

**CAPE COD REGIONAL GOVERNMENT  
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings – December 18, 2013

Speaker BERGSTROM: Good afternoon. Welcome to the Wednesday, December 18<sup>th</sup> session of the Cape Cod Regional Government, Assembly of Delegates. I'd like to call this meeting to order.

And we will begin with a moment of silence to honor our troops who have died in service to our country and all those serving our country in the Armed Forces.

(Moment of silence.)

Thank you.

We will now stand for the Pledge of Allegiance.

(Pledge of Allegiance.)

Speaker BERGSTROM: The Clerk will call the roll.

**Roll Call (65.31%): Richard Anderson (9.15% - Bourne), Cheryl Andrews (1.36% - Provincetown), Ronald Bergstrom (2.84% - Chatham), Leo Cakounes (5.67% - Harwich), Ned Hitchcock (1.27% - Wellfleet), James Killion (9.58% - Sandwich), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), John Ohman (6.58% - Dennis), Julia Taylor (14.61% - Falmouth).**

**Absent (34.69%): Christopher Kanaga (2.73% - Orleans), Marcia King (6.49% - Mashpee), Patrick Princi (20.92% - Barnstable), Anthony Scalese (4.55% - Brewster).**

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 65.31 percent of the Delegates present; 34.69 percent absent.

**Committee of the Whole**

Speaker BERGSTROM: Thank you. I'll now need a motion to approve the Calendar of Business.

Deputy Speaker MARTIN: So moved.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: Okay. Moved and seconded. All those in favor, say "Aye." "Opposed"?

(Motion carried.)

Speaker BERGSTROM: Okay. You should have received a copy of the Journal of December 4, 2013. Are there any additions or corrections to the Journal?

Hearing none.

Deputy Speaker MARTIN: Move to approve.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: Moved and seconded to approve. All those in favor say "Aye." "Opposed"?

(Motion carried.)

Speaker BERGSTROM: Okay. The Board of Regional Commissioners have decided not to grace us with their presence. They were here all day, so can't say as I blame them for not hanging around to talk to us.

Speaker BERGSTROM: Are there any communications from Public Officials?

Communications from Members of the Public

Speaker BERGSTROM: Any Communications from Members of the Public? Yes, I see a member of the public.

Ms. ELENITA MUNIZ: I'm Elenita Muniz. I'm the Coordinator for the Barnstable County Human Rights Commission.

Our Annual Report was inadvertently left out of the printed County report, although our photographs were in without the captions.

So I have brought copies of our Annual Report for you to have for your information.

Speaker BERGSTROM: Thank you.

Mr. CAKOUNES: Could I ask a question?

Speaker BERGSTROM: Sure. Go ahead.

Mr. CAKOUNES: Is this report going to be included in the online version?

Ms. ELENITA MUNIZ: Yes, this is being added to the online version.

Mr. CAKOUNES: Okay. Good. Thanks.

Speaker BERGSTROM: Okay. Thank you.

Ms. ELENITA MUNIZ: Thank you.

Speaker BERGSTROM: I'm sorry I missed your breakfast.

Ms. ELENITA MUNIZ: Oh, I am too. I was a good one.

Speaker BERGSTROM: Yes. Okay. Any other members of the public wish to speak?

Okay. Hearing none.

**Assembly Convenes**

Speaker BERGSTROM: Okay. The Assembly will now convene, and we will begin with Committee Reports. Do we have any Committee Reports?

I don't think any of the Committees have met since our last meeting.

We have a report from the Clerk. Janice, you're on.

Report from the Clerk

Clerk O'CONNELL: Thank you, Mr. Speaker, a few items.

In your folders today, you have the fourth-quarter of the year mileage logs. I would appreciate it if you would review those and sign and submit them to me by the end of the meeting.

Reminder about the holiday gathering that will take place once the meeting has concluded.

I also want to let everyone know that the centerpieces that are at your station adjacent to your name cards are for you to take. I think there's probably a little candy cane

that I left there for you too.

And a reminder that the next Assembly meeting will be next year. It will be on January 15, 2014. So we have a little bit of a break. And that's due to the fact that New Year's falls on a Wednesday, which is the first Wednesday of the month, and by law, we cannot meet.

And that's it. That's my report for the year.

Speaker BERGSTROM: Any questions for Janice on that? If you'll all sign your reimbursement forms.

The only item on our agenda today is I asked Janice to look into the budget, the budget schedule, because every year there's an issue with scheduling. Some people are on several committees and others can't make it at certain times. Sometimes they'll have two meetings on a Wednesday. One will be at two and the other one at three or so on. So I included the schedule or part of it.

And I'm just wondering if anybody has any comments or questions on the schedule.

We're hoping we could get it done more efficiently this year and not necessarily have the Department Heads come in and tell us everything they're going to do, but just basically have the chairs of the committees notify the department heads in advance what you'd like to know and what you already know from years past. So that's really what we're talking about.

Ms. ANDREWS: But you're not proposing a change though?

Speaker BERGSTROM: No. We're not proposing a change except that we'd like to -- the suggestion has been made that we should involve the entire Assembly earlier. So, you know, sometimes it's a time issue getting everybody in here on Wednesdays and getting all the Department Heads and so on.

But assuming that the Commissioners cough up their budget on time this year and we get it; I think with a little preparation we could do that.

Janice, did you want to mention that?

Clerk O'CONNELL: I think you all received the same email I received with the schedule that the Commissioners are following for their budget review, and I think it starts in January, right after the beginning of the year.

Once they conclude, they will be submitting the budget to us on time which I believe based on the schedule I received would be our February meeting. I think its February 19.

And typically we start immediately after that with committee meetings, which is what I planned out here. The difference for me is that I am notifying you probably six weeks earlier than I usually do, and I've also notified Department Heads. Because what happens, as Ron indicated, sometimes people make a plan, they go away, they didn't know we were going to meet. Same thing happens with Department Heads.

So they've all been made aware. I received a response from the majority of them indicating that they can make the schedule that I've established. They're very glad that I did it this early so they don't have any conflicts.

If there's going to be any conflicts with any of the Delegates regarding meetings that you have been assigned to serve on, then let me know because I've got to kind of move the schedule around.

I needed to also kind of create a cushion in there that will allow us to meet if we need to before an Assembly meeting with regard to any Ordinances that we may get because

that's still happening while we're reviewing budgets.

So as you can see I have one open meeting date. That's like a what if something happens and I've got to move something around. And I've also tried to leave a little bit of time to deal with possible Ordinances that may come up during our budget review process.

I know this is going to be my third or fourth go around now with the budget process. And from my perspective, what I see happen often is Department Heads who are very well intentioned will come in and give you the run-down of the history of their department when in fact, maybe there are things that you would specifically like to know about certain initiatives that they're taking on or new things that are happening.

And I would encourage you to take a look at the budgets that they are bringing forward through the Commissioners, and if you see anything that you may want to talk to them more specifically about that would be a great way to utilize the time that you will meet with them versus just talking about how long they've been in existence and how many people, etc. It depends what you really want to get to the root of in terms of what's going on with them and their projects.

And that's difficult to do because you, yourself, will not know what you're going to be presented with for a budget until February 19. So, it really doesn't give you a lot of opportunity unless you want to look at the Commissioners meetings with what's going on as Department Heads are presenting budgets there. Then that will give you a leg up on what is probably going to come here.

That's it for me.

Speaker BERGSTROM: Do you have any questions on that? Cheryl.

Ms. ANDREWS: Yes, quick question. So are all the meetings that the Commissioners have regarding the budget, are they all online? They don't set up extra meetings for this? Is it usually part of their regular meetings, Ron?

Speaker BERGSTROM: I would think it would be part of their regular meetings.

Ms. ANDREWS: So we can see it.

Okay.

Speaker BERGSTROM: I don't think they're going to drag themselves in on an off-Wednesday.

Ms. ANDREWS: Okay.

Speaker BERGSTROM: Okay. And, you know, just a reminder, I saw this all the time but the Legislative body of Barnstable County is the Assembly of Delegates. This is our budget really. This is a proposed budget they've send down like any executive branch sends down containing their priorities and their positions.

But there's no reason why anyone here cannot change that budget anyway you'd We haven't done too much but it's within our authority to do that. If the Commissioners' don't agree, there's a reconciliation process.

I would encourage you to look not only at the numbers but the underlying philosophy as expressed in the Commissioners budget and see if you agree with that or have any other ideas to the contrary.

Also, while I'm talking about budgets, we are a department of Barnstable County. In that sense, we have a budget. And we have submitted that budget. The Department request is 62,000?

Clerk O'CONNELL: Well, the amount of money that I requested reflects those items that we are responsible for plugging into the budget. Things like salaries and other personnel-related costs are computed by the finance office over at the finance department.

So what our budget reflects this year -- I will tell you all line items are status quo. I've increased nothing by way of office supplies and things of that nature.

There is, just as we put in the budget this year, there is money there for educational allowance for each Delegate. And, in addition, you will recall that we had a supplemental funding Ordinance come through for legal money. And that is in the budget this year.

And I discussed with John briefly and with Ron, I left that in the budget because I don't -- I'm not sure what's going to happen and when it's all going to end. It may not be over by July 1st. And there may be a need to have some legal money available to the Assembly. The good news is if you don't spend it, it goes back.

So I just want to let you know that when you get the Assembly budget, you will see the 20,000 that was appropriated as a supplemental this year is going to remain in the budget for FY'15.

Ms. MCAULIFFE: Mr. Speaker.

Speaker BERGSTROM: Yes, Suzanne.

Ms. MCAULIFFE: The reconciliation process, what happens if the Assembly does not agree with the Executive's budget? What is the reconciliation?

Speaker BERGSTROM: You want me to cough up that Ordinance right at this moment?

Ms. MCAULIFFE: No, no, no. It's just --

Speaker BERGSTROM: It's written down.

Ms. MCAULIFFE: Okay. So it's sort of a working out or is it going back and forth vote for vote kind of thing?

Speaker BERGSTROM: It goes back and forth, and if they -- if they -- if we don't approve their budget --

Ms. MCAULIFFE: Right.

Speaker BERGSTROM: -- let's say we change it, they, in turn, veto that change. All right.

If we don't over -- write. I don't know how it works, but you remember. There's a reconciliation process that a committee is formed.

Ms. MCAULIFFE: Okay.

Speaker BERGSTROM: Unfortunately, another committee rises its ugly head, and that committee will sit together. The appointing authority of the committee is myself and the Commissioners and its set up in a certain way. I don't know the exact way.

Ms. MCAULIFFE: Okay.

Speaker BERGSTROM: It's done in the past. Yes.

Clerk O'CONNELL: Can I make

one --

Speaker BERGSTROM: Yes.

Clerk O'CONNELL: I'd just like to make one comment about that process because as it gets closer, I'll be the person charged with looking at how this will run through our calendar.

And I guess probably the simplest comment I can make is it will be intense. If it

comes to that, you will probably need to be here -- you better make sure you're going to be here because it's a very tight timeframe when that reconciliation process kicks in because we've got to have a budget by the end of June.

And when you're only meeting twice a month and you're trying to stick to that schedule and your budget gets voted on in the middle of May, everybody's got to be reacting on cue within the very next meeting. So it will be intense. So just be aware and plan your calendar accordingly.

Speaker BERGSTROM: I think -- we had a reconciliation process while I was here, and I think I was Speaker at the time. I think, Julia, weren't you the chair of that committee? Can you give us any idea how it works or doesn't work?

Ms. TAYLOR: There have been a few times when there's been disagreement between the Assembly and -- but it usually gets worked out.

Speaker BERGSTROM: Yeah.

Ms. TAYLOR: It's just not that bad. But there is the time -- the time frame is all.

Speaker BERGSTROM: Yes, Cheryl.

Ms. ANDREWS: For those -- this is just some information for you. For those of us who are members of the geek squad, I count myself one of the senior members, I have the tapes of the last time that happened because I wanted to answer that question too to understand how it worked.

And the reality is it happens so rarely that there's a lot of play in terms of interpretation of how it should happen and shouldn't.

So if anyone ever wants a copy of those. I believe one year it was the year the Office of Regionalization was proposed and it was pretty controversial.

And then also that it may have been the same year or another year where the County Commissioners proposed to change the deeds tax number and that was debated quite a bit too.

So I've got the tapes if they're not online.

Ms. TAYLOR: That passed. My recollection is the deeds tax was certainly controversial but I don't think that there was a difference between --

Speaker BERGSTROM: No.

Ms. TAYLOR: -- what the Assembly voted and --

Ms. ANDREWS: No, I was just thinking it was in the same year.

Ms. TAYLOR: But there was an issue as to whether the budget was going to be balanced by using reserves and that was one issue one year.

And another was the issue of a \$100,000 for a regionalization project non-specified.

Speaker BERGSTROM: It was 300 --

Ms. TAYLOR: So those were -- I believe those were two different years, and they were handled a little differently because of the reconciliation process had been put in after the first disagreements.

Ms. ANDREWS: That's right. There was agreement; right?

Speaker BERGSTROM: Yes.

Ms. ANDREWS: Between the Assembly and the Commissioners?

Ms. TAYLOR: There was a change and so it was handled (Inaudible).

Speaker BERGSTROM: Okay.

Ms. TAYLOR: But I would think that we could work -- I don't think we have to

anticipate a reconciliation process.

I think we could anticipate our having ideas and their having ideas, but it isn't impossible to work those out without -- it can -- it can be worked out prior to a veto.

Speaker BERGSTROM: Well --

Ms. TAYLOR: And has been. The budget has been changed.

Speaker BERGSTROM: Yes.

Ms. TAYLOR: And it has been approved by us and the Commissioners have decided, okay, we'll go along with that.

Speaker BERGSTROM: Those of us who have gone through town budgets and gone through the County budget, you know that most of the money comes in already committed to salaries, benefits, and so on, things that are ongoing year after year and have very little wiggle room.

But there's always something in there as to how it's financed. Mark will give us an estimate of what he thinks the revenues are going to be. That's always controversial.

And although he's been pretty good in the past and there's always some significant initiatives that the Commissioners propose and I don't blame them.

Anyway. Anybody else? John.

Mr. OHMAN: Thank you, Mr. Speaker. You know I'm quite optimistic about this year as far as the budget goes. We've got Mark Zielinski corralled a little bit more. He's now the Finance Director only.

Speaker BERGSTROM: Yes.

Mr. OHMAN: No, I think he's going to be more available, and I really want to ask you and through Leo too, because I know he's very interested. I want to get more a handle on the revenue side of things early on. I want to know how they came to the numbers, and I want to know what they came to so that we can have a better idea of what we can do to nudge the budget in one direction or another.

So I think we need to get Mark more involved now that his job is more focused.

Speaker BERGSTROM: Yes. I guess the question is, you know, we don't know -- I don't know how the County deals with -- at first, I thought that most of the reserves were committed. But since then, the reserves have been used for various certain processes.

Now we know that according to the Commissioners, we came up with a \$750,000 surplus at the end of last fiscal year. One might think that there would be a year when we'd come up with a \$750,000 deficit and that we would plan for that. But some of that money is committed but 500,000 was put in reserves by --

Ms. TAYLOR: But Mr. Speaker --

Speaker BERGSTROM: Yes.

Ms. TAYLOR: I think it's very important to remember that there is, of course, an unbelievable difference between having money left over and a deficit, and that Mark has always erred on the conservative side. There's never been a question of his having understated what's going to come in.

And there's been certainly doubt by Assembly members that he's accurate in these estimates. But, and those doubts have always been, "Oh dear, what if we don't really get that amount of money." And I think it's important to realize that so far, in the many years, he has not erred on the -- ending up with a deficit side.

Speaker BERGSTROM: Well --

Ms. TAYLOR: I'm not saying it couldn't happen. I'm just saying that is the history.

Speaker BERGSTROM: Well, I mean he's, in a sense, he's predicting the revenue that comes in through the Registry of Deeds.

I think it was last year or the year before predicted a 14 percent increase. Now, if he's that good I'm going to use him as my stock investor. How do you know, you know, he obviously has some insight. I don't know. But you're right, he has been remarkably successful considering that it's basically a gamble.

Yes. Leo.

Mr. CAKOUNES: Two things on the budget. First of all, you should know that the Commissioners voted their Strategic Plan today, and we should be receiving it shortly.

There was also some discussion during the Commissioners meeting that the budget may, in fact, reflect things laid out in the plan. I don't know what that means, but I just want to let you know that that's what was said.

So I would ask my fellow Delegates to get the plan and read it because I do believe it may have some implications on the budget; number one.

The second thing, if I may, Mr. Speaker, and maybe this is not the appropriate time to discuss it. But in regards to our budget or our proposed budget, for some time we have talked about removing all that unused electronic equipment from that corner of the desk over there.

And I'm wondering if this is not an appropriate time to bring it up again and maybe through our Clerk we could talk to the IT people. Maybe through their encouragement, we can put in the budget a small amount of money to not only accomplish that, but maybe give the IT department a stationary camera, if you will, that's here. Something that's easier for them to hook up to and use.

I'm just kind of thinking out loud. But I would suggest that maybe our Clerk should at least research that and come back with some information on it so maybe we could put it into our own budget.

Speaker BERGSTROM: Maybe we could have a yard sale.

Ms. MCCUTCHEON: Thank you Merry Christmas.

Speaker BERGSTROM: Any other comments here?

Mr. ANDERSON: Mr. Speaker.

Speaker BERGSTROM: Yes.

Mr. ANDERSON: I thought that equipment was part of our amplification.

Speaker BERGSTROM: Yes, I thought so too.

Ms. ANDREWS: Well, it's got a light on it.

Mr. ANDERSON: Yes, if you turn that off, you've got no microphones. You've just go no audio.

Mr. CAKOUNES: I didn't say remove it. I said --

Mr. KILLION: Relocate it.

Mr. ANDERSON: Yes.

Mr. CAKOUNES: Mr. Speaker.

Speaker BERGSTROM: Yes.

Mr. CAKOUNES: Mr. Speaker, my suggestion was not to yard sale it or -- it was to relocate it because it seems to be kind of in an awkward usable space.

And in today's new technology, I'm sure there are smaller components as opposed to that, which looks like it was on the set of Star Trek.

Speaker BERGSTROM: Well, I don't know. Maybe Janice has something to say about this. We've looked at this before. And if -- we're sort of bolted to the floor here, unfortunately.

Clerk O'CONNELL: Well, that was certainly -- that's a great point, and that was something that I had looked into but now that was almost two years ago.

So there is a possibility that due to changes in technology, we may be able to do a rework but it's got to be investigated. So I'll certainly take some time to do that.

Speaker BERGSTROM: Okay.

Deputy Speaker MARTIN: Motion to Adjourn.

Speaker BERGSTROM: Wait a minute.

Deputy Speaker MARTIN: Oh.

#### Other Business

Speaker BERGSTROM: We still have -- anybody have any other business to attend -- to bring before the Assembly?

No other business. All right. Well, in that case --

Deputy Speaker MARTIN: Motion to Adjourn.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: All those in favor? "Aye".

**Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 4:25p.m.**

Respectfully submitted by:

Janice O'Connell, Clerk  
Assembly of Delegates