

BARNSTABLE COUNTY

In the Year Two Thousand and Thirteen

Proposed Ordinance 13-__

To add to the County's operating budget for Fiscal Year 2013, as enacted in Ordinance No. 12-04, by making supplemental appropriations for the Fiscal Year two-thousand and thirteen.

Section 1.

Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of March 29, 2013, the sums set forth in section one, for the several purposes set forth therein and subject to the conditions set forth in sections four through twelve of Barnstable County Ordinance 12-04, are hereby appropriated from the General Fund as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two-thousand and thirteen. Said funds shall be derived from the Fire Training Academy Mass Maritime Academy contract revenues for FY2013.

<u>Budget #</u>	<u>Sub-Program</u>	<u>Group</u>	<u>\$ Amount</u>	<u>Total</u>
PUBLIC SAFETY				
0014601	Fire Training Salaries	1	32,760	
0014602	Equipment Maintenance/Repair	2	3,000	
0014603	Supplies and Materials	3	9,400	\$ 45,160

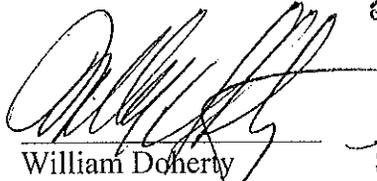
Section 2.

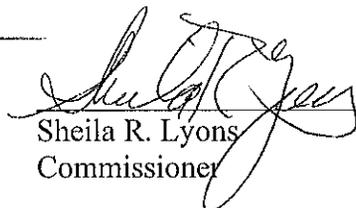
Based on a revised estimate of income of Barnstable County for the current fiscal year, made as of March 29, 2013, the sums set forth in section two, for the several purposes set forth therein and subject to the conditions set forth in sections four through twelve of Barnstable County Ordinance 12-04, are hereby appropriated from the Dredge Fund as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two-thousand and thirteen. Said funds shall be derived from the Dredge program revenues for FY2013.

<u>Budget #</u>	<u>Sub-Program</u>	<u>Group</u>	<u>\$ Amount</u>	<u>Total</u>
COUNTY SERVICES				
025501	Dredge – Salaries	1	12,000	\$ 12,000
TOTAL SUPPLEMENTAL APPROPRIATION				\$ 57,160

Approved by the Board of County Commissioners Apr. 13rd (date), at 2:00 (time).
2013


Mary Pat Flynn
Chairman


William Doherty
Vice-Chairman


Sheila R. Lyons
Commissioner

MONEY IN POLITICS WHERE DO WE GO FROM HERE?

A Forum presented by
The League of Women Voters of the Cape Cod Area

Saturday, April 20, 2013
Harwich Community Center
10:00 AM

The Massachusetts State Legislature has passed a resolution asking Congress to start a constitutional amendment process to overturn the impact of the Supreme Court Decision known as Citizens United. Voters across the state have passed similar ballot questions. Where do we go from here? How can citizens continue to play a role in advocating for fairness in campaign finance?

Speakers

Mary Zepernick

Co-founder of the Program on Corporations, Law and Democracy
Move to Amend on Cape Cod

State Senator Dan Wolf

Cape and Islands District
Co-founder and CEO of Cape Air

Tyler Creighton

Assistant Director of Massachusetts Common Cause

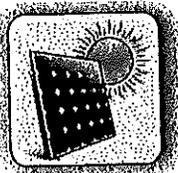


League of Women Voters of the Cape Cod Area
www.lwvcapecod.org ☎ 508-945-0511

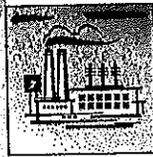
The League of Women Voters of the Cape Cod Area greatly appreciates the contributions of supporting advertisers to the Helen S Aaron Ed Trust Fund

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 473 Main Street
 Harwich, MA 02645-2414

Business: 508-430-1004
 Fax: 508-430-1313

Friends'
 Marketplace & Garden Center

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 Great Plants*

Jim Junkins
 Owner/Operator

57 Main St.
 P.O. Box 2279
 Orleans, MA 02653

Phone: 508-255-0963
 Fax: 508-247-9030
 friendsmarket@verizon.net

Directory Of Elected Officials 2013-2015

LWV

MAKING DEMOCRACY WORK®

League of Women Voters
 Cape Cod Area
 508-945-0511

www.lwvcapecod.org

for current
 ACTIVITIES
 MEMBERSHIP INFO
 UPDATES TO DIRECTORY

Federal Government

President Barack Obama (D)
1600 Pennsylvania Avenue, NW
Washington, DC 20500
Comments: 202-456-1111
(TTY/TDD) 202-456-6213
Fax: 202-456-2461
www.whitehouse.gov/ click contact us

Senator Elizabeth Warren (D)
Russell Senate Office Building
2 Russell Courtyard
Washington, DC 20510
202-224-4543
www.warren.senate.gov click contact
Boston Office
2400 JFK Federal Office Bldg
15 Sudbury St. Boston, MA 02203
617-565-3170 Fax 617-723-7325

Senator William Cowan (D)
(until special election 6/23/2013)
365 Dirksen Senate Office Bldg
Washington, DC 20510
202-224-2742
www.cowan.senate.gov

Representative William Keating (D)
9th Congressional District
315 Cannon House Building
Washington, DC 20515
202-225-3111
Fax 202-225-5658
www.keating.house.gov
click: Contact Bill or Email Bill
Cape and Islands Office
297 North Street, Suite 312
Hyannis, MA 02601
508-771-0666
Fax: 508-790-1959

State Government

Governor Deval Patrick (D)
State House, Rm. 280,
Boston, MA 02133
617-725-4005
(TTY) 617-727-3666
888-870-7770 (in state use only)
Fax: 617-727-9725
www.mass.gov/ click Governor,
contact us

Senators

Senator: Plymouth, Barnstable District

Bourne, Falmouth, Sandwich

Therese Murray (D) Sen. President
State House, Ste 332, Boston, MA
02113
617-722-1500 Fax: 617-722-1076
Email: therese.murray@masenate.gov
District Office
10 Cordage Park Circle, Rm.229
Plymouth, MA 02360
508-746-9332 Fax 508-746-4910

Senator: Cape and Islands District

Both Islands, all Cape less the
Plymouth Barnstable District above

Daniel A. Wolf (D)
State House, Rm. 511B
Boston, MA 02113
617-722-1570 Fax 617-722-1271
Email: Daniel.wolf@masenate.gov
District Office
508-775-0162

**The most effective way to
QUICKLY CONTACT
is via phone, FAX or email.**

Representatives

1st Barnstable District

Brewster Pcts 1,2, Dennis, Yarmouth
Pcts 1-4,7 Barnstable Pct 1

Cleon Turner (D)

State House, Rm 540
Boston, MA 02133
617-722-2090 Fax 617-626-0542
Email cleon.turner@mahouse.gov
District Office: 508-385-2561

2nd Barnstable District

Barnstable Pcts 2-10, 13,
Yarmouth Pcts 5,6

Brian Mannal (D)

State House, Rm 437
Boston, MA 02133
617-722-2425 Fax 617-626-0166
Email brian.mannal@mahouse.gov

3rd Barnstable District

Bourne Pcts 3-6, Mashpee,
Falmouth Pcts 3,4,7-9

David Vieira (R)

State House, Rm 167
Boston, MA 02133
617-722-2810 Fax 617-722-2848
Email david.vieira@mahouse.gov
District Office
346 Gifford St., Unit 3
E. Falmouth, MA 02540
508-548-8683 (548-VOTE)

Information is subject to change.

For bill status call:

House Clerk: 617-722-2356
Senate Clerk: 617-722-1276
www.malegislature.gov/Bills/Search

Representatives

4th Barnstable District

Brewster Pct 3, Chatham, Eastham,
Harwich, Orleans, Provincetown,
Truro, Wellfleet

Sarah Peake (D)

State House, Rm 540
Boston, MA 02133
617-722-2090 Fax 617-722-2848
Email sarah.peake@mahouse.gov
Website www.sarahpeake.org
District Office: 508-487-5694

5th Barnstable District

Bourne Pcts 1,2,7, Sandwich,
Barnstable Pcts 11-12,
Plymouth Pct 9

Randy Hunt (R)

State House, Rm 136
Boston, MA 02133
617-722-2396, Fax 617-626-0218
Randy.hunt@mahouse.gov
District Office
297 Quaker Meeting House Rd
E. Sandwich, MA 02537
508-888-2158

Barnstable, Dukes, Nantucket District

Falmouth Pcts 1,2,5,6, the Islands

Timothy Madden (D)

State House, Rm 167
617-722-2810 Fax 617-722-2846
Email timothy.madden@mahouse.gov
District Office
354 Gifford St., Unit 4
Falmouth, MA 02540
508-540-0035

Barnstable County

Board of County Commissioners

Mary Pat Flynn, Chair
William Dougherty, Vice-Chair
Sheila Lyons
3195 Main Street, PO Box 427
Barnstable, MA 02630
508-375-6648
www.barnstablecounty.org

The three commissioners are elected on an at-large partisan basis every four years for four year staggered terms. They represent the executive branch of county government and meet weekly on Wednesdays.

Cape Cod Commission

3225 Main Street, PO Box 226
Barnstable, MA02630
www.capecodcommission.org

The Cape Cod Commission is the regional planning and land use regulatory agency of the County. There are nineteen members, including one from each of Cape Cod's fifteen towns.

Assembly of Delegates

First District Court House
PO Box 427
Barnstable, MA02630
508-375-6761/6762
www.barnstablecounty.org/assembly-of-delegates

INSIDE FEDERAL AND STATE
GOVERNMENT

Government

Members of the Assembly of Delegates are elected by each town for a two year term. The percentage of weighted vote is based on the most recent decennial census data.

Members

Barnstable:	Patrick Princi 20.9
Bourne:	Richard Anderson* 9.15 *Deputy Speaker
Brewster	Anthony Scalese 4.55
Chatham	Ronald Bergstrom* 2.84 *Speaker
Dennis	John Ohman 6.58
Eastham	Teresa Martin 2.30
Falmouth	Julia Taylor 14.61
Harwich	Leo Cakounes 5.67
Mashpee	Marcia King 6.49
Orleans	Christopher Kanaga 2.73
Provincetown	Cheryl Andrews 1.36
Sandwich	James Killion 9.58
Truro	Deborah McCutcheon 0.93
Wellfleet	Ned Hitchcock 1.27
Yarmouth	Suzanne McAuliffe 11.02

Regular meetings are the 1st and 3rd Wednesdays of each month at 4:00 pm, Assembly of Delegates Chamber, 1st District Courthouse, Barnstable.

This directory is published through resources of the Helen S. Aaron Educational Trust Fund of the LWVCCA

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES
Standing Committee on Finance
DRAFT Minutes
March 13, 2013

The Standing Committee on Finance met to review the 2014 proposed budgets of the Resource Development Office, Regional Commissioners / Finance Department / Shared Costs, Debt and Unfunded Liabilities, Information Technology, and the Assembly on March 13, 2013, beginning at 2:00 p.m.

Committee members present: Chairman John Ohman, Leo Cakounes, James Killion, and Julia Taylor.

Resource Development Office (RDO)

Darlene Johnson-Morris, RDO Manager and AmeriCorps Program Director, met with the committee to review her proposed FY 2014 budget. A handout of program and statistical information was provided and will be considered an addendum to these minutes and available for viewing at the Clerk's Office. The committee received an analysis and overview of the grants that were developed this year and a status report. The percentage of grant awards received for the current fiscal year is at 70 percent.

The projected program value for FY 2014 is 56,200 service hours. The value of these service hours is \$1,508,408. AmeriCorps members made contributions this past year during storms Nemo and Sandy. This year AmeriCorps week will be held in Mashpee.

AmeriCorps increased from 26 to 32 members. The increase in members has a direct relationship to the increase in supplies and materials in the budget. Increases in contracted services reflect a proposed increase in the mileage rate from .41 to .55 cents per mile. Maintenance has also been factored in for the three houses used by AmeriCorps. A capital request for the replacement of a vehicle has been factored into a County vehicle replacement policy and plan by the Commissioners. Changes in salary and wages reflect steps and COLA only. No additional staff.

Julia Taylor motioned, and it was seconded, to recommend the Resource Development Office budget of \$844,474 as submitted. Motion carried. 4-0-0.

Regional Commissioners

Mark Zielinski, County Administrator and Finance Director, met with the committee to review the proposed FY 2014 budgets for the Regional Commissioners, Finance, Shared Costs and Debt, and Unfunded Liabilities.

Regional Commissioners

The Regional Commissioners budget request includes the Arts Foundation allocation of \$35,000 (\$10,000 from License Plate Fund and \$20,000 from the General Fund).

The Assistant County Administrator's position reflects a 75 / 25 cost split. \$93,778 (75 percent of salary and fringe benefits) are being covered by Cape Light Compact in FY 2014 and is reflected on the revenue side of the budget.

The one new position for a full-time County Administrator proposed for FY 2014 is reflected in the Commissioners budget while the full time Finance Director's position will be totally carried in the Finance budget. This is a change from FY 2013 where the cost for the County Administrator/ Finance Director's position was split between the Commissioners and

Finance budget. The new County Administrator will make a recommendation for the FY 2015 regarding the continuation or any other proposed changes to the 75 /25 split of the Assistant County Administrator in FY 2014. The proposed change in the FY 2014 is for transition purposes. The Assistant County Administrator is currently the County's Human Resources specialist. Julia Taylor and John Ohman favored this approach while the County transitioned to a new County Administrator. Leo Cakounes and James Killion did not favor waiting another year to remove the remaining 25 percent from the Commissioner's budget.

Increases in Group 1 salaries and wages reflect the new position and steps that are due within the department. There is also an increase in Group 2 contractual services for a job description and classification study that is budgeted at \$50,000. This study will assist the new County Administrator and should be done periodically. Group 9 fringe benefits are also increasing due to costs related to the new position.

Julia Taylor motioned, and it was seconded, to recommend the Regional Commissioners budget of \$639,171 as submitted. Motion failed. 2-2-0.

Finance

It was noted that an increase to Group 1 salaries and wages reflects full budgeting for the Finance Director's position (no longer split with Commissioners) and related steps for department staff, Group 4 charges and services reflects an increase in rates for general liability bonding.

Leo Cakounes motioned, and it was seconded, to recommend the Finance budget of \$704,367 as submitted. Motion carried. 4-0-0.

Shared Costs & Debt Service

These expenses relate to group health insurance, contributory retirement, and salary reserves (reflecting a 2 percent COLA). It was noted that Cape Cod Health Care has projected an 8 percent increase for FY 2014 and approximately 75 to 80 percent of County employees are at their maximum step.

Liability insurance, auto insurance, public officials insurance, unemployment, auditing and legal expenses, and advertising are also budgeted expenses in this category.

The Reserve Fund will be budgeted in FY 2014 at \$25,000 which is an increase over FY 2013.

Debt service has been a place holder but will be used in FY 2014.

There will be a vehicle replacement policy and fund established in FY 2014. \$200,000 will be allocated for departments and supplemental requests for spending will be made to the Assembly. Leo Cakounes requested a copy of the County's fleet schedule from the County Administrator.

Leo Cakounes motioned, and it was seconded, to recommend the Shared Costs and Debt budget of \$2,001,311 as submitted. Motion carried. 4-0-0.

Leo Cakounes added that he would like to be able to re-consider his position once all department budget figures have been reported and recommended to the Standing Committee on Finance.

Unfunded Liability

There is no specific section within the budget for unfunded liabilities but is part of a reserve fund. An explanation was provided for OPEB (Other Post-Employment Benefits related to the Health Insurance) and pension liabilities as they relate to County's balance sheets. Pension liabilities increase about 4 percent every year.

Information Technology (IT)

Bill Traverse, Interim IT Director, Keri Peters, and Mark Zielinski met with the committee to review the proposed budget for FY 2014.

Mark Zielinski offered an explanation for the increase in Group 1 salaries and wages. The increase is directly related to the service contract with the Town of Wellfleet and will have revenue offset in the FY 2014 general fund budget. The former director left and an IT assessment is being conducted by the Collins Center. No assumptions of position changes have been made to the FY 2014 budget and the Director's position has not yet been posted.

Group 2 contractual services reflect increases due to hardware and software maintenance costs associated with phone monitoring contracts and software assurances. In-state travel expenses will increase due to travel associated with the Wellfleet service contract and the proposed mileage rate change.

Mr. King, Wellfleet Assistant Town Administrator, would like to continue the service contract with the County because it offers a broad range of services that you cannot get when you hire one individual to do the job.

At this time there is no organized plan to offer services to other towns but that may change in the future. The needs of each town could be different.

Capital improvements of \$580,000 (for a bond) reflect increases for telephone hardware upgrades and software assurances that are necessary to maintain a reliable telephone system. The state will be changed back for its share of the capital costs associated with the upgrade.

Julia Taylor motioned, and it was seconded, to recommend the Information Technology budget of \$1,436,357 as submitted. Motion carried. 4-0-0.

Assembly

Janice O'Connell, Assembly Clerk, met with the committee to review the proposed budget for FY 2014. A brief history of IRS mileage rates was provided to the committee. A proposed increase from .41 to .55 will affect many County budgets. The last time the rate was adjusted was estimated at 2005.

The proposed Assembly budget reflects a Group 1 adjusted for a step and COLA for the Clerk, a Group 2 adjustment for the proposed mileage rate increase and a budget allowance for delegate conference and workshop attendance and training, and a Group 9 adjustment for increases in fringe benefits which includes health insurance and retirement contributions.

Leo Cakounes motioned, and it was seconded, to recommend the Assembly budget as submitted. Motion carried. 4-0-0.

Following some brief discussion no action was taken at this time to add any money to the Assembly budget for legal expenses.

The meeting adjourned at 4:50 p.m.

Submitted by:
Janice O’Connell, Secretary/Clerk
Assembly of Delegates

BARNSTABLE COUNTY ASSEMBLY OF DELEGATES
Standing Committee on Public Services
DRAFT Minutes
March 20, 2013

The Standing Committee on Public Services met to review the FY 2014 proposed budgets of the Registry of Deeds, the County Dredge, the Fire Training Academy, and Facilities on March 20, 2013, beginning at 1:30 p.m.

Committee members present: Chairman Richard Anderson, Cheryl Andrews, Ned Hitchcock, and Marcia King. Absent: Patrick Princi

Registry of Deeds

Register of Deeds Jack Meade and Dave Murphy met with the committee to discuss the department's proposed FY 2014 expense and revenue budget. It was stated that department staff was reduced and technology was used to improve services within the department.

Projected revenues for FY 2013 appear to be attainable and could be higher than what was projected by \$250,000 to \$500,000. Projected revenues for FY 2014 are not unreasonable and are anticipated to be higher than FY 2013 projected revenues by approximately 14.2 percent. In part, the increase in revenues could be attributed to an increase in sales volume and other economic factors.

Discussion.

Cheryl Andrews motioned, and it was seconded, to recommend approval of the requested \$2,718,881 FY 2014 Registry of Deeds budget to the Standing Committee on Finance. Motion carried. 4-0-0.

County Dredge

Dredge Superintendent Wayne Jaedtke met with the committee to discuss the proposed FY 2014 dredge budget. A new/additional dredge has been budgeted for FY 2014. The existing dredge has seventeen years of service and is becoming more expensive to maintain. Dredge volumes will increase and the income will be sufficient to support the cost of maintaining both dredges. There would be a sufficient amount of work available, including special projects and maintenance jobs, to keep both dredges operational. A new dredge with a larger hull could increase productivity by approximately 30%.

The charge for the service is related to pumping distance. 0 to 4,000 lineal feet is \$7.00 p/l/ft. Over 4,000 lineal feet is \$11.00 p/l/ft. A dredge schedule will be forwarded to the committee once it is received by the Clerk.

Discussion.

Cheryl Andrews motioned, and it was seconded, to recommend approval of the requested \$2,929,859 FY 2014 Dredge budget to the Standing Committee on Finance. Motion carried. 4-0-0.

Fire Training Academy

Fire Training Academy Director Lee Pareseau and Mark Foley met with the committee to discuss the proposed FY 2014 Fire Training Academy budget. Several of the larger increases proposed for FY 2014 are directly related to the new contract with the Massachusetts Maritime Academy. It costs approximately \$42,000 to run the program and revenues are between \$115,000 and \$118,000.

Vacancies and changes in staff and the use of additional staff for training purposes have created increases in the FY 2014 fringe benefit expense account.

A Citizen Fire Academy will be offered again in FY 2104 but in prior years has failed to draw enough interest from the public. The committee would like to receive notice when it will be offered again.

Eighteen new Academy recruits will graduate this year.

Discussion.

Cheryl Andrews motioned, and it was seconded, to recommend approval of the requested \$440,763 FY 2014 Fire Training Academy budget to the Standing Committee on Finance. Motion carried. 4-0-0.

Facilities

Steve Tebo met with the committee to discuss the proposed FY 2014 department budget. Major capital expenses budgeted for FY 2014 reflects repairs to the roof and facade of the Superior Court Building, and the fire escape at the Registry of Deeds Building. These projects will be expensive and take a long time to complete. Photographs were provided to document the need. (The handout of photographs will be considered an addendum to these minutes and available for viewing in the Clerk's Office).

Other capital expenses include ceiling repairs at First District Courthouse, engineering for drainage and sidewalk replacement, roof repairs and on-going window replacements at the old jail, and paving at Children's Cove.

Discussion.

Cheryl Andrews motioned, and it was seconded, to recommend approval of the requested \$3,395,393 FY 2014 Facilities budget to the Standing Committee on Finance. Motion carried. 4-0-0.

The meeting was adjourned at 3:20 p.m.

Submitted by:

Janice O'Connell, Secretary/Clerk for the Assembly of Delegates

Suggest that.....

The Barnstable County Assembly of Delegates adopt the alternative method of posting meeting notices as authorized and pursuant to

Massachusetts Open Meeting Law

- **Chapter 30A and the**

Massachusetts Attorney General's Regulations for Agency

- **940 CMR item 29:03 (1)(c):
Regulating Open Meetings Notice Posting Requirements, and**
- **940 CMR item 29:03 (3)(b):
Regulating Requirements Specific to Regional Public Bodies**

**thereby making the County's website the official posting place for
Assembly of Delegates public meeting notices.**



The Official Website of the Attorney General of Massachusetts

Attorney General Martha Coakley

Home Government Resources Open Meeting Law

940 CMR 29.00: Open Meetings

Open Meetings

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[29.02 Definitions](#)

[29.03 Notice Posting Requirements](#)

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[29.05 Complaints](#)

[29.06 Investigation](#)

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[29.10 Remote Participation](#)

29.01: Purpose, Scope and Other General Provisions

(1) **Authority** . The Attorney General promulgates 940 CMR 29.00, relating to the Open Meeting Law, pursuant to M.G.L. c. 30A, sec. 25 (a) and (b).

(2) **Purpose** . The purpose of 940 CMR 29.00 is to interpret, enforce and effectuate the purposes of the Open Meeting Law, M.G.L. c. 30A, sec. 18-25.

(3) **Severability** . If any provision of 940 CMR 29.00 or the application of such provision to any person, public body, or circumstances shall be held invalid, the validity of the remainder of 940 CMR 29.00 and the applicability of such provision to other persons, public bodies, or circumstances shall not be affected thereby

(4) **Mailing** . All complaints, notices (except meeting notices) and other materials that must be sent to another party shall be sent by one of the following means: first class mail, email, hand delivery, or by any other means at least as expeditious as first class mail.

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29.02: Definitions

As used in 940 CMR 29.00, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

Commission means the Open Meeting Law Advisory Commission, as defined by G.L. c. 30A, sec. 19(c).

District Public Body means a public body with jurisdiction that extends to two or more municipalities.

Emergency means a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.

Intentional Violation means an act or omission by a public body or a member thereof, in knowing violation of M.G.L. c. 30A, sec. 18-25. Evidence of an intentional violation of M.G.L. c. 30A, sec. 18-25 shall include, but not be limited to, that the public body or public body member (a) acted with specific intent to violate the law; (b) acted with deliberate ignorance of the law's requirements; or (c) was previously informed by receipt of a decision from a court of competent jurisdiction or advised by the Attorney General, pursuant to 940 CMR 29.07 or 940 CMR 29.08, that the conduct violates M.G.L. c. 30A, sec. 18-25. Where a public body or public body member has made a good faith attempt at compliance with the law, but was reasonably mistaken about its requirements or, after full disclosure, acted in good faith compliance with the advice of the public body's legal counsel, such conduct will not be considered an intentional violation of M.G.L. c. 30A, sec. 18-25.

Person means all individuals and entities, including governmental officials and employees. Person does not include public bodies.

Post notice means to place a written announcement of a meeting on a bulletin board, electronic display, website, cable television channel, newspaper or in a loose-leaf binder in a manner conspicuously visible to the public, including persons with disabilities, at all hours, in accordance with 940 CMR 29.03.

Public body has the identical meaning as set forth in M.G.L. c. 30A, sec. 18, that is, a multiple-member board, commission, committee or subcommittee within the executive or legislative branch or within any county, district, city,

region or town, however created, elected, appointed or otherwise constituted, established to serve a public purpose; provided, however, that the governing board of a local housing, redevelopment or similar authority shall be deemed a local public body; provided, further, that the governing board or body of any other authority established by the general court to serve a public purpose in the commonwealth or any part thereof shall be deemed a state public body; provided, further, that "public body" shall not include the general court or the committees or recess commissions thereof, bodies of the judicial branch or bodies appointed by a constitutional officer solely for the purpose of advising a constitutional officer and shall not include the board of bank incorporation or the policyholders protective board; and provided, further, that a subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

Qualification for Office means the election or appointment of a person to a public body and the taking of the oath of office, where required, and shall include qualification for a second or any subsequent term of office. Where no term of office for a member of a public body is specified, the member shall be deemed to be qualified for office on a biannual basis on January 1st of a calendar year beginning on January 1, 2011. Where a member's term of office began prior to July 1, 2010, and will not expire until after July 1, 2011, the member shall be deemed to have qualified for office on January 1, 2011.

Remote Participation means participation by a member of a public body during a meeting of that public body where the member is not physically present at the meeting location.

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29.03: Notice Posting Requirements

(1) Requirements Applicable to All Public Bodies

(a) Except in an emergency, public bodies shall file meeting notices sufficiently in advance of a public meeting to permit posting of the notice at least 48 hours in advance of the public meeting, excluding Saturdays, Sundays and legal holidays, in accordance with M.G.L. c. 30A, sec. 20. In an emergency, the notice shall be posted as soon as reasonably possible prior to such meeting

(b) Meeting notices shall be printed or displayed in a legible, easily understandable format and shall contain the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. The list of topics shall have sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting. The date and time that the notice is posted shall be conspicuously recorded thereon or therewith.

(c) Notices posted under an alternative posting method authorized by 940 CMR 29.03(2)-(5) shall include the same content as required by 940 CMR 29.03(1)(b). If such an alternative posting method is adopted, the municipal clerk, in the case of a municipality, or the body, in all other cases, shall file with the Attorney General written notice of adoption of the alternative method, including the website address where applicable, and any change thereto, and the most current notice posting method on file with the Attorney General shall be consistently used

(2) Requirements Specific to Local Public Bodies

(a) The municipal clerk, or other person designated by agreement with the municipal clerk, shall post notice of the meeting in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located. Such notice shall be accessible to the public in the municipal clerk's office. If such notice is not conspicuously visible to the public during hours when the clerk's office is closed, such notice shall also be made available through an alternative method prescribed or approved by the Attorney General under 940 CMR 29.03(2)(b). A description of such alternative method, sufficient to allow members of the public to obtain notice through such method, shall be posted in a manner conspicuously visible to the public at all hours on or adjacent to the main and handicapped accessible entrances to the municipal building in which the clerk's office is located.

(b) For local public bodies, the Attorney General has determined, pursuant to M.G.L. c. 30A, sec. 20(c), that the following alternative methods will provide more effective notice to the public:

- a. Public bodies may post notice of meetings on the municipal website;
- b. Public bodies may post notice of meetings on cable television, AND, post notice or provide cable television access in an alternate municipal building (e.g., police or fire station) where the notice is accessible at all hours;
- c. Public bodies may post notice of meetings in a newspaper of general circulation in the municipality, AND, post notice or a copy of the newspaper containing the meeting notice at an alternate municipal building (e.g., police or fire station) where the notice is accessible at all hours;
- d. Public bodies may place a computer monitor or electronic or physical bulletin board displaying meeting notices on or in a door, window, or near the entrance of the municipal building in which the clerk's office is located in such a manner as to be visible to the public from outside the building, or;
- e. Public bodies may provide an audio recording of meeting notices, available to the public by telephone at all hours.

→ (3) Requirements Specific to Regional or District Public Bodies.

(a) Notice shall be filed and posted in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

→ (b) As an alternative method of notice, a regional or district public body may post a meeting notice on the regional or district public body's website. A copy of the notice shall be filed and kept by the chair of the public body or the chair's designee.

(4) Requirements Specific to Regional School Districts.

(a) The secretary of the regional school district committee shall be considered to be its clerk. The clerk of the regional school district shall file notice with the municipal clerk of each city and town within such district and each such municipal clerk shall post the notice in the manner prescribed for local public bodies in that city or town.

(b) As an alternative method of notice, a regional school district committee may post a meeting notice on the regional school district's website. A copy of the notice shall be filed and kept by the secretary of the regional school district committee or the secretary's designee.

(5) Requirements Specific to County Public Bodies.

(a) Notice shall be filed and posted in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for this purpose.

(b) As an alternative method of notice, a county public body may post a meeting on the county public body's website. A copy of the notice shall be filed and kept by the chair of the county public body or the chair's designee.

(6) Requirements Specific to State Public Bodies. Notice shall be posted on a website in accordance with procedures established by the Attorney General in consultation with the Information Technology Division of the Executive Office for Administration and Finance for the purpose of providing the public with effective notice. A copy of each notice shall also be sent by first class or electronic mail to the Secretary of State's Regulations Division. The chair of each state public body shall notify the Attorney General in writing of its Internet notice posting location and any change thereto. The public body shall consistently use the most current notice posting method on file with the Attorney General.

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29.04: Certification

(1) For local public bodies, a document including M.G.L. c. 30A, sec. 18-25; a document including 940 CMR 29.00; and educational materials prepared by the Attorney General explaining M.G.L. c. 30A, sec. 18-25, and its application, shall be delivered by the municipal clerk to each member of a public body, whether elected or appointed, upon taking the oath of office, if required, and in every case before entering into performance of the office. Within two weeks after receipt of such materials, the member shall certify, on the form prescribed by the Attorney General, receipt of such materials. The municipal clerk shall maintain the signed certification for each such person, indicating the date the person received the materials.

(2) For regional, district, county or state public bodies, a document including M.G.L. c. 30A, sec. 18-25; a document including 940 CMR 29.00; and educational materials prepared by the Attorney General explaining M.G.L. c. 30A, sec. 18-25, and its application, shall be delivered by the appointing authority, executive director or other appropriate administrator or their designees, to each member of a public body, whether elected or appointed, upon taking the oath of office, if required, and in every case before entering into the performance of the office. Within two weeks after receipt of such materials, the member shall certify, on the form prescribed by the Attorney General, receipt of such materials. The appointing authority, executive director or other appropriate administrator, or their designees, shall maintain the signed certification for each such person, indicating the date the person received the materials.

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29.05: Complaints

(1) All complaints shall be in writing, using the form approved by the Attorney General and available on the Attorney General's website. A public body need not, and the Attorney General will not, investigate or address anonymous complaints.

(2) Public bodies, or the municipal clerk in the case of a local public body, should provide any person, on request, with an Open Meeting Law complaint form. If a paper copy is unavailable, then the public body should direct the requesting party to the Attorney General's website, where an electronic copy of the form will be available for downloading and printing.

(3) For local public bodies, the complainant shall file the complaint with the chair of the public body, who shall disseminate copies of the complaint to the members of the public body. The complainant shall also file a copy of the complaint with the municipal clerk, who shall keep such filings in an orderly fashion for public review on request during regular business hours. For all other public bodies, the complainant shall file the complaint with the chair of the

heads:
Other Business

MOTION: I move that the Resolution 13-01 "County Structure" be forwarded to the Charter Review Committee for their consideration as to the Re-structuring of County Government.

MOTION: I move that the Charter Review Committee be asked to consider the formulation of a Recall Provision to be included into the County Charter.

MOTION: I move that the Resolution 12-04 "Dual^a Representation of County Employee's " and MEMO Dated March 20 2013 from Attorney Robert Troy , County Counsel, to the Assembly of Delegates, re: proposed ordinance 13-~~13~~⁰³ be forwarded to the Charter Review Committee for their consideration as to the Counties responsibility as fiscal agent for organizations and its employees serving on these organizations Boards or Committees. Furthermore the Committee reviews Section 1-5 and other related Sections as they pertain to this matter referred to in Att. Troy's Memo.

MOTION: I move that the Charter Review Committee be asked to compile a "White Page" which, after deliberation will layout the general consensus of the Committee on specific areas within the Charter for proposed change. These Section shall include, yet not limit to, the "Re-Structure of County Government", a "Recall Provision", also "Representation by County Employees on Boards and Committees in which the County is Fiscal Agent." The "White Page" shall be presented to the Assembly of Delegates as a Resolution for their consideration and vote prior to the Committee expending funds on Counsel for final language .

Leols:
Other Bsn.

Proposed RESOLUTION 13-____

Whereas: The following Resolution was supported by the Assembly of Delegates.

RESOLUTION ---12-04 passed September 19 2012 85.95 yes / 13.34 no

Be it resolved that: The Assembly of Delegates hereby instructs the Speaker to seek the cooperation of the County Commissioners to obtain a restructuring of the Executive Positions of the Cape Light Compact, the Cape and Vineyard Electric Cooperative, Inc. and Barnstable County, in order to eliminate overlapping representation in these organizations. This restructuring shall include, without limitation, the Assistant County Administrator position and its duties and responsibilities, the Chief Financial Officer position and its duties and responsibilities, as well as the participation of these employees in the operation of the organizations they administer.

Whereas: The Cape Cod Regional Government, known as Barnstable County acts as a fiscal agent for organization such as Cape Light Compact and Cape and Vineyard Electric Cooperative.

Whereas: In order to perform said fiscal duties to the best of the Counties abilities, and limit the participation of the County employees in the operation of organization they administer.

Be it Resolved:

As of July 1 2013, No employee, or elected official of Barnstable County shall be employed by, serve as a Board of Directors, Trustee, or on any Committee, or Commission, appointed or elected, of an organization in which the Cape Cod Regional Government known as Barnstable County is the fiscal agent.

This shall not affect the employee's participation in any agency or department of Barnstable County government.

Furthermore: This resolution upon its adoption shall be referred to the Charter review committee for its consideration for insertion into the County Charter. Suggested site: Article 6-1 New Sec. (a) and subsequent adoption into the Manual of Governance and Procedures.

Respectively Submitted by Leo G. Cakounes , Harwich Representative Assembly of Delegates