and determine whether the information requested is appropriate for release, but may seek counsel if necessary." I do think there's ... Just adding sections and all the language is there-

Laurie: Yes-

Michael: The motion to approve the article 20 is written more as okay. If somebody wants to amend it, then you're going to have to have written amendments. We'll keep track and we'll make sure that nothing wrong happens. Article 20, unless someone wants to amend it, approved .

Article 21, to see if the district will vote to amend article 8, section 4 of the Cotuit Fire district's bylaws by deleting the word "certify", in exchange for the word "review". Again, the article is pretty clear. The motion is as written [inaudible 00:29:45], and we're basically voting to strike "certify" and add "review", replace it with "review". That's pretty clear.

Article 22 ... Let me just jot some names down. Who's going to take 20?

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Laurie: I'll take 20.

Michael: Alright. That's Fran. 21?

Fran: I'll do 21.

Michael: All right. 22?

Fran: Sounds like Stan to me.

Michael: Let's see if the district will change article 9, section 1 of the Cotuit Fire District files by deleting the word "supervise" in exchange for the words "provide management ." Again, it might be prudent just to get a copy of the bylaws.

Laurie: I'm going to.

Michael: Leave it at that because see the article section-

Fran: As it is now-

Michael: Then, you're just changing 1 word here. You're taking a word and adding 5. After 22 is ... 22 is written. Stan.

Article 23 is a water commissioners-

Fran: That should be them, yes.

Michael: Okay. Again, he's going to move the article 23 be written as ... Be approved as written in the warrant. This calls for section ... Article 9, section 6 to be deleted and replaced with ... If they have the set of bylaws in there-

Fran: Yes-

Michael: You could see what you're taking away from them. If you got a warrant, they can see what they're giving back, okay. That would be as written in the warrant and the commissioners have delivered that motion.

to see if the district will vote to amend article 11, section 3 and see if these bylaws by deleting the word "committees" [inaudible 00:31:48] so that the 1st word shall read "all boards and departments." It currently says, "all boards and committees." You're just striking "committees" and changing it to "boards and departments."

Laurie: I can't tell you how long we argued about a semicolon.

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- Michael: Yes. I'm not an English major. Who wants this one?
- Stan: I'll take that.
- Michael: Stanley. 25 is to see if the district will vote to amend article 11, section 6 of the district's bylaws by deleting the words in line 6, "who shall act as chairman" and in that line, 8, the words "two members" shall become "two at-large members of the district."
- Fran: I'll do that one.
- Michael: Okay, 25 is Fran. 26 is your last article. 26 proposes to see if the district will vote to amend article 11, section 10 by deleting the final sentences in its entirety.
- Laurie: That's an easy one, so I'll do that one.
- Michael: It's written in the warrant, and you're going to take that one, Ms. Hadley.
- Laurie: Okay.
- Michael: Okay. I've got names. I'll update this and circulate it tomorrow to the department heads and you folks, Charlie and the moderator. We should be good to go Wednesday night. All the motions that we can be prepared for, any changes or amendments. As you know, some articles can be amended, some can't because that sum of money lets those articles have a lot more-
- Laurie: Yes-
- Michael: edges than the ones that are finite. They're all in order. They're all set to go. I think that concludes that agenda.
- Fran: Great, thank you.
- Laurie: This one, I'm interested in.
- Fran: Okay.
- Stan: The agenda I .
- Laurie: Yes.
- Fran: We're all ... In terms of transferring the web service to the county, that's in motion and should be completed by the 1st of July. What they've asked is that we basically keep the process that we've been doing now as-is through the summer. Then, in the fall, we'll probably be doing more of the online posting

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ourselves. One thing I've already instituted is ... It's in an effort to save space on the website. One of the things ... When we do these recordings, they're recording in 128 MP3. That takes up a lot of room and so when Patricia gets it, she compresses it to 64. I've found a free website where I can go on with a recording, do the compression myself and then send it off to her. I've given that to Rick and I've given that to Jen at the water department. We're going to start doing that now.

The other thing that Michael at the county asked for was if we could invest in Adobe Pro. Adobe Pro will compress the PFDs and take up less space and less storage space. I'm still looking into ... I sent Jen an email today. I don't think she has it on her computer. I don't know if she has Adobe or not and I don't think the treasury has Adobe.

Michael: We just have the reader.

Fran: Right.

Laurie: Yes.

Fran: Yes.

Michael: I have the Adobe Acrobat in my office which is a more powerful-

Fran: Right-

Michael: Application. I think it's higher than what you're talking about.

Fran: Right. Yes. Yeah. We'll be looking into that. Jen also asked if Patricia could do some tutorial for her so that she could have some instructions in how to post to the website. She'd bill us between \$460 and \$600 for that. I thought it'd probably be better for us to wait until the county takes over because they may be changing some things that we do.

Laurie: Yes.

Fran: I don't think it'll cost as much.

Laurie: No, I wouldn't be surprised if it's a little cheaper dealing with the county.

Fran: Yeah. That's it. Anything else from you, Ms. Hadley?

Laurie: Not a thing.

Fran: Mr. Goldstein? I'll accept a-

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Laurie: Motion to adjourn.

Fran: So moved.

Stan: Second.

Fran: Okay.