

**CAPE COD REGIONAL GOVERNMENT  
ASSEMBLY OF DELEGATES**

**APPROVED Journal of Proceedings - June 17, 2015**

Speaker BERGSTROM: Good afternoon. Welcome to the Wednesday, June 17<sup>th</sup> session of the Cape Cod Regional Government, Assembly of Delegates.

I call this meeting to order. The meeting is being recorded by other than our normal recording.

So I will call the meeting to order. We'll 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 (78.90%): Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27%- Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% -Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).**

**Absent (21.10%): Marcia King (6.49% - Mashpee), Julia Taylor (14.61%- Falmouth).**

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 78.90 percent of the Delegates present; 21.10 percent absent.

Speaker BERGSTROM: Thank you.

Now we'll need a motion to approve the Calendar of Business.

Ms. MCAULIFFE: Move to approve the Calendar of Business.

Mr. LEWIS: So moved.

Speaker BERGSTROM: Okay. All those in favor?

(Motion carried.)

Speaker BERGSTROM: Now you should have received a copy of the Journal of June 3<sup>rd</sup> our last meeting. Are there any additions or corrections to the Journal?

Ms. MCAULIFFE: Move approval.

Speaker BERGSTROM: Hearing none. Is there a second?

Deputy Speaker MCCUTCHEON: Second.

Speaker BERGSTROM: Okay. All those in favor say "Aye". Opposed?

(Motion carried.)

**Communications from the Board of Regional Commissioners**

Speaker BERGSTROM: Okay. We have three of the County Commissioners

here.

Commissioner LYONS: Good afternoon.

Speaker BERGSTROM: Are you guys doing double-duty?

Commissioner CAKOUNES: Triple duty.

Commissioner LYONS: Excuse me, good afternoon. I know I sometimes feel like I must be totally incompetent from being able to give this report.

But, anyway, I asked specifically Commissioner Flynn to come up here because I'm sure -- I just wanted to welcome her back. She was a little bit ill. A lot of you haven't seen her, and we are just very happy that she's sitting here with us today.

Yes, I know. So if I'm embarrassing you, I apologize.

So today we had a -- lots of things but the meeting went by pretty quickly in consideration. We did have a presentation by the IT Department on the results of their satisfaction survey, which they did with the employees of the County. Forty percent responded. So I think I would take this opportunity to encourage people to respond to those surveys when they are sent to them because the bigger number.

But you can see that from 2012 to now there's been quite an improvement in our IT Department which is what we were looking for. And I am happy to report that it is progress that is continuing and very good response and good suggestions for going forward.

One suggestion; I put forward along with other comments was that it would be good for them to do workshops for employees or any of us say if there's a new software that's being introduced and they have to use it, so there's a thing around that.

But, you know, Excel, any changes that happen in Word; an iPad lesson for all those who have iPad lessons. Those would be good things, so I think that they're going to start looking at those types of services for employees as well.

We do have a grant agreement before you today with the town of Dennis. We're completing the ARC. We did approve that today, so it is before you, so we can wrap that up by 2015.

We also have -- we approved the sale of a bond that will represent the issues that were discussed all through Finance for 2015. And Mr. Lawton is here if you have any further questions on that.

We did establish a special review -- revenue account specific to IT regional services. This is because the town of Chatham has now contracted, and contracted in the midst of finalizing that contract, with IT for phone and email services.

So because that there was money taken, they don't have that money in reserves now, there is going to be an account established where the revenue from Chatham will go directly in and then it goes directly to the reimbursement of services to the IT, and it doesn't get into General Funds and that sort of thing.

So that has been done, and we are waiting for the final agreement between Chatham and IT Department that was discussed today as well.

And the Village Association will resume their summer concerts and farmers' market here on the Superior Court, and we approved permission for that today.

And we also -- we were informed by today and had a discussion with Mark Zielinski who has decided to basically retire from County and from being our Treasurer in the County.

You know, Mark has served the County for 21 years, and I think he did everything that was asked of him, and I think he did it to the best of his ability.

He's been a very loyal employee, and I think we will be sorry to see him go but we do hope that he may be available, you know, we may have to call him back in for some stuff and hopefully he'll be up for that. But right now, I think he has to take care of Mark, and we wish him well.

And with that, there is an Ordinance that I did hand in so that I didn't have to walk across, you know, I'm so lazy. On the Human Rights, it's basically an amendment to the original Ordinance stating there was an agreement between the committee that the supervisory function would be taken on by the Administrator and not the Department of Human Services. That seemed to be agreed to by all.

Dr. O'Malley was on that committee, so I'm sure he can explain to you in more detail those conversations and that decision. But we signed off on that today and that is before you, and you'll be dealing with it next week I'm sure or the next time you meet.

Speaker BERGSTROM: Thank you. Any questions for the Commissioners on their actions today? Yes, starting with Suzanne.

Ms. MCAULIFFE: I just wanted to double-check. So the IT revenues coming in from Chatham will go into -- just into the IT Department as revenue into IT? Almost an enterprise-like situation?

Commissioner LYONS: Well, I'm not going to use the word "enterprise" because that wasn't how it was -- it's more or less what was set up for the Public Health. Is it called a revolving account?

Commissioner CAKOUNES: Special Revenue Account.

Commissioner LYONS: Special Revenue Account. So it's specific to Chatham and IT. So that is an account that's set up between Chatham and IT.

Ms. MCAULIFFE: So just Chatham then?

Commissioner CAKOUNES: No.

Ms. MCAULIFFE: No? It's to everything? The only reason I bring this up is I know that when we were talking about the projections for potential IT revenues that they came in with well over a million dollars and we tacked it off thinking that that was really, you know, aggressive.

I'm just wondering if we want to have all the IT revenues going into the IT account as opposed to into the General Fund if it turns out that revenues are as high as they potentially could be --

Interim Finance Director LAWTON: To clarify, I think we heard the Assembly loud and clear that we weren't going to set up the -- I think we had estimated 400,000 adding new people saying what the message that we received was be entrepreneurial but do it within your current budget.

So what the IT Department has decided to do and the Special Revenue Fund for Chatham and other communities who want specific services that the funding would come in from that town, go into to the Special Revenue account and go right back out.

It's wonderful and there would be a slight amount of overhead but it's not going to be put in the General Fund to be used by others. It is just designated for that one account. So if the town of Yarmouth wanted some services, in and out. It would not be -- it's not a money-maker at this point.

There is work that's going to be done, thanks to Mr. Killion, to do -- finish a marketing review, determine what we could in effect do to gain some extra income for the County as a whole but this is kind of an interim step.

Speaker BERGSTROM: Yes.

Ms. MCAULIFFE: Just a follow-up.

Speaker BERGSTROM: Yes.

Ms. MCAULIFFE: So this is interim and going forward, let's say the marketing works and we end up with \$2 million coming in next year. And it would still go into this revolving fund until we decide to do things differently?

Interim Finance Director LAWTON: Yes, because if we're at that level, most likely additional employees would be necessary and we would, at that point, someone (Indiscernible) the time would be presenting to you through the IT budget an increase in staff that would be totally offset through income.

Commissioner LYONS: And can I just say one thing? You just repeated my mistake because a revolving account and that's not what it's called, so let's just --

Ms. MCAULIFFE: Special Revenue.

Speaker BERGSTROM: Bob, just to clarify.

Interim Finance Director LAWTON: Sure.

Speaker BERGSTROM: You're saying that when Chatham contracts services with the County, there is an expense to the County involved in that. In other words, it's sort of a pass-through?

Interim Finance Director LAWTON: Yes, sir.

Speaker BERGSTROM: So, basically, if we wanted something done to the website, the County would take care of that and they would pay whoever does it?

Interim Finance Director LAWTON: Right.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: Because the County can do a better job of aggregating services, get a better price. And then through the IT Department, make those available to towns and that there'd be an Intermunicipal Agreement that would be signed by the Commissioners, but it would be really dollar for dollar in and out.

Speaker BERGSTROM: Okay. Do we have some other questions here? Yes, Ed.

Mr. LEWIS: Just one. Good afternoon. Just one, on behalf of the town of Brewster. Mark Zielinski was a tremendous representative for the County, and whatever we asked Mark to do, come in and talk to the Board of Selectmen or the Finance Committee, Mark was very willing to do it.

And in my dealings with Mark when it came to the Compact or CVEC and all the negotiations we had, he did a tremendous job. And I don't want anybody to think that it was just, well, now we're going to do it even better because Mark really was a tremendous representative of County government when it came to the local areas where very few people from County government ever get involved with the local towns or at least with Brewster. So I want to compliment Mark and wish him the very best.

And the next question is where do we stand because we haven't heard at all, to my knowledge, from Mr. -- from the Collins Center? I don't want to mispronounce his name.

Commissioner LYONS: Mr. Kobayashi.

Mr. LEWIS: Because it will sound bad if I mispronounce his name.

Commissioner LYONS: Well, I think in a perfect world he would have, you know, if we had a year to think about this, everybody would have been talked to. He did put forward a proposal to us last week. We approved -- excuse me, a profile. So this is the final product that will go out as a job description to people.

We did approve the final draft of that. He did talk to quite a few people. I know he didn't get to be as much -- but time is of the essence so he had to make us, I'm sure, a judgment call at some point.

Mr. LEWIS: Well, it's kind of disingenuous to a certain extent because we were told, maybe the last meeting or the meeting before that the Collins Center was going to at least come to the Assembly and get a feel for what the Assembly wanted, what they thought as far as the job specifications and -- would be in this profile.

And, obviously, whoever he talked to, other than the Commissioners, he didn't talk to the legislative part of the government, and I think that's wrong. Okay. Just so I put myself on record.

Commissioner LYONS: Okay.

Speaker BERGSTROM: Yes, where are you? Jim.

Mr. KILLION: Thank you, Mr. Speaker. We're going to be, obviously, discussing the ARC project today. Can you shed some light on the need to loan or grant or whatever the amount of money to the town of Dennis to the County in order to give them our share?

Because it was my understanding that the funding coming from the state was not predicated on being spent by the end of the fiscal year. So why is it that we need to have this transaction completed within fiscal year '15?

Speaker BERGSTROM: Do you want to have --

Commissioner LYONS: Would you like to --

Speaker BERGSTROM: Mr. Clark or whoever's competent to answer that or even if you're incompetent.

Commissioner LYONS: I'll give it a go but why not have it --

Interim Finance Director LAWTON: And Bill can add to the details. I think my understanding was that the town of Dennis needed to have a commitment from the County for the \$250,000 because they needed to close on the transfer before June 30.

We cannot because the Ordinance, even the one you're going to do today to confirm is for FY16. So the town of Dennis had, my understanding is, appropriated the full amount of the borrowing for the restriction and they're going to pay that, and we will pay them back our 250 by July something.

Mr. KILLION: I understand that.

Interim Finance Director LAWTON: Okay.

Mr. KILLION: But do you know why it has to be transacted before June 30?

Interim Finance Director LAWTON: I do not, sir.

Mr. KILLION: The man behind you --

Interim Finance Director LAWTON: He probably does.

Mr. BILL CLARK: The state has entered into a contract with the town of Dennis to close on June 25, and it was the state's request to close before -- during this fiscal year.

Mr. KILLION: Just because? It doesn't have anything to do with the state bonding happened to be in this fiscal year?

Mr. BILL CLARK: The Executive Office of Environmental Affairs, I think it is, contacted the town, this is what I was told, and indicated they would like to close prior to June -- July 1.

Mr. KILLION: For no other reason than they just wanted to do it? There was nothing to do with finances?

Commissioner LYONS: I think the money has been appropriated for 2015. They have to expend it.

Mr. KILLION: The bonding from the state is not predicated on the fiscal year?

Mr. MCMANUS: As it's been explained to me by Senator Wolf is that the appropriation that was done for this current fiscal year, if it goes past July 1, if they have to then go through an entire process of re-appropriating.

Mr. KILLION: Which appropriations are those?

Mr. MCMANUS: They're appropriations.

Mr. KILLION: No, no, but this 1.5 is the bond bill.

Mr. MCMANUS: The bond bill doesn't matter. But to spend the bond bill, there needs to be an appropriation before your appropriation runs out at the end of June.

Mr. KILLION: Okay. It was explained to me differently that it did not matter if it went beyond June 30.

Mr. MCMANUS: No.

Commissioner LYONS: No. That is not -- nobody has stated -- who is dealing in this, between five attorneys, the state, legislators, and towns that has not been said, so I'm not sure who said that to you.

Number two, this is within the appropriation year. They need to have it done. All this is is, Jim, you and I are going to go into a place. I left my coat inside but to get in, I've got to pay another \$20. So would you give me the \$20 until I get in and then I'll give you my money. And that is basically what is happening here. So, it's --

Mr. KILLION: No, I understand the transaction.

Commissioner LYONS: And the money has been appropriated by this board.

Mr. KILLION: I understand that.

Speaker BERGSTROM: Just let me interrupt -- why you guys are interrupting.

Commissioner LYONS: No, we're not interrupting. We're having a conversation.

Speaker BERGSTROM: I have been, obviously, contacted by Senator Wolf's office. Senator Wolf has been one of the point people on this in that he explained to me that the state wanted to close before -- they wanted the money to be appropriated and all the ducks to be in a row by the end of the fiscal year.

Now what goes on in Boston in the battles of their finances is beyond our ken. So I mean I have to trust him when he says that. I'm sure he's not just in a hurry to do something else.

So that's my understanding right now. I mean it's a moot point because we have -- you guys have voted for it and we have it on our agenda today.

Commissioner CAKOUNES: We haven't voted on it. We're waiting for you to vote on it.

Speaker BERGSTROM: Well, Leo disagrees with me. So unless we can shed any further light on this scheduling, I think we've pretty much beaten this to death.

Are there any questions on anything else? Yes, Linda.

Ms. ZUERN: I just have a question now. Was it voted -- oh, I'm sorry, was it voted on at your meeting or not voted on?

Commissioner LYONS: We have sent over the Ordinance. Today, we approved the conservation agreement.

Commissioner CAKOUNES: No.

Commissioner LYONS: I mean the restrict --

Commissioner CAKOUNES: We approved the loan from the town of Dennis to us.

Commissioner LYONS: Yes.

Commissioner CAKOUNES: That's what we did today. It has nothing to do with what --

Commissioner LYONS: And that is what the -- and that is what the town of Dennis required for them to be able to do that.

So, everything has been passed. This body passed the 250,000. There was a hearing on the conservation and on the plan itself. And the town of Dennis agreed to put up -- to upfront the money knowing that we couldn't access our 250 until after.

So today, we just -- and then after this meeting today once you approve what we went over, we will have a meeting to approve the sales agreement and conservation restriction together.

Ms. ZUERN: Thank you.

Commissioner CAKOUNES: Can I see the mic?

Speaker BERGSTROM: For once people are complaining that government is moving too quickly.

Commissioner LYONS: I think people will complain no matter what.

Speaker BERGSTROM: Yes.

Commissioner CAKOUNES: Mr. Speaker, just because this is our time that we come before you, where we have had a meeting in between your meetings, there were a couple other items that I would just like to bring to your attention that we did on June 10.

One of them was we voted to sign a letter. It's actually a petition requesting that the Mass. Division of Fisheries extend the fisheries limit for the size -- specific size net from the present 3 mile limit out to the 12 mile limit.

And I'm proud to say that I brought that forward and we had full corroboration of the Fisherman's Alliance out of Chatham and they asked us to support that.

And I believe you probably, your towns, will probably be seeing the same request to join that through your Selectmen.

The other thing we voted to do is the members who are on the Fire Academy, I know -- I think it was mentioned the last time we were here; we did on June 10 vote to extend the report date for the Fire Academy from July of 2015 to December of 2015. It's just to allow that committee to really move forward and get some important information.

We also, for your knowledge, you should know that we did approve to extend Michael Brillhart's Interim Administrator contract until November 4. So that's also some good news.

We also had some discussion and actually voted a summer meeting date which, ironically, we found out today we're not going to be holding to because I don't think we were planning on meeting next Wednesday but now we are. But just to let you know it appears that we'll be meeting a little less through the summer. And that schedule will be

available for you.

On kind of a -- one of the items that we did approve on June 10 and I just report this because I was sitting on the Assembly when the Assembly voted to support the Plano-Metrics Program through Cape Cod Commission. We actually voted or approved to the contracts with both Mashpee and Bourne to join the Plano-Metrics.

And I apologize; I don't have the complete list in front of me. But I want to say that at least six towns or seven towns are participating in that. And I think that's a really good program and I'm happy to say -- proud to say that I supported it.

One other thing, if I may, take a little bit of leeway, Mr. Speaker? And as a citizen who has sat out here and watched this procedure and certainly as an Assembly member and now as a Commissioner, I would respectfully request that when you put your agenda together, if you're going to be looking at a specific Ordinance that does, in fact, impact a department that you in the "Committee as a Whole" section, as you've done today, allow that department to come here and speak on it.

Because I know the last time I was here, there was some kind of unhappiness of the fact that department heads don't come in front of your board when they know something is on the agenda. And quite frankly, I want to tell you that, you know, I would feel the same way if you were going to talk about me under the "Assembly Convened" aspect of this agenda because I can't comment on it. You need to go through a process of suspending the rules.

And I think that sends a general message to some of our department heads that may be, may be the reason why that some of them don't attend when they see a specific issue under that section. The only other thing we could do is change your procedure entirely, but I think just by doing it the way you did it today is really a good move.

And I want to say, for one, it's great that, you know, without doing that though it's very hard for department heads to come here and really express their feelings on issues that you're going to be voting on.

So, thank you.

Speaker BERGSTROM: Okay. Yes, Brian.

Mr. O'MALLEY: If I could, a clarification on action today regarding the fishing restrictions. I was at the CCSCA meeting over on Nantucket last month and this was referenced.

I recall it as they were pushing for a 30-mile limit. Was this 12 miles a compromise that came up? Was that an issue of a debate or am I remembering it wrong?

Commissioner CAKOUNES: The gentleman that contacted me from, actually, Nantucket that brought this forward originally, did not express to me that they were requesting the 30-mile limit. What was told to me was that all other coastal communities from -- as far up as Maine all the way down to our zone, beginning of our Zone 1 is currently at 30 miles.

And they did not want to ask for that go out to 30 miles. They thought that it would just be nice to just ask for the 12. That's the way it was conveyed to me.

Mr. O'MALLEY: Okay.

Commissioner CAKOUNES: Whether there was an original request to go to 30 or not, Dr. O'Malley, I can't answer that. But the way it was presented to me --

Mr. O'MALLEY: I remember that. They may have contracted their expectations.

Commissioner CAKOUNES: I know there's a lot of support for the 12.

Mr. O'MALLEY: Yes, good. Thank you.

Speaker BERGSTROM: Okay. Well, thank you, very much.

Commissioner LYONS: Thank you.

Communications and Discussions with Cape Cod Commission Staff and County Staff

Speaker BERGSTROM: Next we have Communication and Discussions with Cape Cod Commission staff and County staff concerning the HOME Program and Proposed Ordinance 15-03, which will be deliberating on shortly.

MS. PATTY DALEY: Thank you. I'm Patty Daley, Deputy Director at the Cape Cod Commission and this is Beth Albert.

Ms. BETH ALBERT: Beth Albert, Director of Human Services.

MS. PATTY DALEY: And with me also is Gail Coyne of the Cape Cod Commission, our Fiscal Officer, and Michelle Springer who is an Administrator of the HOME Program that's under discussion today.

Paul Niedzwiecki was hoping to be here today to address this issue with you. He was in Worcester and he got held up so he's on his way back. If he shows up, I will relinquish my seat and let him proceed.

So I just wanted to take a little bit of time to talk about the background of the HOME Program as well as the budget request that's in front of you.

So the Cape Cod Commission is basically a planning and regulatory agency. We spend a lot of time planning and providing technical assistance to towns.

The HOME Program is unlike much of the work we do. It's a programmatic administrative program. So it doesn't really support our core mission to do housing planning across the region.

The other point I wanted to make is that the HOME Program is a County program. It's not the Commission's program but we've administrated it over the past 23 years on the County's behalf. So it's the County that's responsible for meeting HUD, federal HUD regulations as well as any potential noncompliance that comes out of running that program.

In the 2014 to 2018 Barnstable County Strategic Plan, there was a recommendation that the HOME Program be transitioned from the Cape Cod Commission to County Human Services. And this was in recognition of the fact that it is an administrative program that Beth's department is administering federal grants and that there was an efficiency in some strength in those complementing -- running those complementary programs out of the same department.

So Paul Ruchinskas, as you all know I think, managed that program for the Commission for the past 12 years. Paul had very specific expertise in that program. But in November of 2015 he retired. So upon Paul's retirement, I'm sorry, 2014; correct.

Upon Paul's retirement, we took a step back and kind of re-examined what kind of work we wanted to do with our housing planning goals for the region and how much effort we had expended through Paul really in supporting primarily an administrative program.

And at that point, we reached out to Beth and began to talk about whether there was an interest in pursuing transitioning the program over consistent with the strategic plan.

And as result of those conversations, a transition plan was developed through the Annual County Budget process and presented to you in the FY16 budget. And I think this was an example of County staff really working together to identify what we felt was the appropriate location and appropriate resources to ensure that the program was adequately funded and managed.

So, while -- I should say since Paul's retirement in 2014, I just wanted to point out that his responsibilities at the Commission, not only with respect to HOME but his other responsibilities, had been taken on by multiple members of our staff.

In November of 2014, myself and Gail Coyne attended a HUD two-and-a-half-day training session on the HOME Program at which we both received this excellent notebook which has a partial reproduction of their rules, regulations, and policies. So it's not a program to be taken lightly. Beth couldn't make that particular training session but she attended one in December in Philadelphia and got the same training as us.

So I think it's through that effort we've been shored that we've got the program covered.

Leslie Richardson of our office who is our Economic Development Officer oversaw the update of the 2015 to '19 Consolidated Plan which lays out housing goals for the region in the next five years, and that was properly filed with HUD in May.

Michelle Springer, our HOME Program Coordinator who previously worked with Paul has gotten additional training and really stepped up in taking more responsibilities in managing that program. And it's really Michelle who kind of single-handedly has run the day-to-day administration of that program since Paul's departure.

That said, we have Paul Ruchinkas on contract in order to assist us when items pop up that we're unable to resolve on our own.

And then finally, Jeffrey Ribeiro who's one of our Regulatory Officers and has an Urban Planning degree is reviewing Development of Regional Impacts under our Regional Policy Plan as they come in for affordable housing issues.

So I just wanted to point out that the Commission staff has continued to convene and support the work of the Housing Consortium and support the HOME Program, and that Beth has been working with us since Paul's retirement to ensure proper training and good coordination between us on how to move forward with this program.

So that brings us to the budget. So in the FY16 budget, we proposed that the program be transitioned, and there was one-and-a-half FTEs direct to support that program.

I know that at your last meeting there was a question of whether any information had been provided on this. There were three memos that were provided to the Assembly.

The first was from myself and Beth dated January 21, 2015, and that was submitted to the Standing Committee on Human Services.

There was a second memo from both myself and Beth dated February 25 also submitted to the Standing Committee on Human Services. And those memo broadly outlined the reasons why we felt this transition made sense, not only because it was called out in the strategic plan, but also (A) because it ensured the Commission could get back to its core mission of the important job of housing planning in the region and it also created efficiencies with the federal programs that Beth is administering in her shop.

There was a third memo that supported the supplemental budget request after the

funding was stripped out of the Human Services budget, and that was a memo from me to Michael Brillhart, and that was on April 24 of this year, filed with the Assembly Clerk in advance of the May 20 Public Hearing on the supplemental budget.

I'm almost done. I just wanted to outline also the meetings that we've attended just so you understand that, you know, we tried to really plan this ahead of time and be proactive because we knew this was unusual transitioning a project from one department to the next.

So in that regard, on January 21 of this year, pre-FY16 budget submission, we met with the Standing Committee on Human Services. We asked for that extra meeting early on because we knew that questions might come up and we wanted to be able to address those.

On February 25, we met with the Standing Committee on Human Services at their meeting. February 25, so that's budget meeting. Also on February 25, Standing Committee on Natural Resources, that was the Commission's budget meeting. March 25, 2015, Standing Committee on Finance. April 1, 2015, Standing Committee on Finance Public Hearing. April 8, Standing Committee on Finance meeting. April 15, the Assembly meeting vote on the FY16 budget.

When the budget was amended, we went back to the County Commissioners to ask for direction, and they directed us to file a supplemental budget request, which is why we're here today. So we did also attend a May 20 Standing Committee on Finance Public Hearing on this.

And I just want to also say in regards to some questions that I know that came up, we've gone back through the last two years of staff timesheets for both Paul Ruchinkas and Michelle Springer, and the time put in by those two individuals equals one-and-a-half FTEs. So we've confirmed that that's -- that is a correct budget amount we think to adequately staff the program.

Speaker BERGSTROM: Any questions for Ms. Daley? Yes, Ed.

Mr. LEWIS: Thank you, Patty --

Do you have any idea to do this program what Paul and Michelle's time -- what the numbers would equal as far as the budget from last year in this program?

And if Paul and Michelle were primarily administering the program, do you have any idea as to how much their time was used on this program as against their total budget as it relates to salaries, travel, fringe benefits, the whole --

MS. PATTY DALEY: I don't know. Gail, if you want -- you're talking time versus other direct cost or fringes?

Mr. LEWIS: Whatever, you know, if you're putting out a supplemental appropriation of 175 grand or 174,7, and that which was used to this program in the Commission budget in the past is staying with the Commission. In other words, you stated that Paul and Michelle were doing primarily administering this program and you wanted to have more of the planning, which was your original concept.

So all I'm trying to find out is how much -- if the majority of their time was used totally -- I don't need an exact numbers, just round, because it appears, and I support the program completely, and I think it's a good program, and I'm just trying to get some idea. Because the money is staying with you even though -- and you did the program in the past, you're transferring the programs; you're not transferring the money. There's new

money --

MS. PATTY DALEY: Correct.

MS. GAIL COYNE: Paul Ruchinkas who worked for the Commission was not supported at all by the HUD grant. So the Commission supported his contribution to that program over the years. We are going to fill that position with another affordable housing specialist to affordable housing planning.

Beth would take Michelle over with her, so we will not keep that cost at the Commission. Michelle would move over to the Human Services program.

So to answer your question, I think there's a request in front of you for roughly 175,000.

Mr. LEWIS: Right.

MS. GAIL COYNE: It represents two full-time equivalents; one-and-a-half to support the HOME Program and the other half to support the Continuum of Care program, also a HUD funded program that Beth is now administering. That's why there's a request for the additional --

Mr. LEWIS: But if you're administering that program now, you obviously are supporting that financial; am I incorrect in that?

Ms. BETH ALBERT: There's a \$20,000 planning grant that goes along with this for -- its HUD money so there is a planning grant that will be used to help administer that. In addition, next year's what we're being told is that the percent -- similar to HOME, they provide you an administrative percentage.

Last year and the year before, it was 3 percent of what comes to the region. So that equated to about \$21,000. Next year, it's at 6 percent so it will be about \$50,000, so it will offset almost entirely that half-time position. Yep. Does that answer the question?

Mr. LEWIS: Yes. Thank you.

Ms. BETH ALBERT: And my understanding historically is that the HOME Program does require a 1.5 FTE to administer -- is that a fair?

MS. GAIL COYNE: Yes, fair.

Ms. BETH ALBERT: And that I think is what your answer --

Mr. LEWIS: I don't disagree with that.

Ms. BETH ALBERT: Okay.

Speaker BERGSTROM: Pat.

Mr. PRINCI: I just want to say I'm very supportive of the HOME Program, and that's for all your work, Cape Cod Commission, over the years doing this so well in this region as it's a huge issue, affordable housing workforce et cetera.

But my only concerns are generally the finances behind it because I don't understand how a lot of other communities, other regions in the country are able to administer this type of program with the monies that are allotted through the grant itself, and why -- are we just like -- we just pay people to -- I don't know if we're paying people too much or -- I know if the cost of living is high here, which is the need for a program like this, but that sort of confuses me why we're putting so much money in.

And my second question to that is why are we -- Paul Ruchinkas was there for so long, as we talked about, I think Suzanne brought it up, the COLAs and the pay increases and so forth, why are we starting out at such a high rate for -- I mean what was his salary in comparison to what we're starting with on his equivalent that would step in and run

this?

Ms. PATTY DALEY: Let me jump in on the first question first. Even HUD's own materials around the HOME Program state straight out the administrative funds that are granted through HUD will not pay to administer this program.

So when Gail and I were in Boston, spoke with many different people from across the state in many communities who all of those communities have stepped up and provided resources to administer the program over and above the 10 percent administrative fee that's allowed.

Mr. PRINCI: The second question about Paul's salary in comparison to his salary, the starting position?

MS. GAIL COYNE: Yes, I believe when Paul left the Commission, he was maxed out at an SAT6, Step 8, but it's being budgeted as SAT6, Step 1. So it is a reflection.

Ms. BETH ALBERT: Right. So it's coming in at the lowest level.

Speaker BERGSTROM: All right. Let me just jump in here for a minute. I guess to be honest with you, I don't really know that much about the HOME Consortium, and I suspect, although I could be wrong, that most of the Delegates are not experts on it either.

But we do know a little bit about how the County is structured, and I think the difficulty initially when we got the budget was that we don't ordinarily get into the details of the Commission's budget. You guys are pretty much self-sufficient; okay.

Now you made a decision to take whatever monies that you have that's revenue and put it toward a different profile as far as affordable housing specialist rather than administer this program. I mean I know you have said that there was, what, you know, you thought you weren't in the administration business. But basically you made a decision that we're not going to do this anymore; we're going to -- whatever money we used to do this, we are now going to do something else, and we're going to transfer the responsibility to the General Fund, the general County budget. Okay.

So all of a sudden we see something, and this follows up on Ed's comment, Ed Lewis's comments that we see something that was covered before and we didn't have to worry about it. Now all the sudden shows up on our budget, and we think to ourselves, well, how do we do this without this \$170,000? And the answer is \$170,000 -- whatever money was spent on it before is now going toward another purpose. You guys decided to do something else.

Now it also is coincidence that you say, well, it was a philosophical decision. We decided that we wanted to be more of an outreach regionalization and so on. Coincidentally, the guy who used to do the program also left.

So right away we get a perception that maybe there were other reasons why this was sloughed off.

So I'm just saying is that I'm on board with Pat and Ed. I support this program. I think that there have been difficulties since it's as much our fault as we haven't been following as Commissioners or anybody else, but it seems that we don't have any -- in other words, we don't take any oversight over what the Commission does. It wasn't our decision to transfer these funds and say, "You're not going to do it anymore; we're going to have the County do it and come up with another 170 grand." That was the decision made by you and the Commissioners.

MS. PATTY DALEY: If I might just briefly?

Speaker BERGSTROM: Yes.

MS. PATTY DALEY: When we initially took on this program 23 years ago, there was not this level of regulation at that point. And I've got to say I think the administrative duties of the program have grown.

So more and more time of that affordable housing specialist position has been taken up administering a program.

Speaker BERGSTROM: I'm not -- I'm just glad because I see a representative of the Cape Cod Commission complaining about the level of regulation.

What kind of a book do you have there? I understand.

MS. PATTY DALEY: Hopefully ours is a lot thinner.

Speaker BERGSTROM: Okay.

Mr. LEWIS: I don't think so.

Speaker BERGSTROM: So, it's expected -- so, basically, Beth, you are, obviously, your department is going to have to administer this program. You need a position and a half, and that's the appropriation we see in front of us.

Ms. BETH ALBERT: Yes.

Speaker BERGSTROM: And how often does this come up? How often is this program renewed or is just continuing without --

MS. GAIL COYNE: Every year there's a grant to the County.

Speaker BERGSTROM: Okay. So every year this will come up again next year on our budget?

MS. GAIL COYNE: Right. The consolidated plan that was just filed last month is a five-year plan. So we lay out goals for the five-year period. But the award to the County is annual.

Speaker BERGSTROM: Yes, Suzanne.

Ms. MCAULIFFE: The problem is the grant is under \$400,000, and the issue is we had 23-years-worth of grant accepting that we have to monitor. So if you want to look at it very close-up and short-term, why are we paying \$174,000 to get a \$370,000 grant? But that's too simple.

It's because we are monitoring 23-years-worth of whatever the grants were. And it's not only regulations -- or it is the regulations but the monitoring on the regulations.

So I mean I think my question was is this worthwhile, and I think, obviously, it's not an issue for us to decide, but I think certainly the powers that be need to look going forward, is this something that we are benefiting enough from that this is worth continuing?

It's not a question for today. It's not a question necessarily for the Assembly. But you need to take a hard look at making sure that we are doing something that is actually benefiting and is worthwhile.

MS. GAIL COYNE: Just to add, over the 23-year-period, the County has been awarded over \$14 million for the program.

Speaker BERGSTROM: Okay. Beth, did you want to have some comments?

Ms. BETH ALBERT: No, I'm fine.

Speaker BERGSTROM: You're all set?

Ms. BETH ALBERT: Yes.

Speaker BERGSTROM: Okay. Linda and then Pat.

Ms. ZUERN: Just as you said, Patty, this wasn't the core, you know, of what you're doing. I don't think it's really the core of County government either. There are other agencies and organizations that could probably take this over and do a better job, and we just don't have the money to be adding on to something like this.

So I said this at the last meeting, I think another agency should be looked at to take this over, and it just shouldn't be moved over to the County government. I just don't think we should take it on right now.

Speaker BERGSTROM: Pat, did you have a comment?

Mr. PRINCI: Sure. I just -- part of the confusion last time, I'm sorry, was partly on me because I had had conversations throughout this whole process trying to see if we could have you guys get rid of it to us, and if we could somehow get rid of it to a housing agency or another entity that could possibly do it better than we could.

That's certainly no disrespect for the way you manage and run your department. You do a phenomenal job and thank you for that.

But my last discussion that I was having with the Cape Cod Commission were such rather than it all come on to us, the County, is there any way that we could possibly share some of these responsibilities and roles to reduce this cost here that the County's putting out. Whereas, every year when the renewal application comes in since the Commission's so well verse and has been doing that for so many years, could we offset some of our administrative costs and have the Commission step up and help out?

What I was told is that that could happen; what do you have to say about that and is that a possibility?

Ms. PATTY DALEY: Just Paul has talked about a one-time -- we have a dedicated fund for affordable housing, we could make a one-time payment this year on the revenue side to defray this additional cost to the supplemental budget.

So I think, you know, we certainly can't commit to annually doing that, but we could in this one instance because we have a dedicated housing fund do that.

Mr. PRINCI: And as far as, if I could, Mr. Speaker?

Speaker BERGSTROM: Yes.

Mr. PRINCI: As far as I understand the way the whole consortium -- the HOME Program's run is that, you know, there are representatives from every town. Now would it be feasible possibly for a Housing Authority to take it over even if the Housing Authorities are town by town, it's a regional program, if it's just administered by a local housing authority?

MS. PATTY DALEY: It has to be a governmental entity. So it can't --

Mr. PRINCI: Aren't Housing Authorities governmental agencies/entities?

Ms. BETH ALBERT: No.

Mr. LEWIS: I think they're volunteers.

Speaker BERGSTROM: We'll wait till Pat's finished and I'll recognize -- are you all set then? Did you have something?

Mr. PRINCI: I didn't get my questions --

Mr. MCMANUS: Housing Authorities aren't governmental agencies but they're agencies with the state as opposed to a local agency. I know from a variety of towns, you all have representatives on them. Just between Harwich and Chatham, we have combined our Housing Authorities, the Executive Director who was hired by the Chatham Housing

Authority administers that there is some feeling that Harwich isn't being represented as well. It was taken over and administered by say the Barnstable Housing Authority. I'm not sure all of the smaller towns would feel they were getting adequately, you know.

And that's the benefit of having the County or, in the past, the Commission because it was an agency not of a specific geographic area but representing the whole County as being the administrating agency.

Speaker BERGSTROM: Okay. What is the area? Is it Barnstable itself County that is considered geographic? I don't want the people to get the impression, who are listening to this; this is some kind of bad penny that we're trying to get rid of.

I mean it's -- the impetus behind some of the comments from the Assembly were not -- were financial certainly. It's an expense but also rather than have the Human Services Department all of a sudden, boom, take on a responsibility it had before we thought perhaps we could find some people who are already involved in the housing business who could get up and running.

I mean I have every confidence that we can do it, but if we -- and Pat's initiative and some others to find some agency that's already in the managing housing business.

But in failing that, we're here. So, yes, first Jim and then Ed again.

Mr. KILLION: Thank you, Mr. Speaker. So do I understand that we have a commitment from the Commission to fund this for FY16?

MS. GAIL COYNE: That the Commission has \$30,000 available in a dedicated fund for a one-time contribution of the revenue side to help offset this supplement.

Mr. KILLION: Okay. That's the 30,000 that we heard from before. I think we've spoken about that. At that last session, we actually get down to around 99,000 through some other means.

So I know we had discussed a \$30,000 grant here prior to, so is that the grant we're speaking of?

MS. GAIL COYNE: I think at the last meeting there was some discussion about reducing the budget by 30 or \$35,000. That's not the case. I think what we're -- what the Commission has offered is to offset the cost of this by transferring to the County General Fund \$30,000. So it's opposite revenue side.

Mr. KILLION: And that cost is 144?

Mr. LEWIS: Right.

MS. GAIL COYNE: Right.

Mr. KILLION: Okay.

Speaker BERGSTROM: Yes, Teresa. Sorry.

Ms. MARTIN: I just want to make sure I'm understanding this right because I notice these questions keep coming up.

So on a February memo, you said there's two full-time people that go with this. These two full-time people are now reduced to 1-1/2 people? Because here you're saying in your February memo it requires two full-time people. But now it's being done by 1-1/2?

Ms. BETH ALBERT: Yes.

Ms. MARTIN: Now you're saying -- I'm must confused.

Ms. BETH ALBERT: So I've tried to explain and it's fair. I guess I'm not doing a very good job of it. So we budgeted -- we asked for two full-time people to administer to

grant-funded programs; 1.5 is for the HOME, .5 is for the HUD Continuum of Care. So that equals two FTEs to administer two programs. Not one program, two; okay?

Ms. MARTIN: They're both coming over?

Ms. BETH ALBERT: The HOME -- I mean the Continuum of Care is -- we're already the collaborative applicant for that and that brings with it an annual planning grant. And this year it's \$20,000. Next year it's going to be 50 if we're awarded. So that will be income coming in to offset a portion of the salary that is part of this 2 FTE calculation.

Speaker BERGSTROM: Okay.

Ms. BETH ALBERT: So I'll stop there.

Speaker BERGSTROM: All right. Well, thank you, very much, and thank you for coming.

MS. PATTY DALEY: Thank you.

Ms. BETH ALBERT: Thank you.

Speaker BERGSTROM: Do we have any Communications from Public Officials? Do we have any Communications from Members of the Public? Hearing none.

### Assembly Convenes

Speaker BERGSTROM: The Assembly will now convene, and we will begin with Assembly vote on Proposed Ordinance 15-03, HOME Program Supplemental Funding for FY16, which you just heard about. So, yes, somebody needs to make a motion on this; John.

Proposed Ordinance 15-03: To add to the County's operating budget for Fiscal Year 2016, as enacted in Ordinance No. 15-02, by making supplemental appropriations for the Fiscal Year two-thousand and sixteen.

#### Section 1.

Based on a revised estimate of income of Barnstable County for the next fiscal year, made as of April 29, 2015, the sums set forth for the several purposes set forth therein and subject to the conditions set forth in sections five through twelve of Barnstable County Ordinance 15-02, are hereby appropriated from the Statutory Reserve amounts for FY2016 as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two-thousand and sixteen. Said funds shall be derived from increased grant revenue of \$40,000 and Statutory Reserve funds of \$134,714 set aside at the close of FY 2015.

Mr. OHMAN: Thank you, Mr. Speaker. I will move that the Assembly approve Ordinance 15-03, the HOME Consortium Program supplemental funding for FY16 as presented.

Mr. MCMANUS: Second.

Speaker BERGSTROM: Okay. It's been moved and seconded. Any further questions that haven't been asked already? Yes, Pat.

**Mr. PRINCI: I'd like to move to amend this to reduce the salaries by \$30,000.**

**Mr. OHMAN: Second.**

Speaker BERGSTROM: It's moved and seconded. Any further discussion on the amendment? Yes, first Ed McManus.

Mr. MCMANUS: As I understand it, the salaries and expenses total 174,714. If you reduce the appropriation by 30,000, you're going to get at some point in the year and you're going to have to lay somebody off because there's no salary -- no funds appropriated to pay the salary for the remainder of the year.

I mean if you want to -- the issue of the revenue coming in, that's a separate issue from the appropriation. If the revenue does come in and we receive the funds from the Commission, then at the end of the year, theoretically, the General Fund will show a surplus of the \$30,000.

But you have to appropriate the amount of money that it's going to cost to run the program. If you don't appropriate it, you can't spend it.

Speaker BERGSTROM: Yes, Suzanne.

Ms. MCAULIFFE: I think an argument could be made for a \$30,000 reduction just because the half-time position, which will be running the Continuum of Care, I believe, is new money and we already have someone doing that job at the -- in the Human Services Department. That grant is up and running, I believe, so it's already -- okay.

I may be incorrect and if we want to suspend the rules, okay, I don't know. That was my understanding.

Speaker BERGSTROM: Well, my understanding is to follow what Ed has said, if \$30,000 of revenue is going to come in, we still have to appropriate -- regardless, we still have to appropriate the money to run the two things. Even if we got the whole thing paid for eventually, we still have to appropriate the money from the budget to run the program.

So the appropriation is separate from any revenue that might come in to offset it. That's my understanding.

Ms. MCAULIFFE: And I guess my point is the \$30,000 isn't necessarily going to be that we're going to run out of money and we can't run the program. It's going to mean that instead of two FTEs you have maybe 1.7 or 1.8 FTEs to do the job.

And right now it was my understanding that Human Services needs help with running the Continuum of Care but I believe that they are running it now.

So this would be help -- more help to run the program that they have.

Speaker BERGSTROM: Yes. Oh, okay.

Ms. MCAULIFFE: And my second question is where is this money coming from?

Speaker BERGSTROM: That's a good question and I don't know the answer. I assume it's coming out of the General Fund because that's where -- or coming out of Reserves.

Mr. MCMANUS: Reserves.

Speaker BERGSTROM: But we can suspend the rules and ask Bob if you want.

Ms. MCAULIFFE: I move to suspend the rules.

Deputy Speaker MCCUTCHEON: Second.

Speaker BERGSTROM: All those in favor?

(Motion passed.)

Speaker BERGSTROM: Okay. Bob, tell us where the money's coming from.

Interim Finance Director LAWTON: In reading your Ordinance, you have two

sources. You have a grant revenue of \$40,000 and then statutory reserve was going to pay 134,714.

Ms. MCAULIFFE: Okay. Thank you.

Speaker BERGSTROM: Yes, first Deborah.

Deputy Speaker MCCUTCHEON: And since we have Bob up here, I have one little question for him.

Speaker BERGSTROM: Yes.

Deputy Speaker MCCUTCHEON: As I understand this, the money -- what was said was that the people that are -- the positions that are coming over were filled by two people who were being paid by the Commission.

Interim Finance Director LAWTON: My understanding, and you could clarify, that one person was going to be transferred and the County would be required to fund that position.

Deputy Speaker MCCUTCHEON: Right.

Interim Finance Director LAWTON: The other position was staying with the Cape Cod Commission to do other -- to do a planning function.

Deputy Speaker MCCUTCHEON: So the money for the first position, the position was coming but the money for the position was staying with the Commission; is that true?

Interim Finance Director LAWTON: Someone else may be able to answer. Ms. Coyne. I'm not -- I don't know. All I know is we're going to be paying from the County side for two positions.

Deputy Speaker MCCUTCHEON: Let me just ask this a little differently. It would be possible in one scenario to take the program, the positions, and the money and put it all on the County side; right?

Interim Finance Director LAWTON: Dependent upon how the Cape Cod Commission was funded.

Deputy Speaker MCCUTCHEON: Right.

Interim Finance Director LAWTON: They have two sources. One is through grants; the other is through their County, their special tax.

Deputy Speaker MCCUTCHEON: Right. But what I understood them to say was that Paul Ruchinkas was working full-time for that program.

MS. GAIL COYNE: He was working about 80 percent of the time for the HOME Program.

Deputy Speaker MCCUTCHEON: Eighty percent -- 80 percent.

MS. GAIL COYNE: And the Commission funded that position entirely; correct.

Deputy Speaker MCCUTCHEON: And that money, wherever that money came from, that money's staying at the Commission?

MS. GAIL COYNE: Right. That came from the Environmental Protection Fund. That was the Commission tax.

I think the point that you're trying to get at, the \$30,000 that Paul Niedzwiecki offered up as a one-time revenue offset to this program would be an amendment to this Ordinance and it would reduce the reliance on the General Fund or the Reserve Fund by \$30,000.

You would appropriate the same amount of money that's in front of you on the budget side because you do need the two positions for the program. **You would add a**

line in there to show that \$40,000 is coming from HUD Grant Revenue, 30,000 from a Cape Cod Commission Special Revenue Fund and then the balance would be from General Fund Reserves.

Speaker BERGSTROM: Yes, Pat.

Mr. PRINCI: I'm sorry, Mr. Speaker. With that, I'd like to just amend my motion to reflect that it be funded -- that it be reduced but with the expectation of the Cape Cod Commission's support -- I'm just going to clarify my motion here that the reduction that I'm putting forth of the \$30,000 would be supplemented through the Cape Cod Commission's appropriation of a one-time fund of 30,000 to help us get started with it.

Speaker BERGSTROM: Just to be clear in what was said is, and forgive me if I'm wrong, Pat, but what you want to do is you want to reduce the amount that's paid for out of the General Fund Reserves by 30,000 and substitute 30,000 coming from the Cape Cod Commission.

So the appropriation out of Reserves will be 30,000 less, and the expense side will reflect the 30,000 contribution from -- does that make sense?

Mr. PRINCI: Thank you, Mr. Speaker.

Speaker BERGSTROM: It does. Yes, Ed and then Ed.

Mr. MCMANUS: Mr. Speaker, if I could offer some language for Commissioner Princi or Representative Princi. In the last line of Section 1, the Statutory Reserve Fund of 134,714 should be reduced to 104,714 from the Special Statutory Reserve Fund, and that \$30,000 would be coming from the Housing Special Fund with the Cape Cod Commission.

MS. PATTY DALEY: Special Revenue Fund.

Speaker BERGSTROM: That's within the framework of the amendment, I'll rule. Ed.

Mr. LEWIS: What Assemblyman McManus has said is actually, Pat, is true. You're still going to have to approve an appropriation of 174,714 because how you afford it, where the money comes from, is in the section, and what Mr. McManus has stated, but you still have to approve a supplemental appropriation of 174,714. That pays for the program. How you get the revenue is sort of in the explanation.

Speaker BERGSTROM: All right. I'm going to call for a vote on Pat's amendment, which is to change the revenue side -- in other words, to reduce the amount taken from Statutory Reserve by \$30,000 and add a \$30,000 contribution from the Housing Fund. So, on the revenue side, that's where it's going to be. Do you understand what we're voting on now? Okay.

All those in favor of that amendment say "Aye." Opposed?

**(Motion passed on amendment.)**

Speaker BERGSTROM: Okay. So now we go back to the main Ordinance 15-03 and the appropriation of 174,714, I'll take a vote, excuse me, a voice vote -- I mean a roll call vote.

**Roll Call Vote on Proposed Ordinance (amended) 15-03:**

**Voting "YES" (69.75%):** Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% -

**Sandwich), Edward Lewis (4.55% -Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable).  
Voting “NO” (9.15%): Linda Zuern (9.15% - Bourne).  
Absent (21.10%): Marcia King (6.49% - Mashpee), Julia Taylor (14.61%- Falmouth).**

Clerk O’CONNELL: Mr. Speaker, Proposed Ordinance 15-03 as amended passes with 69.75 percent of the Delegates voting yes; 9.15 percent voting no; 21.10 percent absent.

Proposed Ordinance 15-03 (as amended): To add to the County's operating budget for Fiscal Year 2016, as enacted in Ordinance No. 15-02, by making supplemental appropriations for the Fiscal Year two-thousand and sixteen.

Section 1.

Based on a revised estimate of income of Barnstable County for the next fiscal year, made as of April 29, 2015, the sums set forth for the several purposes set forth therein and subject to the conditions set forth in sections five through twelve of Barnstable County Ordinance 15-02, are hereby appropriated from the Statutory Reserve amounts for FY2016 as supplemental appropriations for Barnstable County for the fiscal year ending June thirtieth, two-thousand and sixteen. Said funds shall be derived from increased grant revenue of \$40,000 and \$30,000 from the Cape Cod Commission Housing Fund, and Statutory Reserve funds of \$104,714 set aside at the close of FY 2015.

Now known as Barnstable County Ordinance 15-03.

Committee Report: Proposed Ordinance 15-04

Speaker BERGSTROM: Thank you. We’ll now move on to the Natural Resources Report on Public Hearing and a recommendation regarding Proposed Ordinance 15-04, which is the Aquaculture Research Corporation P&S and Conservation Restrictions.  
Ned.

Mr. HITCHCOCK: Thank you, Mr. Speaker. The Standing Committee on Natural Resources met this afternoon. We had a quorum plus, and we were given useful, very useful information from Bill Clark from the County Extension, Attorney Troy, and Katherine Garofoli from the Dennis Conservation Trust regarding both the Purchase and Sales Agreement and the Conservation Restriction.

The nature of the discussion essentially was a fair amount of clarification of what a CR actually is and how it’s developed and so forth and so on. Concerns were expressed and discussed regarding the County’s role in such a project. And there were also discussions about whether wind turbines would be allowable in the CR area, the 29 acres that are part of this overall purchase of, what, 39 acres or something like that.

After the discussion, we voted and the committee voted to recommend to the Assembly as a whole that we support 15-04. We voted 3 to 1.

Speaker BERGSTROM: Okay. Do you want to make a recommendation and move that we –

Proposed Ordinance 15-04: To authorize the County Commissioners to execute a Purchase and Sales Agreement for the ARC Property, identified as Attachment “A”, the terms of which are incorporated by reference herein, to purchase a Conservation Restriction, identified as Attachment “B”, the terms of which are incorporated by reference herein, for the purpose of acquiring a Conservation Restriction with the Dennis Conservation Trust, the Town of Yarmouth and the Town of Dennis in land located in the Town of Dennis, having an address at 99 Chapin Beach Road, Dennis, MA, 02638, consisting of approximately 39.7 acres as described in the Sketch Plan as shown in Attachment B, Exhibit A in the Purchase and Sales Agreement referred to herein and further to authorize the County Commissioners to execute any and all documents to effectuate what is authorized under this Ordinance and further to authorize the County Treasurer, with the approval of the County Commissioners, to borrow, from time to time, on the credit of the County, such sums as may be necessary and to issue bonds and notes of the County therefore, for the purposes of this Ordinance.

Mr. HITCHCOCK: We move to and pass to recommend this to the Assembly as a whole.

Speaker BERGSTROM: Okay. Do I have a second on that?

Mr. LEWIS: Second.

Speaker BERGSTROM: It's moved and seconded. Discussion? In that case, we'll call for a vote.

Commissioner CAKOUNES: Down the end, Speaker.

Ms. MCAULIFFE: Down there.

Speaker BERGSTROM: Oh yes, Doc.

Mr. O'MALLEY: You mentioned that the question of turbines came up, but I didn't hear what the decision was. I thought that was prohibited.

Mr. HITCHCOCK: Turbines are prohibited in CRs. And there's just some confusion about that.

Mr. O'MALLEY: Thank you.

Mr. HITCHCOCK: But it was clarified.

Speaker BERGSTROM: Okay.

**Roll Call Vote on Proposed Ordinance 15-04:**

**Voting “YES” (60.17%):** Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), Edward Lewis (4.55% - Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% - Provincetown), Patrick Princi (20.92% - Barnstable).

**Voting “NO” (18.73%):** James Killion (9.58% - Sandwich), Linda Zuern (9.15% - Bourne).

**Absent (21.10%):** Marcia King (6.49% - Mashpee), Julia Taylor (14.61% - Falmouth).

Clerk O'CONNELL: Mr. Speaker, Proposed Ordinance 15-04 passes with 60.17

percent of the Delegates voting yes; 18.73 percent no; 21.10 percent absent.

Proposed Ordinance 15-04: To authorize the County Commissioners to execute a Purchase and Sales Agreement for the ARC Property, identified as Attachment “A”, the terms of which are incorporated by reference herein, to purchase a Conservation Restriction, identified as Attachment “B”, the terms of which are incorporated by reference herein, for the purpose of acquiring a Conservation Restriction with the Dennis Conservation Trust, the Town of Yarmouth and the Town of Dennis in land located in the Town of Dennis, having an address at 99 Chapin Beach Road, Dennis, MA, 02638, consisting of approximately 39.7 acres as described in the Sketch Plan as shown in Attachment B, Exhibit A in the Purchase and Sales Agreement referred to herein and further to authorize the County Commissioners to execute any and all documents to effectuate what is authorized under this Ordinance and further to authorize the County Treasurer, with the approval of the County Commissioners, to borrow, from time to time, on the credit of the County, such sums as may be necessary and to issues bonds and notes of the County therefore, for the purposes of this Ordinance.

Now known as Barnstable County Ordinance 15-04.

Committee Report: Proposed Ordinance 15-05

Speaker BERGSTROM: Okay. Thank you. We now have Committee Reports from the Finance Committee report on Public Hearing. John.

Proposed Ordinance 15-05: To authorize the County to purchase capital equipment, purchase a conservation restriction and implement capital improvements for use in conducting the business of the County and to borrow money to pay therefore;

**Barnstable County hereby ordains:**

Section 1. The Board of County Commissioners is hereby authorized to purchase capital equipment, purchase a conservation restriction and implement capital improvements for use in conducting the business of the County as follows:

a) Purchase the following equipment for the Health and Environment Department for use in conducting business specific to the operations and services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
-	<u>Replacement of Gas Chromatograph \$ 89,000</u>	<u>0053028 5838</u>
	<u>Mass Spectrophotometer (GCMS)</u>	
-	<u>Replacement of small equipment \$ 8,000</u>	<u>0053028 5839</u>
	<u>Total cost \$ 97,000</u>	

b) Purchase a conservation restriction by the Cooperative Extension Department for use in conducting specific services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
-	<u>ARC Conservation Restriction \$ 250,000</u>	<u>0052308 5864</u>
	<u>Purchase</u>	
	<u>Total cost \$ 250,000</u>	

- c) Purchase the following equipment for the Information Technology Department for use in conducting business specific to the operations and services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
- Software licensing	\$ 325,000	0051058 5849
Total cost	\$ 325,000	

- d) Implement the following capital improvements for the Facilities Department for use in conducting business specific to the operations and services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
- <u>First District window Replacement</u>	\$ 60,000	0052018 5817
- <u>County Complex redesign</u>	\$ 250,000	0052048 5829
- <u>Superior Courthouse heating</u>	\$ 269,000	0052038 5802
- <u>Registry of Deeds windows</u>	\$ 150,000	0052058 5817
- <u>Registry of Deeds epoxy</u>	\$ 15,000	0052058 5830
- <u>Children's Cove addition</u>	\$ 72,500	0052088 5808
- <u>Children's cove security gate</u>	\$ 12,000	0052088 5812
- <u>County Complex -paving and and new drains</u>	\$ 165,000	0052048 5815
- <u>Fire Academy HVAC replacement</u>	\$ 30,000	0052168 5802
- <u>Fire Academy new roof</u>	\$ 60,000	0052168 5801
Total cost	\$ 1,083,500	

Total cost of equipment, improvements, and projects = \$ 1,755,500 -and;

Section 2. For the purposes set forth in Section 1., the County Treasurer, with the approval of the County Commissioners, may borrow from time to time, on the credit of the County, such sums as may be necessary, and may issue bonds or notes of the County therefore;

Section 3. All bonds or notes issued pursuant to this proposed ordinance shall be signed by the County Treasurer and countersigned by a majority of the County Commissioners. The County may sell securities at public or private sale upon such terms and conditions as the County Commissioners may deem proper but not at a price of less than par value. Indebtedness incurred under this proposed ordinance shall, except as herein provided, be subject to chapter thirty-five of the Massachusetts General Laws.

Mr. OHMAN: Thank you, Mr. Speaker. The Finance Committee met today in a Public Hearing to approve -- to discuss Proposed Ordinance 15-05.

It's essentially through the hard work of the Interim Finance Director Bob Lawton.

He had meetings with the bond counsel, and the bond counsel was very concerned about how we identified and put into our budgets capital expenses. And it becomes very tedious and expensive to extract all of these from a general budget.

The bond counsel requested that we re-do and put a separate Ordinance in for exactly the same amount of monies but in one Ordinance to include only capital expenses.

And that's what essentially Ordinance 15-05 is. It's a separate Ordinance. There's no amount change. There's no purpose change. It's requested only for clarity to the bond counsel to make their job and our jobs much more clear and straightforward.

And with that, I recommend that the Assembly approve this as written by the Commissioners.

Mr. LEWIS: Second.

Speaker BERGSTROM: Okay. Any comments?

Ms. MCAULIFFE: An amendment?

Speaker BERGSTROM: Yes, go ahead.

**Ms. MCAULIFFE: We need to correct in one item. It says under the ARC item, is that the second one I have in front of me?**

Mr. OHMAN: Yes.

Ms. MCAULIFFE: It says, "The Extension Service." That is not the correct holder.

Mr. OHMAN: Would you like me to -- I'll read it.

Ms. MCAULIFFE: Okay.

**Mr. OHMAN: Right now, it says, as such, Section 1, B says, "Purchase a Conservation Restriction by the Cooperative Extension Department for use in conducting specific services. Replace Cooperative Extension Department with the Barnstable County Commissioners. Mrs. McAuliffe would like to amend that.**

**Ms. MCAULIFFE: To strike the Extension Service and put in Barnstable County in its place.**

**Deputy Speaker MCCUTCHEON: Second.**

Speaker BERGSTROM: Okay. It's moved and seconded on that amendment. Any discussion on the amendment?

Mr. OHMAN: Again, for clarity sake, it's the proper thing to do. It's technical but proper, and I urge the Assembly vote positively on that amendment. Thank you.

Deputy Speaker MCCUTCHEON: If I can speak to that?

Speaker BERGSTROM: Yep.

Deputy Speaker MCCUTCHEON: That amendment is necessary because the Cooperative Extension Service is not a proper holder of a Conservation Restriction while the County is. So that's just a legal technicality. Thank you.

Speaker BERGSTROM: Okay. All right. We'll vote first on the amendment. All those in favor of the amendment? Aye.

(Motion passed on amendment.)

Speaker BERGSTROM: Okay. Now we get back to Ordinance 15-05 which is still on the floor. Any more comments on that? It's a housekeeping issue. I think it's long overdue that we separate the capital budget, as you've heard me beat up on that subject many times.

So we'll take a vote.

**Roll Call Vote on Proposed Ordinance 15-05:**

**Voting “YES” (78.90%):** Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27%- Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Edward Lewis (4.55% -Brewster), Teresa Martin (2.30% - Eastham), Suzanne McAuliffe (11.02% - Yarmouth), Deborah McCutcheon (0.93% - Truro), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O’Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Linda Zuern (9.15% - Bourne).

**Voting “NO” (0%).**

**Absent (21.10%):** Marcia King (6.49% - Mashpee), Julia Taylor (14.61%- Falmouth).

Clerk O’CONNELL: Mr. Speaker, Proposed Ordinance 15-05 passes with 78.90 percent voting yes; 21.10 percent absent.

Proposed Ordinance 15-05: To authorize the County to purchase capital equipment, purchase a conservation restriction and implement capital improvements for use in conducting the business of the County and to borrow money to pay therefore;

**Barnstable County hereby ordains:**

Section 1. The Board of County Commissioners is hereby authorized to purchase capital equipment, purchase a conservation restriction and implement capital improvements for use in conducting the business of the County as follows:

- e) Purchase the following equipment for the Health and Environment Department for use in conducting business specific to the operations and services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
-	<u>Replacement of Gas Chromatograph</u>	<u>\$ 89,000 0053028 5838</u>
	<u>Mass Spectrophotometer (GCMS)</u>	
-	<u>Replacement of small equipment</u>	<u>\$ 8,000 0053028 5839</u>
	<u>Total cost</u>	<u>\$ 97,000</u>

- f) Purchase a conservation restriction by Barnstable County for use in conducting specific services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
-	<u>ARC Conservation Restriction</u>	<u>\$ 250,000 0052308 5864</u>
	<u>Purchase</u>	
	<u>Total cost</u>	<u>\$ 250,000</u>

- g) Purchase the following equipment for the Information Technology Department for use in conducting business specific to the operations and services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
-	<u>Software licensing</u>	<u>\$ 325,000 0051058 5849</u>
	<u>Total cost</u>	<u>\$ 325,000</u>

- h) Implement the following capital improvements for the Facilities Department for use in conducting business specific to the operations and services of the Barnstable County Commissioners.

		<i>Finance Account Number</i>
-	<u>First District window</u>	<u>\$ 60,000 0052018 5817</u>
	<u>Replacement</u>	

- <u>County Complex redesign</u>	\$ 250,000	0052048 5829
- <u>Superior Courthouse heating</u>	\$ 269,000	0052038 5802
- <u>Registry of Deeds windows</u>	\$ 150,000	0052058 5817
- <u>Registry of Deeds epoxy</u>	\$ 15,000	0052058 5830
- <u>Children's Cove addition</u>	\$ 72,500	0052088 5808
- <u>Children's cove security gate</u>	\$ 12,000	0052088 5812
- <u>County Complex -paving and and new drains</u>	\$ 165,000	0052048 5815
- <u>Fire Academy HVAC replacement</u>	\$ 30,000	0052168 5802
- <u>Fire Academy new roof</u>	\$ 60,000	0052168 5801
<u>Total cost</u>	<u>\$ 1,083,500</u>	

Total cost of equipment, improvements, and projects = \$ 1,755,500 -and;

Section 2. For the purposes set forth in Section 1., the County Treasurer, with the approval of the County Commissioners, may borrow from time to time, on the credit of the County, such sums as may be necessary, and may issue bonds or notes of the County therefore;

Section 3. All bonds or notes issued pursuant to this proposed ordinance shall be signed by the County Treasurer and countersigned by a majority of the County Commissioners. The County may sell securities at public or private sale upon such terms and conditions as the County Commissioners may deem proper but not at a price of less than par value. Indebtedness incurred under this proposed ordinance shall, except as herein provided, be subject to chapter thirty-five of the Massachusetts General Laws.

Now known as Barnstable County Ordinance 15-05.

#### Report from the Clerk

Speaker BERGSTROM: Okay. Thank you, very much. Now we cut to Report from Clerk.

Clerk O'CONNELL: I have nothing to report today, but I ask that Delegate O'Malley please see me before he exits the hall.

#### Other Business

Speaker BERGSTROM: Any other business? Oh yes, Pat.

Mr. PRINCI: Just quickly, I just want to thank Beth Albert from the Human

Service Committee. She attended a forum that was held in my town, Barnstable and Centerville on the opiate abuse problem. She was one of the guest speakers representing the County and the work that the County's done. She did a very good job.

And the forum was very well attended. It was standing room only. You could barely even fit in. So it shows that not just, you know, people aren't just talking about it. People are wanting to get involved and take some action and help in any way they can.

Thank you.

Speaker BERGSTROM: Okay. I have a piece of other business. You can put your hand down. I'll get to you.

Bob Mumford passed away. I don't know if you guys knew Bob Mumford.

Mr. LEWIS: Yes.

Speaker BERGSTROM: He was a Transportation Specialist for the Cape Cod Commission for many years. Nice guy. When I was on the Regional Transit Authority, he was very helpful to us and Bob Lawton. I don't know if you picked that up. It may have gone by, but he was a valued County employee, a terrific guy, and he did a lot of good work for transportation around the Cape. So I just wanted to mention that.

So his passing doesn't go unnoticed and condolences to his wife who also works, Sarah Korjeff, who also works for Barnstable County.

So, anyway, that's that.

Now, Brian, what do you have to say?

Mr. O'MALLEY: Just to follow-up on Delegate Princi's comments on the forum up in Centerville. Delegate Martin who's associated with the Lower Cape Community Television organized a really excellent panel to develop a program a couple weeks ago that included three of us -- well, Mr. Princi and myself were participants on the panel, the Police Chief of Eastham, and a therapist in private practice, and a woman who's both a healthcare specialist and an organizer who lost a son to opiate addiction.

I think the real point of what turned into a very in depth, excellent, wide-ranging discussion was that, number one, there is much being done up on many levels. And number two, simply addressing this, coming, opening up, talking about it, bringing this thing out into the public is generating an awareness that I think is very important.

And at this point, it's not clear to me what role we might play here, but it is something that I am giving some real thought to in terms of what might we do proactively to help stem the tide of this really awful problem.

So, that's just an update.

Speaker BERGSTROM: Okay. Thank you. Anybody else have anything?  
Hearing none.

Ms. MCAULIFFE: Move to adjourn.

Deputy Speaker MCCUTCHEON: Second.

Speaker BERGSTROM: Moved and seconded. All those in favor?

**Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 5:20 p.m.**

Respectfully submitted by:

Janice O’Connell  
Assembly of Delegates, Clerk