

Prudential Committee  
Freedom Hall  
Minutes  
March 25, 2019  
5:30 p.m.

**Call to order**

**Public Recording:**

**Prudential Committee:** Ray Pirrone, Lisa Mycock-Kelly, Fran Parks, Silvio Genao, Charlie Eager-Clerk

**Amy Kates is recording**

**Pledge of Allegiance**

**Public comment-no public comment**

**Treasurer -Debt Authorization-**Ray Pirrone shared the debt plan with the balance of this year and a (inaudible) one for 2020. Just sold a \$225 that was authorized at previous meeting which was sold to Newbury Port five cents Savings-that was only a nine month note so everything will mature in December. When analyze the 2.4 quote they came in on its about 3.24 and in December we sold at 3 so Mr. Pirrone is a little surprised at the interest rate moving up, don't think should have moved that fast in light of what is going on. Sold 225,000 on nine month note that will mature in December of next year, Mr. Pirrone has the papers he would like Prudential to sign for that. Turning to 2020 we have the \$1,025 and the \$225 all coming due in December- Mr. Pirrone is proposing that we plan on, not commit to now, but plan on to taking the \$500 and \$470 which is the chemical upgrade and the security projects respectively and put them into a longer term 8-10-year note. Water dept tells Mr. Pirrone that the underline assets of these projects should be good for 10-15 years, so an 8-10-year amortization seems conservative and reasonable. The other \$285 Mr. Pirrone suggests bringing a pay down period in various periods based on the asset. The trucks and the air packs he is recommending three years, the fire station roof and floor of Freedom Hall he suggests five years. 2020 going to be a tough year-should be responsible and conservative in that year. Ms. Parks asked why Mr. Pirrone thinks it going to be a tough year? Mr. Pirrone responded that as he sees the budgets coming in, he sees the tax rate going up substantially. Mr. Pirrone distributed copies to be signed.

**Space Needs Assessment**

Ms. Park and Chief Rhude met with Tom McCain at the Board of Health to review requirements for the septic systems-Ms. Parks has also included the report from Baxter and inaudible met with Matt who did the report. Tom doesn't think will need any variances as the flow from each is grandfathered for 878 gallons a day-should get approval from the Board of Health.

**Freedom Hall Floor**

Mr. Genao started calling the vendors by order of lowest to highest quote to see who fulfilled the requirements. The first and second contractor did not fulfill requirements, third one O'Sullivan Flooring met requirements. Mr. Genao would like to make a motion to award O'Sullivan Flooring Company the contract to fix the floor in Freedom Hall, second, all in favor. Full scope of what O'Sullivan offered and discussed with Ms. Parks will be included in the contract. Mr. Genao will also be including some statutory requirements such as signing off on any personnel that take the course, pollution, state tax form, Ms. Parks asked if the type of flooring and number of coats is an attachment to the contract, Mr. Genao answered yes. Ms. Parks will send Mr. Genao a boilerplate copies of what they have been using. Mrs. Mycock-Kelly mentioned the calendar

schedule, Mr. Genao asked for access to the events that have been schedule for the Hall-it is on the website, but Ms. Parks will ask Chris to send it to Mr. Genao. Trying to schedule with the contractor and around Civic Association meetings, but has to be done before May 21 which is candidates' night and the presentation of water and space needs will be done.

### **Kates OML Complaint**

Complaint is on Feb 6, 2019 @ 10 a.m. a workshop was held by the Cotuit Fire District Prudential Committee. On March 5, 2019 I requested the minutes of the CFD PC meeting held on February 6 2019 at 10 a.m. On Saturday March 9, 2019 I received from the District Clerk (see attached) design meeting memorandum #3 prepared by Kaitlyn Girardi. The memorandum does not constitute minutes of a Prudential Committee meeting nor was the meeting recorded like past current and sub sequential committee meetings. Two of the three members of the board were present in this meeting and it was posted on the committee's website. The meetings should have been recorded, called to order and the minutes taken. I feel the alleged violation was intention Ms. Parks and At Mycock-Kelly are aware of the OML's. The reaction she would like to see taken is would like the Prudential Committee to publicly acknowledge their open meeting violation from Feb 6, 2019, she would like the Prudential Committee to hold a new meeting and read the memorandum #3 into the record and retake any votes that were taken regarding this memorandum at the Feb 6 2019 meeting and any post meeting regarding this project. She would also like the committee to post on the website the findings of the districts space needs assessment. Ms. Parks wrote a response on March 6 -I received the attached open meeting law complaint from Amy Kates regarding February 6 2019 building construction workshop held by the Prudential Committee held at the Cotuit fire stations. The workshop was held at the fire station at the request of the architects. I am enclosing the draft minutes of the meeting. I had attempted to record the meeting, but my recorder malfunctioned. There were no votes taken at the workshop because it is my understanding that votes are never taken at a workshop. The committees usually meeting place is Freedom hall where we have an audio recording system. On March 5 2019 Ms. Kates requested the minutes of the workshop and was sent meeting review document done by the architects. On the 6<sup>th</sup> of March the Prudential Committee held a meeting where the architects did a power point presentation of thirty minutes reviewing the building plans. Ms. Kates did not approach me to discuss the documentation that she had been sent. To the best of my knowledge she did not contact the clerk. The architect's memorandum will be attached to the minutes of the meeting done by me. All the district committees meet once a month unless there is interim meeting is required. The stated procedure is the previous months minutes are reviewed and accepted at the following months meeting. Ms. Kates receive the draft from the 6 Feb meeting on the 7 of March regarding her requests for the findings of the space needs assessment being posted on the website-the study is not complete and has not been accepted by the Committee. Ms. Parks would like to state that the OML does not apply to an onsite inspection of a project or program by members of public body so long as the members do not deliberate-we did not deliberate at this meeting-it was a workshop. Ms. Parks read Chapter 38 Section 22 of the Mass General Law and reviewed Chapter 66 section 5A. Neither the state law or the by Laws of the Cotuit Fire District require that a clerk be at a meeting to take the minutes. It is standard procedures for almost everyone in municipalities to record and have the minutes done after. We did not violate the OML and I am appalled that Ms. Kates would assume or feel or believe that Mrs. Mycock-Kelly and I would violate the open meeting law intentionally. Ms. Parks has sent off the reply as required to the AG Office then if she decides to further address this at the AG office, we will then be hearing about that. Ms. Parks asked if there was any comment? Mr. Genao asked Ms. Kates if she had a comment, why thought intentional, anything we can do so don't have any misunderstanding's? Mrs. Mycock-Kelly asked if she had a comment as to why thought it was an intentional violation? Ms. Kates replied that 6,8,10 open meeting violations ago she may not have thought that the violations were intentional, but thinks with the history of the Prudential Committee and all the open meeting violations that have been filed that she can only assume that each time a violation is filed that normally the AG office ask committee members to review, studies, so won't happen again-each time a result comes back the last paragraph always says if this happens again the AG office will assume that it was

intentional -so after reading that she has made that assumption. Ms. Parks asked if Amy understood that this was a workshop not a meeting? Ms. Kates replied it was published, posted meeting that was open to the public-Ms. Parks stated it was a published workshop, nothing was deliberated, no votes taken, no decisions were made. Ms. Kates said a quorum of the committee met-and her expectations are that minutes to be kept even in a workshop. Ms. Parks had sent Ms. Kates draft minutes-Ms. Kates said she did but she didn't get them because was informed there were no minutes by the Clerk-Mrs. Mycock-Kelly and Ms. Parks said the minutes haven't been voted on yet-Ms. Kates replied she was informed there were no minutes available and the only party who took minutes was the consultant -she proceeded based on that information Mr. Genao feels this is a trust problem and he wants that to go away. He has worked with municipal governments for almost ten years and doesn't feel there is anything here to give him reason to think of any wrong doing. Mr. Genao stated we are here to be open, fair and clear with what we are doing and feels this committee works does actually work for the District. Mr. Genao feels there is a better way of doing things then open meeting violations and asked that if something doesn't seem right to ask the committee -anything he can do to build that relationship with you (Ms. Kates) that's what he wants to do and offered to meet after the meeting. Ms. Kates appreciates Mr. Genao's comments and she would like to see the transparency and trust and respect. Mrs. Mycock-Kelly asked Amy that in what areas is the transparency lacking in her opinion, as feels Ms. Kates feels the committee is hiding something which is certainly not the case, and certainly not since Mrs. Mycock-Kelly has been elected. Ms. Kates replied she felt animosity in her relationship with prior Prudential committee members, she has heard comments made in the district about people attending these meetings and shown interest-doesn't feel that is necessary; she is someone who wants full transparency, respect, honesty and no animosity.

Cynthia Gardner asked the Clerk regarding to the response to Ms. Kates about the minutes not being available, did he contact anyone on the Prudential Committee to see if minutes were available? Mr. Eager replied yes; he did. Ms. Parks replied he contacted her and she asked him to send those minutes. Ms. Parks would like to say again, there is no requirement -Ms. Gardner interjected she just wanted to know.

Reviewed February 6, March 6, March 13 minutes, motion made to approve minutes, seconded, all in favor.

Motion to adjourn, second, all in favor, so moved.