

**CAPE COD REGIONAL GOVERNMENT - ASSEMBLY OF DELEGATES
ASSEMBLY CHAMBER HALL
FIRST DISTRICT COURTHOUSE ROUTE 6A
BARNSTABLE, MASSACHUSETTS 02630**

APPROVED Journal of Proceedings – September 2, 2015

Speaker BERGSTROM: Good afternoon. Welcome to the September 2nd meeting of the Cape Cod Regional Government, Assembly of Delegates.

I don't think there's anyone recording this meeting besides our normal recording artist. Okay. Moving right along then.

In that case, I'll call this meeting to order. And 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 (94.04%): Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27%- Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Edward Lewis (4.55% -Brewster), Suzanne McAuliffe (11.02% - Yarmouth), Edward McManus (5.67% - Harwich), John Ohman (6.58% - Dennis), Brian O'Malley (1.36% – Provincetown), Patrick Princi (20.92% - Barnstable), Julia Taylor (14.61%- Falmouth), Linda Zuern (9.15% - Bourne).

Absent (5.96%): Christopher Kanaga (2.73% - Orleans), Teresa Martin (2.30% - Eastham), Deborah McCutcheon (0.93% - Truro – arrived @ 4:25 p.m.).

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 94.04 percent of the Delegates present; 5.96 percent absent.

Committee of the Whole

Speaker BERGSTROM: Okay. I'll now need a motion to approve today's Calendar of Business.

Mr. LEWIS: So moved.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: Okay. All those in favor? Opposed?

(Motion carried.)

Speaker BERGSTROM: You should have received a copy of the Journal of August 19th. Are there any additions or corrections to the Journal?

Mr. O'MALLEY: Mr. Speaker, I have a correction.

Speaker BERGSTROM: Okay.

Mr. O'MALLEY: And we've already discussed this. On page 14 under Delegate Hitchcock's remarks, there's a reference to the "monk" on the backshore. And he assures me that he was not referring to a well-known jazz pianist nor somebody in a robe, but

the word “mung,” m-u-n-g.

Speaker BERGSTROM: Okay. Thank you.

Mr. O’MALLEY: Other than that, I move to approve it.

Ms. MCAULIFFE: As amended.

Speaker BERGSTROM: As amended. We’ll assume -- I’ll assume everybody goes along with that amendment.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: Moved and seconded to approve the journal.

Ms. MCAULIFFE: Correct.

Speaker BERGSTROM: All those in favor? Opposed?

(Motion carried.)

Speaker BERGSTROM: The Board of Regional Commissioners are still in session. So, we’ll hold off on that agenda item until they show up, if they do.

Communications with Interim Finance Director, Bob Lawton

Speaker BERGSTROM: But now we have, more importantly, communications from Interim Finance Director Bob Lawton. He’s going to tell us, postmortem, on the previous fiscal year.

Interim Finance Director LAWTON: Thank you.

Speaker BERGSTROM: Do you have that thing?

Interim Finance Director LAWTON: I don’t have a microphone, I guess.

Clerk O’CONNELL: The microphone’s right there on the chair, Bob. Sorry about that.

Interim Finance Director LAWTON: I can sit there if you’d like. I think I’m on now, yes.

So I believe that we provided you with the form that we sent to the department -- I’m sorry, the Division of Local Services, Department of Revenue, as the year-end accounting of the County’s finances.

In summary, of all of this stuff, we did end FY15 on a positive financial note. We ended the fiscal year approximately \$380,000 of income over expenses.

Now most of that occurred because department heads restraining their spending. We did have the loss as we had anticipated in especially the Registry of Deeds. The Excise Tax did come in slightly less than anticipated.

But the so-called “Business Income” which had been estimated for FY15 fairly high did come in substantially lower. We have accounted for that in FY16 because we did significantly lower our expectation.

Even with those items, because of the restraint of expenditure, there were some minor increases in income but nothing to cover those two reductions. We still had a positive cash flow at the end of the year with the, as I said, approximately \$380,000 to the good.

That is the summary.

SPEAKER BERGSTROM: Do we have any questions for Bob on that? Yes, Suzanne.

Ms. MCAULIFFE: I don’t have any questions for last year. I just noticed going forward that on the Commissioners’ approval are some contracts, IT contracts with

Chatham and Falmouth and another town.

Interim Finance Director LAWTON: Yes.

Ms. MCAULIFFE: And I know one of the things that we were waiting for was to see how much business we garnered before we added personnel and stuff. Are things kind of coming in as expected or bigger than expected or not as much?

Interim Finance Director LAWTON: A little bit more than expected. We've had the town of Falmouth contracted or attempted to contract with us to do some work. Even last year, the income was about \$60,000 more than we anticipated.

But the IT Department has been aggressive, thanks to Mr. Killion, adding a little bit of funding to do some work in I guess, sales work, for lack of a better word. That has worked well. They have been going out to various towns in order to, frankly, drum up some business.

We won't be probably at the level we had anticipated, but the IT department understands that at some point, probably before the six-month period, there would be a report to this board saying here's what we've done, and here's how much we've taken in in anticipation of FY17.

Ms. MCAULIFFE: Thank you.

SPEAKER BERGSTROM: Anyone else have any questions? Looks like a quiet group. I have a question for you, Bob.

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir.

SPEAKER BERGSTROM: That amount doesn't -- I mean, do we have any unexpended commitments? In other words, did we spend any money in the last fiscal year that hasn't actually -- bills have come in and --

Interim Finance Director LAWTON: Yes.

Speaker BERGSTROM: -- because that's always been an issue. I know it's probably in here somewhere but.

INTERIM FINANCE DIRECTOR LAWTON: There were two reserves that you're probably -- that Continuing Appropriation Reserve is one where people have -- and counties you're able to carry money over into the next fiscal year if there was a need.

There's also the Encumbrance where there are, in fact, purchase orders have been issued or contracts signed, that is \$876,000. That was carried over. Those are funds that we sit on the Encumbrance that we cannot touch. They were commitments.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: Now if the commitment falls through, then that money would accrue back into the General Fund.

SPEAKER BERGSTROM: All right. So the surplus that we showed in two thousand -- the last fiscal year 2015, that's free and clear. In other words, that's after all the bills have been paid, that we encumb -- yeah.

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir.

SPEAKER BERGSTROM: Okay.

INTERIM FINANCE DIRECTOR LAWTON: The other thing -- sorry.

SPEAKER BERGSTROM: Go ahead. Yes, Brian.

Mr. O'MALLEY: Were you done?

SPEAKER BERGSTROM: Yes.

Mr. O'MALLEY: Sorry. On the Commissioners' agenda for today was an item to approval of the FY2016 Town Assessments for the County Tax and Environmental

Protection Fund. My understanding was that was a state-set limit; am I wrong?

INTERIM FINANCE DIRECTOR LAWTON: You're correct. What the --

Mr. O'MALLEY: What do we get to approve or decide?

Interim Finance Director LAWTON: You're correct. We take -- the state decides an equalized valuation. The state decides on the percentages. We simply apply the amount that we estimated as the 2.5 percent increase from the prior year. And it's simply a division problem.

The Commissioners, I guess, have to sign that. It's almost like when the tax rate is set, the Board of Selectmen sign it. In this case, there is a tax the Commissioners sign.

Mr. O'MALLEY: It's a formal approval?

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir.

Mr. O'MALLEY: Yes, okay.

INTERIM FINANCE DIRECTOR LAWTON: They can't change anything on it. It's already pre-done for us.

The only other thing I can tell you is we are -- you will see an Ordinance coming before you. We have looked at all of our bonding in two phases.

The first phase was what items have been authorized to be bonded but nothing has occurred over a period of let's say five years. We believe, and we're going to present to the Commissioners, a draft Ordinance to, and to see if you will approve it, to eliminate approximately \$400,000 in authorized bonding which is not going to be spent.

The second phase is we're looking at all of the authorized bonding where our funds have been spent and there is a balance to see if some of that can be eliminated. We really want to start lowering the debt or the potential debt for the County. So that is -- I'm not sure how much it is.

We have a first report. We're going from FY13 back and what we're doing is sending notices to all the departments saying you haven't spent this -- we're going back to I believe its fiscal 2000 and then to fiscal '13. If you have balances, are you going to spend it? Do you have any need for it?

If there is no need, then we'd be coming to you with a much longer Ordinance to reduce those bondings so that we can eliminate that liability from the County.

SPEAKER BERGSTROM: You mean -- just to clarify. This is bonding that's been authorized and not actually done, not bonded; some of it isn't.

The second part which you talked about, this money you've actually borrowed and now we have a balance?

Interim Finance Director LAWTON: No.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: It's an authorization to borrow.

Speaker BERGSTROM: Right.

Interim Finance Director LAWTON: Because you have not done any borrowing of -- we did the bond anticipation note for FY15 and a portion of '14 and, obviously, '16 will be taken care of. But prior to that, you had done no borrowing.

But funds were expended in the capital account, and the difference between what was expended and what remains I think should be eliminated if it can be.

It cleans up our books. We're going to be going out for a bond issue. Certainly the bond-rating agencies will want to see those things cleaned up.

SPEAKER BERGSTROM: Makes our life easier too to have all these

amounts hanging around.

INTERIM FINANCE DIRECTOR LAWTON: Well, it should; right. I mean there's something I think in -- I think it may be 2000, it's \$495. Well, let's get rid of it.

SPEAKER BERGSTROM: Okay. John and Ed.

Mr. OHMAN: Well, I think I finally figured out the answer to this, but I'm looking down and it says "Facilities generated \$28,188." And I know they can't really generate. Is that reimbursement for repairs from the court system?

INTERIM FINANCE DIRECTOR LAWTON: What page, John?

Mr. OHMAN: First page under Revenue. About the fifth one down; it says, "The Facilities had general revenue of \$28,188." Now they're not a department that generates income.

Interim Finance Director LAWTON: It would have to be something like -- it sounds too small. The estimate that we had last year was I think a million six, I believe.

Mr. OHMAN: No, no, source of revenue.

INTERIM FINANCE DIRECTOR LAWTON: Right, but that was -- well, there are building rentals and probably that's why it's a minor amount, not the state but it's the other money.

Mr. OHMAN: I was thinking it must be reimbursements for repairs. The court system does reimburse us for --

Interim Finance Director LAWTON: It would be more than that.

Mr. OHMAN: Would be, okay.

Interim Finance Director LAWTON: More than 22 because that's the way you have done it in the past is you've used that as an estimated income

Mr. OHMAN: Yes, okay. It's just an odd number.

SPEAKER BERGSTROM: Okay. Did I see another hand?

Interim Finance Director LAWTON: Mr. Killion.

Speaker BERGSTROM: Do you see another hand up there? Jim.

Mr. KILLION: Thank you, Mr. Speaker. Just back to the bonding. You said some of those got back to 2000?

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir.

Mr. KILLION: So, would it make sense that we either find a way to keep track of these and get rid of them after a couple of years or three years?

Interim Finance Director LAWTON: I'm used to a system where between 3 and 5 years you either do it or you get rid of it.

Mr. KILLION: And so --

INTERIM FINANCE DIRECTOR LAWTON: And I would assume the new Finance Director will take that on as one of her responsibilities. But you're correct. You should -- you either use it or lose it, frankly.

Mr. KILLION: And that will be handled by the Finance Director typically and not in the budget process necessarily?

Interim Finance Director LAWTON: I would suggest that it be the Finance Director who would look at that and then make a recommendation to the Commissioners and then to this board because this board has the bonding ordinance and then you would then rescind either all of it or a portion of it.

Mr. KILLION: Okay. Thank you.

Speaker BERGSTROM: Ed.

Mr. MCMANUS: So, the scenario is I guess we had projects authorized and they were authorized to be completed by finance by sale of bonds.

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir.

Mr. MCMANUS: The bonds -- the projects were done; however, the bonds were never sold.

INTERIM FINANCE DIRECTOR LAWTON: Correct.

Mr. MCMANUS: But money was moved into the capital account to pay for the project.

INTERIM FINANCE DIRECTOR LAWTON: It wasn't -- no.

Mr. MCMANUS: No.

Interim Finance Director LAWTON: In a County, you run that -- it's not a deficit but it's an unfunded account that needs to be funded at some point in time. In a town, you have until June 30 to do your funding, which I'm familiar with.

Mr. MCMANUS: Yes.

Interim Finance Director LAWTON: In a County, you can carry it over, which has been done, and now that's going to be corrected. That's all part of this process.

Mr. MCMANUS: Okay. But in any event, these little pots of leftover money we're --

INTERIM FINANCE DIRECTOR LAWTON: It's not real money. It's an authorization that was never bonded.

Mr. MCMANUS: Okay.

Interim Finance Director LAWTON: And I think that needs to be eliminated in order to make the audit, frankly, to clean up the audit.

Mr. MCMANUS: So the projects' costs rise to the level of the bond authorization?

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir. That's correct.

Mr. MCMANUS: Okay. Yes.

Interim Finance Director LAWTON: So you eliminate the balance. Good financing.

SPEAKER BERGSTROM: One of the things in your introductory remarks you said that the various department heads were trying to be as frugal as possible.

Interim Finance Director LAWTON: Yes, sir.

Speaker BERGSTROM: And I know that the Commissioners had made that commitment sometime during the fiscal year.

INTERIM FINANCE DIRECTOR LAWTON: Yes, sir.

SPEAKER BERGSTROM: Which is a good thing. But the other flip side to that is what were they doing before that? In other words, can you give us some examples of what they did out of the ordinary to try to omit the costs?

INTERIM FINANCE DIRECTOR LAWTON: No. It's as simple as I don't have that. I can certainly get that.

Speaker BERGSTROM: Yes.

Interim Finance Director LAWTON: Which departments underspent the most.

SPEAKER BERGSTROM: You know the old ----- on bureaucracies how they wind up -- they feel themselves forced to spend all the money that's authorized otherwise they don't get it the next year.

I mean I don't suggest they're doing that, but, of course, this body and the Commissioners are going to look at the expenses of each department.

Interim Finance Director LAWTON: Right.

Speaker BERGSTROM: We see that they, indeed, did not expend what they were appropriated. You know, we ought to have some kind of background to understand why.

INTERIM FINANCE DIRECTOR LAWTON: Correct, and we can get that.

SPEAKER BERGSTROM: And I know as a former Town Manager, I'm sure you did that every year.

INTERIM FINANCE DIRECTOR LAWTON: Well what we used to do, at least in Yarmouth is we didn't punish people for not spending money.

Speaker BERGSTROM: Right.

Interim Finance Director LAWTON: And so the Finance Committee was supportive that if there were instances where funds could be saved, you didn't say, okay, you saved a thousand dollars so I'm going to cut your budget a thousand.

No, that doesn't encourage good behavior. What you really want to do is say, okay, you were able to save a thousand. Now does that mean you only needed 500? Can we make an adjustment? Those types of discussions should be held, obviously this year.

SPEAKER BERGSTROM: Do you know off-hand, you probably don't, but do you know off-hand if a significant amount of that surplus were employees who basically either retired or left and were not replaced during the course of the fiscal year?

INTERIM FINANCE DIRECTOR LAWTON: I don't know of any that were not replaced.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: So, no, I don't believe so.

Speaker BERGSTROM: All right. Ed.

Mr. MCMANUS: Municipalities I've been involved in when it's time to save some money during the budget year, you know, it's not that you don't replace the money but you hold off two or three months. For an employee, that's 15 to \$20,000 that you've saved, you know, and that really doesn't terribly impact the operation.

SPEAKER BERGSTROM: All right.

Interim Finance Director LAWTON: Thank you, very much.

Speaker BERGSTROM: You have a question just from Ed.

Mr. LEWIS: Just one follow-up that sort of tickled my fancy when I heard it. When you're dealing with union negotiations and you have a group of employees and people retire and they're at one level earning X and they retire and you hire someone at a lower level, which happens all the time.

INTERIM FINANCE DIRECTOR LAWTON: Yes.

Mr. LEWIS: In town situations or in school situations, the school situations that money reverts to E&D, that difference, and in towns it goes to Free Cash sometimes because they budgeted certain amounts. Now how does that work in the County?

INTERIM FINANCE DIRECTOR LAWTON: If it's not spent at the end of the year, you look at what you either have or haven't spent versus your income. And this year, we were fortunate that there were less -- there was a lower amount of income in certain areas but there was also a lower amount of spending. That's why we have a balance.

Mr. LEWIS: I understand.

Interim Finance Director LAWTON: But it doesn't go -- it does not go into E&D. There is no E&D. There is no Free Cash. It goes into --

Mr. LEWIS: The General Fund.

Interim Finance Director LAWTON: Well, possibly a General Fund, Statutory Reserve, etcetera.

Mr. LEWIS: I'm just curious how that works.

INTERIM FINANCE DIRECTOR LAWTON: It's not as formal. I had to think about that a long time when I was trying to figure out how the County ran as far as these finances.

Mr. LEWIS: Because in the school district, that money can be fairly substantial on their basis.

SPEAKER BERGSTROM: Do we have one big checkbook for everything out there?

INTERIM FINANCE DIRECTOR LAWTON: No.

Speaker BERGSTROM: No, we don't.

INTERIM FINANCE DIRECTOR LAWTON: No, there are a series of accounts. And we had discussed this several months ago where there are investment accounts; there is a checking account, a payroll account, and then there are a number of accounts concerning septic loans, escrow accounts that the Commission has. We do show the Cape Light Compact money. Although we don't deal with it, we have to show it. So there are separate --

SPEAKER BERGSTROM: So what I'm saying is they're not -- it's all kept in one account with the bank. In other words, it's not like you have a checkbook for -- there would be different checks for certain different departments?

INTERIM FINANCE DIRECTOR LAWTON: No, it's not that fine but there are separate accounts for the Cape Light Compact is not commingled within our General Fund.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: And there's a payroll account etcetera. The septic loan is separate. So we separate it enough but we don't have --

Speaker BERGSTROM: How do you separate it? Do you separate it by some code or something? Or is it --

INTERIM FINANCE DIRECTOR LAWTON: I think they're in -- at least my understanding is there are separate bank accounts for certain things.

Speaker BERGSTROM: Oh, there are. Okay.

Interim Finance Director LAWTON: But there are a lot of different areas where you'd want that. I mean I would like --

SPEAKER BERGSTROM: It seems like an odd question but this has come up in the past.

Interim Finance Director LAWTON: Yes.

Speaker BERGSTROM: As to -- one time when Mark when we looked into some other accounts, it seemed as though everything was run through the same account but they were different, you know, basically different codes and stuff that determined where they went.

INTERIM FINANCE DIRECTOR LAWTON: That still would be the case. However, we do have separate accounts for it, as I know I'm repeating myself, but for

CVEC, for Cape Light Compact.

SPEAKER BERGSTROM: Yes. Linda.

Ms. ZUERN: I have a question with the Registry of Deeds, it says under “Revenues” \$2,405,000. And under the “Expenditures,” it’s \$2,439,000.

Interim Finance Director LAWTON: Okay.

Ms. ZUERN: So we’re actually spending more than what we’re bringing in?

INTERIM FINANCE DIRECTOR LAWTON: It may be in that particular case, but overall we took in -- we spent less than we took in. So that is one department of many.

So, yes, that was an issue. Certainly we clearly understood that we were going to be having fewer dollars come in in especially the Registry. But it’s not a one-for-one for that department.

Ms. ZUERN: So what are the expenditures, mostly salary or?

INTERIM FINANCE DIRECTOR LAWTON: Salaries and I would assume - - I don’t know specifically. Most of it probably would be salaries.

Ms. ZUERN: Because I thought that was a revenue-producing --

Interim Finance Director LAWTON: It does. And normally it covers its costs. The other item, we have the tax, the Excise Tax, which came in a little less. And then the General Business Income, that was much lower which is why in FY17 we lowered the estimate by \$750,000 in order to make that so that you’re not spending more than you take in. But for this year, yes, there was a slight difference.

Ms. ZUERN: Thank you.

Interim Finance Director LAWTON: Thank you. And thank you, Joanne, for coming. You did a great job.

Speaker BERGSTROM: Moving right along, do we have any Communications from Public Officials?

Do we have any Communications from Members of the Public? Hearing none.

Assembly Convenes

Proposed Resolution 15-05: To approve certain budget transfers for fiscal year 2016 in accordance with Barnstable County Ordinance 15-02.

NOW, THEREFORE,

BE IT HEREBY RESOLVED that the Barnstable County Assembly of Delegates Proclaims: The following transfers between budget groups two and nine for fiscal year 2016 are approved:

For the Human Services Department (HOME Program):

Decrease Medicare Tax account 5984 0173 by \$ 8,000

Increase Legal Services account 5235 0173 by \$ 2,500

Professional/Technical Services account 5239 0173 by \$ 5,000

Advertising account 5291 0173 by \$ 500

Speaker BERGSTROM: The Assembly will now convene, and we will have a vote on Proposed Resolution 15-05, budget transfers for HOME Investment Partnership Program, \$8,000.

Did the Finance Committee look at this, John?

Mr. OHMAN: No, we did not.

SPEAKER BERGSTROM: Okay. So --

Mr. OHMAN: It looks like, Mr. Speaker, it looks like it's just an interdepartmental transfer.

SPEAKER BERGSTROM: Yes. I'm just looking for a motion.

Mr. OHMAN: I would like to move Proposed Resolution 15-05 as printed.

Mr. MCMANUS: Second.

SPEAKER BERGSTROM: Okay. Moved and seconded. Bob, do you want to give a quick -- do you know what that is?

INTERIM FINANCE DIRECTOR LAWTON: I think -- I believe that we did send over a short explanation, and the explanation given by one of the Assembly of Delegates is correct that we needed to readjust that \$8,000 ----- to readjust it when the first amount was submitted by the Cape Cod Commission, they have lumped money together and we need to separate the salaries, travel, supplies, fringe benefits for those particular items.

So we needed to adjust the \$8,000. And there is no increase in the amount. It's simply a readjustment. But since in the Ordinance you voted very specifically where the money was to go, we needed to come back to you to ask for that to be revised.

SPEAKER BERGSTROM: Okay. Yes, Brian.

Mr. O'MALLEY: Does the reduction in Medicare tax reflect a reduced level of employees?

Interim Finance Director LAWTON: No.

Mr. O'MALLEY: How can you pull that?

Interim Finance Director LAWTON: It was based -- the amount that was put in the Medicare account was based upon an estimate which was not correct, and that's why the amount could be taken down by the 8,000 and redistributed.

Mr. O'MALLEY: That's really unneeded funds.

INTERIM FINANCE DIRECTOR LAWTON: Yes.

Mr. O'MALLEY: Okay. Thank you.

INTERIM FINANCE DIRECTOR LAWTON: Well it needed to be placed in a different account.

Mr. O'MALLEY: Needed a different account there, right.

Interim Finance Director LAWTON: Yes, sir.

Speaker BERGSTROM: Okay. That's it. Well in that case, we have a motion on the floor. It's been moved and seconded. It concerns money so we have to take a voice vote.

Roll Call Vote on Proposed Resolution 15-05:

Voting YES (94.97%): Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27%- Wellfleet), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), Edward Lewis (4.55% -Brewster), 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), Julia Taylor (14.61%- Falmouth), Linda Zuern (9.15% - Bourne).

Absent (5.03%): Christopher Kanaga (2.73% - Orleans), Teresa Martin (2.30% - Eastham).

Whereupon, it was moved, seconded, and by a roll call vote with 94.97 percent voting “yes”;

VOTED:

Resolution 15-05: To approve certain budget transfers for fiscal year 2016 in accordance with Barnstable County Ordinance 15-02.

NOW, THEREFORE,

***BE IT HEREBY RESOLVED* that the Barnstable County Assembly of Delegates**

Proclaims:

The following transfers between budget groups two and nine for fiscal year 2016 are approved:

For the Human Services Department (HOME Program):

Decrease Medicare Tax account 5984 0173 by \$ 8,000

Increase Legal Services account 5235 0173 by \$ 2,500

Professional/Technical Services account 5239 0173 by \$ 5,000

Advertising account 5291 0173 by \$ 500

Clerk O’CONNELL: Mr. Speaker Proposed Resolution 15-05 passes with 94.97 percent of the Delegates voting yes; 5.03 percent are absent. Now known as Resolution 15-05.

Committee Reports

SPEAKER BERGSTROM: Thank you. Do we have any committee reports? Yes, John.

Mr. OHMAN: Mr. Speaker, the Finance Committee met today to discuss Proposed Ordinance 15-07, which essentially is to take from the Reserve account \$232,000 to begin the remediation of the well problems and the groundwater problems out at the Fire Training Academy.

This is, as we all know, a burgeoning problem, and this is, I think, just another step toward total remediation. It’s going to involve water quality monitoring, assessment, and remediation.

And there is some, you know, big and small issues out there that have to be addressed and what this is going to do is take -- and if there’s a breakdown -- I don’t know if you all got the breakdown but there’s a breakdown of the monthly cost and overall cost for different levels of this monitoring program.

So we discussed it with Tom Cambareri from the Cape Cod Commission in length. And the short of it is we voted 3-0 to send it to the Assembly for a positive vote.

Speaker BERGSTROM: All right. You’ll get another shot at this next meeting because we have to produce the minutes to approve the minutes so we can --

Mr. OHMAN: But further on, Mr. Speaker, I think that we really have to start to look at this very seriously. There’s a lot of issues over there with that, and we don’t know exactly what our level of responsibility is, what the protocols are for the emerging contaminant that they’ve discovered where they did -- what is that? They fire water at propane tanks and it’s affecting the groundwater negatively.

So part of that is I think that we unanimously decided to ask the Commissioners, should they come today, if not then, through you, I would like to make sure

that we have them take a very seriously look at stopping that activity in that part of the Fire Training Academy because it's creating a plume.

So I think we have to start being very proactive about stopping the contamination from spreading and getting deeper into the groundwater.

SPEAKER BERGSTROM: John, if necessary, we'll put this on as an agenda item at the next meeting so we can discuss it.

Mr. OHMAN: Thank you, Mr. Speaker.

Speaker BERGSTROM: Because we can't really discuss it too much today because it's not on the agenda. Yes.

Ms. MCAULIFFE: I think that the Chairman was requesting through you that you go to the Commissioners. We have other things to discuss, yes, in terms of this. But it's urgent that the Fire Training Academy stop using a specific site. And Tom Cambareri has been trying to work with them.

So as Speaker -- no, I'm just saying, as Speaker, perhaps, you could alert the Commissioners there's an issue.

SPEAKER BERGSTROM: I will.

Ms. MCAULIFFE: Thank you.

Speaker BERGSTROM: I will alert the Commissioners. I'm sure I'll get the normal response from them.

Now is there any other -- let's drop this now and we'll discuss it when we have it on the agenda; okay? Otherwise, I feel uncomfortable about this.

Is there any other -- obviously, that's the only committee that met during the course of the time. Yes.

Mr. MCMANUS: Just a request that apparently some documents were handed out about this issue. I think it be pertinent to the committee that you've appointed, myself, Ed Lewis, and Teresa Martin to be on is that those reports could be made available.

Speaker BERGSTROM: I will.

Mr. MCMANUS: Because, you know, our committee had a meeting today and feel somewhat blind-sided that there's apparently all this activity going on that our committee that's responsible for making recommendations isn't being kept in the loop on.

Speaker BERGSTROM: Okay. Well the Chair of the Committee can request any documents that he wishes, but I will see, through the Clerk, that any pertinent documents that we have will be distributed to all of the members of the Assembly.

Ms. MCAULIFFE: Also, Mr. Lawton's going to provide more financial information because we had a summary and he has more detailed backup. Perhaps it should go to the entire Assembly so that when they take a vote they have the same information that the Finance Committee has.

Speaker BERGSTROM: Okay.

Report from the Clerk

SPEAKER BERGSTROM: Okay. Do we have a report from the Clerk?

Clerk O'CONNELL: Yes. I'm absolutely going to do that because I learned my lesson last time. You'll get everything.

A couple of items. You will be voting at the next meeting, I would presume, and that's September 16th on this particular Proposed Ordinance 15-07. That's one item that

I know will be scheduled for the next meeting.

Also a reminder to the Delegates who were not able to pick up and take the posters and their certificates, the AmeriCorps posters, two meetings ago now; I think it was Barnstable, Dennis, Eastham and Mashpee. I have the posters and the certificates for you to take to your respective communities.

In addition to that, I wanted to let you know that I will be attending the OML training, which will be next Tuesday in Sandwich. That's in the evening. And I will also be attending the Public Records Law, I guess, discussion that the Selectmen and Councilors will be having in Sandwich, and I think that's on Friday. I saw that information come through and I contacted I think it was the Chair of that organization which happens to be a Delegate, Ed McManus.

Mr. MCMANUS: The Clerk.

Clerk O'CONNELL: And I said, gee, I said Public Records Law Legislation, Current Law and Proposed Changes; I thought that that would be helpful for me, and I'll be attending that on Friday. So I'm going to be attending that on Friday.

So I'm going to be spending some time in Sandwich next week, a couple of days anyways.

And for now, I guess that's it. As a reminder, some of you received in your folder today a form for the Annual Meeting and Trade Show in January. It's a registration form. So if you have received one of those if you could look it over, okay it, and return it to me. I'd like to start that process because it requires a prepayment authorization, a purchase order, and etcetera, so it takes a little time.

And anyone else who's interested, just get back to me and let me know. And I'm handling room reservations already. So you will be receiving emails and notifications about that.

And that's all that I have today.

Other Business

SPEAKER BERGSTROM: Okay. Under "Other Business," some of you may be reading in the paper the ongoing -- I'm sure Pat is -- the ongoing controversy in downtown Hyannis with the homeless and a group of people who are trying to deal with it.

In the press reports that I have read, the County seems to be mentioned several times. And when I heard that, my first impulse was to rush into the fray and say, "What do you want from us" because those of you who have been here for a while; I know Julia's been and John and -- this was a huge issue, a huge issue six or seven years ago when the County had some surplus funds and we were providing funds to some of the human service groups, the nonprofit human services group that exist in Hyannis. And, of course, there was some pushback from that.

But I have since decided that maybe we should wait this out, but if anybody has any desire to bring this in and look at it; I mean it's not a good issue. But when we talk about -- the problem is when we talk about the Cape doing something, it's unlikely that 15 towns are going to take 15 votes. So as soon as I hear that the Cape has to take a big responsibility, the first thing I think of is regionalization. That means Barnstable County, and we already have a Human Services department that do good.

You know, if anybody wants to bring this up, contact me and we can ask

people to come in. I don't think we have any -- Pat, do you know if we have a representative on that group, the downtown group, I mean from the County? I know we have someone from Beth Albert's office
but --

Mr. PRINCI: That I believe is just in the Human Service department.

Speaker BERGSTROM: Human Service. But the Commissioners don't have anybody other?

Mr. PRINCI: No.

Speaker BERGSTROM: Okay. All right. Well, I'll throw that out there.
Yeah, Ed did you want --

Mr. MCMANUS: No, Julia does.

Speaker BERGSTROM: Oh, yes, Julia.

Ms. TAYLOR: Well, just in case you all were wondering, the committee that is going to review candidates who have applied for the position of administrator is going to meet Tuesday. I don't know how long that will take, but we did get a number of applications that were screened by the Collins Center. And I can't really say anything about it other than I was favorably impressed with the number of what appeared to be experienced and likely possibilities.

So we will then, after discussion, invite some people to come for an interview. Then we will eventually make a recommendation of X number of candidates to the Commissioners.

So this could move along. It's hard to know what that would mean. But at least the 8th we're having a meeting, and we will discuss the applications that we've received.

Mr. LEWIS: Good luck, Julia.

SPEAKER BERGSTROM: Okay. Looks like the Commissioners are not going to make an appearance today. So the next order of business would be --

Mr. LEWIS: Adjourn.

Ms. MCAULIFFE: No, no, I have other business.

Speaker BERGSTROM: Oh, you do. Okay. I'm sorry.

Ms. MCAULIFFE: The Commissioners today appointed I think Mary McIssac as Finance Director, so they'll be bringing that information to us. I guess a known-on-the-Cape for different financial comptroller-types of positions. I asked Bob Lawton who they had appointed because it was on their agenda and they didn't have a name.

So in terms of our budget going forward, at least -- I don't know when this person is starting, but at least there is one hired. So that, to me, is better than just kind of floating around with administration, you know, kind of flapping in the breeze.

SPEAKER BERGSTROM: Yes, that's good news.

Ms. MCAULIFFE: The second thing is in terms of --

Mr. LEWIS: Can I ask a question about the first thing?

Ms. MCAULIFFE: Yes. I don't know anything more except that that's what I was told.

Mr. LEWIS: Is this person the replacement for Bob?

Ms. MCAULIFFE: Yes.

Mr. LEWIS: So they've hired this person before they hired the new Administrator.

Ms. MCAULIFFE: Yes, Ed.

Mr. LEWIS: Very brilliant business.

Ms. MCAULIFFE: Yes.

Mr. LEWIS: Brilliant business.

Ms. MCAULIFFE: So, going forward, I'm not editorializing. I just saw it on their agenda. I didn't see any information so I asked. Pardon me.

The second thing is after our discussion about the Fire Academy and the Finance Committee, I think the Finance Committee feels like I do in that there's going to be a lot hanging around the County's neck potentially.

So going forward in the fall, we're going to need to have not only a discussion about the Fire Academy, but I think also other departments that we are responsible or pass through us or somehow we are connected to because whether there's liability or not, I think we all feel that there's going to be a lot of money being asked for for this Fire Academy and the County will in some ways be responsible.

Mr. LEWIS: I'm sorry, but this is not on the agenda.

Ms. MCAULIFFE: No, I'm just saying I'm putting this on the agenda. Okay. I'm asking for this on the agenda going forward. I'm putting it on public. There's going to be no discussion.

And the reason I'm bringing this up is also -- okay, I won't editorialize. I'm just telling you that there will be issues coming forward that we need to deal with. And I also think that another group, CLC and CVEC, may fall into that. We don't know what is coming our way in terms of responsibility. I would like this on a future agenda.

SPEAKER BERGSTROM: I will -- it sounds like a legal issue to me. And so maybe we can bring in both the people who are directly responsible for these issues.

Ms. MCAULIFFE: However we do it, yes.

Speaker BERGSTROM: Also whatever legal counsel we have and to see what exposure we have. So I will place that at some point on the agenda assuming I can get these people together. That's the only thing.

Ms. MCAULIFFE: Okay.

Speaker BERGSTROM: So, with that --

Ms. MCAULIFFE: Move to adjourn.

Ms. KING: Second.

Speaker BERGSTROM: Okay. All those in favor?

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 4:40 p.m.

Respectfully submitted by:

**Janice O'Connell, Clerk
Assembly of Delegates**