

Janice O'Connell

From: Robert Troy <rst@troywallassociates.com>
Sent: Thursday, June 22, 2017 11:36 AM
To: Leo Cakounes; mpatflynn@gmail.com; Ron Beaty
Cc: Janice O'Connell; Suzanne McAuliffe
Subject: Assembly of Delegates Legal Questions

Commissioners,

The Assembly of Delegates, at its meeting yesterday, has posed several legal questions relative to the Assembly's authority under the Barnstable County Charter. My formulation of these questions is, as follows:

- 1) Given the Charter provision empowering the Assembly of Delegates with the authority formerly vested in the Advisory Board on County Expenditures, does the Assembly of Delegates have authority to amend the Budget submitted by the County Commissioners to provide for programs that were not included in the Commissioners' budget or is the Assembly's authority limited to increasing or decreasing proposed by the Commissioners for programs that are identified in the Commissioners' Budget?
- 2) Does the Charter permit the Assembly of Delegates to contract for and appoint Counsel to represent the Assembly in matters relating to policy disputes with the County Commissioners?

My recommendation is to submit these questions to Special Counsel, appointed by the Commissioners, to respond to the Commissioners and the Assembly and opine on an interpretation of the Barnstable County Charter with respect to these questions. Thank you.

Bob