

**CAPE COD REGIONAL GOVERNMENT
ASSEMBLY OF DELEGATES**

APPROVED Journal of Proceedings - April 1, 2015

Speaker BERGSTROM: Good afternoon. Welcome to the April 1st meeting of the Cape Cod Regional Government, Assembly of Delegates.

Is anyone recording this meeting besides our normal recording? Hearing none. I'd like to call this meeting to order.

And before we go into our moment of silence, I would like to recognize, first Julia Taylor and then Doctor Brian O'Malley; they have a remembrance -- Well, I'll turn it over to Julia.

Ms. TAYLOR: Thank you, Ron. George and I shared a long Barnstable County Association. He served on the committee that originally recommended that Cape Cod set up a Charter Commission. Now this is 25 years ago. And I then served on that Charter Commission. He joined the first Assembly and I was elected after the first two-year session.

We sat next to each other for many years. I think it was -- I think I was here and he was there. And I told him of my Provincetown background. My father and grandparents were -- and great-grandparents were born in Provincetown. And he told me many fascinating stories of the history of the fisherman who had come from Scotland to Cape Breton to Provincetown as my family had done.

George loved Provincetown but he was so very passionate about the idea of regional solutions to Cape-wide problems. And he was always eager to bring up his many, many interesting ideas. I missed him when he retired and I miss him now.

Speaker BERGSTROM: Thank you. Brian.

Mr. O'MALLEY: Just briefly. George Bryant served in this body from its inception until 2010 and was, indeed, a remarkable historian, a wealth of information and knowledge.

I'll just bring up two points that I particularly remember about George. First, there were a number of occasions when I appeared here on behalf of the Cape Care -- Cape Care effort to bring a universal single-payer universal healthcare program to the Cape, and George was a most dignified host and saw to it that my time and my testimony was very smooth.

And I ran into George not so long ago, in fact, it was right before I was elected. And he was out holding court in town, Provincetown, as he was known to do. And we got to talking about the Assembly. He put me at very much at rest, at ease, in terms of what was ahead here. And I was very much more confident after that.

George told me a story that he said, you know, in my entire time I only missed two meetings of the Assembly. Those were after I had a bypass, my bypass surgery. And then he told me how for the following meeting he violated his surgeon's orders about sternal precautions, drove here with a pillow in front of his chest to protect his chest from the steering wheel just in case. So he only missed those two meetings.

There was a guy of great energy, great integrity. He's going to be sadly missed.

Speaker BERGSTROM: Yes, we'll all miss George. He was a great guy. There was an article on his life in today's Cape Cod Times if anybody wants to know more about him. He served Provincetown in many capacities for many, many years.

So we'll include a moment of silence for George Bryant, along with silence for 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 (100%): Ronald Bergstrom (2.84% - Chatham), Ned Hitchcock (1.27% - Wellfleet), Christopher Kanaga (2.73% - Orleans), James Killion (9.58% - Sandwich), Marcia King (6.49% - Mashpee), 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), Julia Taylor (14.61% - Falmouth), Linda Zuern (9.15% - Bourne).

Clerk O'CONNELL: Mr. Speaker, we have a quorum with 100 percent of the Delegates present.

Speaker BERGSTROM: Thank you.

I'll now need a motion to approve today's Calendar of Business.

Deputy Speaker MCCUTCHEON: So moved.

Ms. KING: Second.

Speaker BERGSTROM: Moved and seconded. Any additions or corrections? Hearing none.

All those in favor, say "Aye." Opposed?

(Motion carried.)

Speaker BERGSTROM: You should have received a copy of the Journal of March 18th. Are there any additions or corrections to the Journal?

Mr. O'MALLEY: Move to approve.

Ms. MCAULIFFE: Second.

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

Ms. MARTIN: Abstained.

(Motion carried.)

Communications from the Board of Regional Commissioners

Speaker BERGSTROM: We now have the Communications from the Board of Regional Commissioners. I see at least two here. Madam Chair.

Commissioner LYONS: How are you? I guess I missed quite a hearing. I know my name was invoked, so, unfortunately, I wasn't here to defend myself.

Good afternoon. I just came from a long meeting at the Cape Light Compact which was actually fascinating but I looked up and all of the sudden saw the time.

I also want to remember George Bryant. And not only did George Bryant make every meeting of the Assembly, but he made every commitment or committee meeting. So as part of

the Human Services department, he attended every human advisory meeting on Thursday mornings because I was the alternate Delegate with him and I always went wondering, you know, I didn't think he'd be able to get there, but George was always there, you know, usually ahead of me.

And every other committee that he served on he was there and sometimes right up there -- up in Falmouth you would find him at different things that you would not expect him to.

So he was a great supporter of the County, the concept of the County. And that's my phone that's ringing so I apologize. I'm terribly sorry about that. And he was. He was a very thoughtful man who loved the town of Provincetown but loved Cape Cod and really saw it as a whole and how we could do things better together.

And he will be missed, and it's just a very sad thing. So my condolences as well to his family and friends.

Today, we -- I don't have the agenda in front of me, but we did go over -- we did have -- we have two Ordinances that Michael is going over to get because I thought he had them. And what we did do was we did not have a presentation by Open Cape because Mr. Davis did not attend.

And we did appoint a permanent director of the Fire Academy, George Russell, who was here earlier. He might be outside but he is now the Director of the Fire Academy.

This last week, Michael Brillhart and myself did meet with the Fire Chiefs Association just to discuss the future of the Academy. We have activity, you know, we're still having water activity over there. The buildings are in need of repair desperately. It's not on our, you know, within our ability within the next couple of years.

So in discussing the reality of the situation, how can we go forward and make sure we keep the Fire Academy intact.

I have spoken to many fire chiefs, you know, one-on-one as I encounter them, and it seems like I did meet quite a few in different venues. And I have spoken with several town managers about the benefit of the Academy, and I do believe that it is a strong benefit to this region. It saves many dollars. But it would be nice to see what those dollars are; how can we make sure -- ensure that we're able to help the towns going forward with this fire training.

Otherwise, and you know Suzanne, they would have to go up to Springfield. You have to give them time off. You have to pay their travel. There's a lot of expense especially when you're training new firemen and you're trying to maintain a staff.

So there will be a committee. They actually suggested that they create a committee and work with the County this coming year to look at the issues that are there and what would our options be. And I think it's wise that they're happy and willing to go forward and be more proactive as opposed to just waiting until we have no other options, you know, if we had just looked at this a year ago, we could have done something better. So I was happy with that.

And the two Ordinances, we'll be authorizing appropriations for a vehicle replacement. It's just really money transfers for the facilities' department, and one is a transfer for the costs of coming out of the dredge into their salary line item. So it's really just a basic internal transfer of those.

And we did have an Executive Session today and there was no vote, but I'm trying to think of how far I can go on HIPAA laws and privacy laws.

Commissioner CAKOUNES: We voted on it.

Commissioner LYONS: But we did do an extension to April 29 until -- Pat was not able to attend the meeting today, so until she has time to recover and get back or we can put that -- we can make those decisions together as a board.

And I think that's about it.

Speaker BERGSTROM: Does anybody have any questions for Commissioner Lyons? Yes, Julia, we'll start with you.

Ms. TAYLOR: Sheila, I just got -- I've been away for three weeks, and I just got my mail yesterday and I saw that I was on the committee to -- on the search committee.

Commissioner LYONS: Yes.

Ms. TAYLOR: So do we know who that is? It didn't say who else.

Commissioner LYONS: Oh, who the other members are?

Ms. TAYLOR: Yes.

Commissioner LYONS: You're in with a good group, I think.

Ms. TAYLOR: I'd just like to know.

Commissioner LYONS: It was a random sample that I would say, no, we all sort of -- it all kind of worked out. I think it's a very well balanced group. Let's see, Roger Putnam is on it.

Commissioner CAKOUNES: Don Howell.

Commissioner LYONS: Don Howell.

Commissioner CAKOUNES: Mary Lou Petit.

Commissioner LYONS: Mary LeClair, Mary Lou Petit, Charlie Sumner.

Commissioner CAKOUNES: Eric Turkington.

Commissioner LYONS: Eric Turkington.

Commissioner CAKOUNES: Thank you.

Commissioner LYONS: And yourself, I believe.

Ms. TAYLOR: Okay. Well --

Commissioner LYONS: And we, hopefully, will decide on a -- we didn't have enough information this meeting but next meeting we'll be finalizing the search committee, and I'm sure you'll be contacted after that when all this fun will begin.

Ms. TAYLOR: Right.

Commissioner LYONS: So, all right. Well, thank you.

Speaker BERGSTROM: Pat.

Mr. PRINCI: Commissioner Lyons thanks very much for providing us with information on the Fire Academy. I have been talking with Commissioner Mary Pat Flynn in the past about the possibilities of a relocation of it. It seems obvious that there are a lot of capital improvements that needs to be done, etcetera. You mentioned that the County's not willing to put in for that for some time now --

Mr. LEWIS: Pat, could you turn your mic on.

Mr. PRINCI: It's on.

Mr. LEWIS: Get closer.

Mr. PRINCI: Hello. Basically, it seems as if there's a -- it's on the well fields and it seems as if there's a ton of space out on the Mass. Military Reservation. There's even existing buildings in place too that could be utilized for fire training services, and they do do a ton of trainings out there as you know.

Could you please try and prioritize looking at the relocation of it in those words and, perhaps, consider me to serve on that committee?

Commissioner LYONS: I thank you for offering, and I do think that -- as I said, I don't believe that the Fire Chief Chair, the Chair of the Chief Association did write a letter. I do believe that we will be getting -- thank you, Michael.

Administrator BRILLHART: You're welcome.

Commissioner LYONS: We will be getting together. We'll make a date and they'll have members from their association. There was several Fire Chiefs that volunteered on the spot that they would like to participate. And then we can come here and see who would like to participate in that.

And I do think I would like to make sure that it's a defined committee that you're looking at certain areas, and one of them is going to be the location and what would it take to stay at the location or how could we move that location and what are our alternatives.

So I think that everything has to be on the table to look at, but the goal is to make sure that we maintain that Academy. I know that the Commissioners are committed to that and I hope you are too. And I do understand the issue with Barnstable, and I'm sensitive to that because it is -- it's a liability for us, so we need to address it.

Thank you.

Speaker BERGSTROM: Sheila, I have a couple questions for you. One is do you know if the Fire Training Academy keeps a log? Do they keep a log of activities? People, you know, today at 9 o'clock we did this and it went till 12, and these are the people who were there and stuff? You probably don't know.

Commissioner LYONS: I don't know and I'm going to assume that those records are kept.

Speaker BERGSTROM: Okay.

Commissioner LYONS: But those are another thing to kind of bring in what is the amount of activity that takes place at that facility. When is the seasonality of that activity and what is the type of activity?

Speaker BERGSTROM: The other question is I hear through the rumor mill, where it seems I get most of my misinformation --

Commissioner LYONS: It's always misinformation.

Speaker BERGSTROM: -- that you may file amendments to Ordinance 15-02, which is the current Fiscal '16 Budget. In other words, that there may be amendments to the proposed budget. Do you have any information on that from the Commissioners? In other words, Leo, do you have -- does anybody know anything? You're the one that spread the rumors.

Commissioner LYONS: Well, are you talking about these Ordinances that are coming forward?

Speaker BERGSTROM: If that's the case, yeah. No, it isn't. I'm talking about something that may -- those are just the transfers.

Commissioner LYONS: Well, if you're the one that's spreading the rumor, you can tell me now too.

Commissioner CAKOUNES: I'm not spreading the rumor. We discussed this at our meeting. You were sitting right next to me.

Commissioner LYONS: Yes.

Commissioner CAKOUNES: We, the County Commissioners have voted to reduce the cost of the bonding because there was some, and I don't have my paperwork in front of me; I apologize, but there was a specific item on there in which the state wants to move forward with right away and they're going to paying for it.

So we were able to take that particular amount off for 2016's budget, and we subsequently have gotten some better, if you will, estimates on some work. So there was a large reduction and then a slight increase. But the bottom line of the amount of money that we will be borrowing actually is going to be reduced.

Now I suggested, as a single Commissioner, that we not muddy the waters and go through an amendment to the budget because, quite frankly, it's really good news. And I suggested that either our financial advisor or Acting Financial Administrator come in front of you when you're voting your budget and allow you people to make the amendment, and that way there it's just done at one simple step.

We have taken a vote to approve the change. We have not taken an official vote to put together an actual Ordinance which would be amending the Ordinance. So I hope that answers your question.

Speaker BERGSTROM: You don't have to put together an Ordinance to amend the Ordinance. The budget could be amended by a motion from the floor. Someone could file an amendment at the time.

Commissioner CAKOUNES: Right.

Speaker BERGSTROM: You know, a friendly amendment; I assume it would be friendly. I'm not counting you two, but I mean friendly among us anyway.

Commissioner LYONS: It's friendly again.

Speaker BERGSTROM: Okay. That would be, to me, the easiest way to do it but that's a question for County Counsel.

Commissioner LYONS: And what the issue was was the heating system in the courthouse. They are going to pay for that, which was \$250,000. That was last week's conversation so I didn't touch on it.

The Clerk has a question for you.

Commissioner LYONS: Hello.

Clerk O'CONNELL: I know that you have something to submit today.

Commissioner LYONS: I do --

Clerk O'CONNELL: Is it an Ordinance or a Resolution?

Commissioner LYONS: It's a Resolution. It's a Proposed Resolution, pardon me.

Clerk O'CONNELL: Okay. Because the Assembly deals with that differently than an Ordinance.

And the other thing that you mentioned was another action that you took today, but I think that that was Ordinance 15-02. You signed it. The Assembly already dealt with it.

Commissioner LYONS: Yes, that's correct. So I'm only handing you --

Clerk O'CONNELL: So now that you got --

Commissioner LYONS: -- 15-01.

Clerk O'CONNELL: Good.

Commissioner LYONS: I believe.

Clerk O'CONNELL: Resolution.

Commissioner LYONS: Resolution.

Clerk O'CONNELL: Yes, that's what --

Commissioner LYONS: Proposed Resolution and it is to --

Clerk O'CONNELL: Okay. Thanks.

Commissioner LYONS: It is taking money from --

Speaker BERGSTROM: Transfers.

Commissioner LYONS: -- yes, the dredge interest to the dredge salaries, and I will present this to you know.

Commissioner CAKOUNES: If I may, Mr. Speaker?

Speaker BERGSTROM: Yes.

Commissioner CAKOUNES: I know you're probably -- I assume you're going to hold some kind of a hearing on this or due process.

Speaker BERGSTROM: Yes.

Commissioner CAKOUNES: But just for those of you, I don't want you to leave today thinking that the County dredge is increasing their salary and wage line item because they are, again, are hiring someone else. That's not the case.

Our auditors have told us that because it's an Enterprise Fund, we, the County, have the ability to charge that the Enterprise Fund for the time spent on managing their monies in the office. And this is a procedure that we will have to do here in FY15.

We are actually transferring \$20,000 from the specific line item which is actually set aside for dredge interest payments. And because we have not borrowed any money, I think we originally appropriated a hundred thousand and we're anticipating taking 20 out of that, moving it to Salary and Wages. And that will subsequently be transferred into Barnstable County's General Account Fund for the time that we've been helping them with their services.

I only mention that today because at our meeting, I did mention that FY16's budget that you have in front of you, approved by the Commissioners, also does not address this. So you may possibly be seeing one of the same particular transfer requests coming through as a Resolution probably in September or October or maybe even later in the year in the FY16 budget. I'm hoping that when we put together FY17's we will have this addressed and it will actually be in the budget at that time.

Speaker BERGSTROM: Is that inconsistent with anything in the Ordinances that set up the Enterprise Account? In other words, the order to say we can do this without changing the makeup of --

Commissioner CAKOUNES: To my knowledge, we don't have to change anything. This is -- I wanted to say it's almost Mass. General Law type of thing where we have the ability to do it.

Speaker BERGSTROM: Marcia.

Commissioner CAKOUNES: I'm not looking to change the original Ordinance that created the Enterprise Fund.

Ms. KING: Thank you, Mr. Speaker. So based on that, did we charge back to Cape Light Compact and Open Cape for all the paperwork and all the work that we do for them as their fiscal agent? This question I have asked over the years.

Speaker BERGSTROM: The Speaker will recognize Bob Lawton.

Commissioner LYONS: Is Bob coming up later? So I mean he can answer these

questions then. Thank you, Bob.

Interim Finance Director LAWTON: The simple answer is yes. Since I've been on board, we did do an analysis of the work that's been done since July 1 till March. I have submitted that to both CLC and CVEC and are waiting response.

And I would be making an estimate in FY16's budget for income from both of those agencies for the administrative work, for space usage, and there is also going to be a payment to the IT Department for IT usage by those two agencies. Yes.

Ms. KING: How about Open Cape?

Interim Finance Director LAWTON: I have not done Open Cape. I will look at that. I don't know if there's a contract -- I had two existing contracts -- I'm sorry, we had three existing contracts. I need to add one more which will be the Commissioners' -- for a Commissioners' approval and yours for I think it is CVEC's space us. It's minor but it should be consistent. I'm not sure about Open Cape, but I'll have to look at that.

Ms. KING: Thank you.

Interim Finance Director LAWTON: Thank you.

Speaker BERGSTROM: Deborah.

Deputy Speaker MCCUTCHEON: Yes while --

Speaker BERGSTROM: Microphone.

Deputy Speaker MCCUTCHEON: While Mr. Lawton and the Commissioners are there, is there a formula you're using that it is based upon I mean \$20,000 for the dredge is that some proportionate relationship with what the invoice is for Cape Light or not?

Interim Finance Director LAWTON: I believe the auditors made the estimate on the dredge. What I have done is ask the -- members of the Finance Department to give me the hours that they have worked for both CVEC and CLC. And then I've simply just done the mathematics based upon those people's hourly rates and then made an estimate, something actual.

Speaker BERGSTROM: I don't want to get too far afield from -- because when we're under communications from the Board of Regional Commissioners, we can't stray too far into budgetary items.

But if you're here when we discuss the budget, the same questions could be asked, as long as we recognize him.

Commissioner LYONS: Thank you.

Speaker BERGSTROM: Okay. Are there any more questions for the Commissioners on today's meeting or anything?

Commissioner CAKOUNES: Can I just say one thing?

Speaker BERGSTROM: Yes.

Commissioner CAKOUNES: Just to go back on a real brief comment on the Assembly of Delegates' member question on the Fire Academy. It has been said that the buildings out there are in need of repair. I highly recommend that all of you all of you take a half an hour out of your day and make a phone call and go out there and understand what's really going on out there.

There is no ongoing pollution. We use only water. We only are burning bales of hay. The buildings are not in deplorable condition; they just need a roof. They need a heating system. They've been ignored. There are some burn structures that need some attention.

But without getting into it any further, I would really ask all of you to take a minute, maybe 20 minutes or half an hour to go out there, see where it's located because you really need to do that because this is going to be an issue that's going to be coming up and you all need to be educated.

Thank you.

Speaker BERGSTROM: Okay. Thank you. I think we -- are we done here? Okay. All right. Thank you, very much.

Commissioner LYONS: Thank you.

Speaker BERGSTROM: Hopefully you'll stick around.

Speaker BERGSTROM: Are there any Communications from Public Officials?

Speaker BERGSTROM: Any Communications from Members of the Public? Hearing none.

Assembly Convenes

Speaker BERGSTROM: The Assembly will now convene, and we will begin with a series of Committee Reports.

We need the Standing Committee on Finance is set up for approval of minutes. John, do you want to take this?

Mr. OHMAN: More than anything.

Speaker BERGSTROM: You don't have to give us a report. Remember now, this is basically to approve the minutes of the meeting.

Mr. OHMAN: Right. Well, I thought -- oh, I don't have to give a report on it?

Ms. MCAULIFFE: No. Just the minutes.

Mr. OHMAN: I ask for approval of the minutes in regard to Proposed Ordinance 15-01.

Ms. TAYLOR: No, no.

Ms. MCAULIFFE: No, the meeting.

Ms. MCAULIFFE: 3/4.

Speaker BERGSTROM: The 3/4/15 one.

Mr. LEWIS: March 18.

Mr. OHMAN: Okay. Got it.

Mr. LEWIS: Today is April 1st.

Mr. OHMAN: Okay. Got it. Here we go.

Deputy Speaker MCCUTCHEON: March 4th is the first one.

Mr. OHMAN: Are we doing March 11th, you said?

Clerk O'CONNELL: March 4th.

Deputy Speaker MCCUTCHEON: March 4th is the first one.

Mr. OHMAN: All right. I move to approve the minutes of the meeting of March 4, 2015.

Deputy Speaker MCCUTCHEON: I have a correction.

Ms. MCAULIFFE

I believe there's a correction required, sir, on the third page at the bottom. To recommend I think the motion was to recommend the Commissioners' Budget to the Assembly.

Mr. OHMAN: Again, what line is that, please?

Deputy Speaker MCCUTCHEON: Right at the bottom of the third page. Do you see that?

Ms. MCAULIFFE: It's the motion.

Mr. OHMAN: Yes.

Deputy Speaker MCCUTCHEON: On the motion.

Mr. OHMAN: Made by Julia Taylor?

Deputy Speaker MCCUTCHEON: Right, to recommend the Commissioners' Budget to the Assembly.

Mr. OHMAN: Okay.

Deputy Speaker MCCUTCHEON: Because the motion wouldn't be to recommend the Assembly's budget to the Finance Committee.

Ms. MCAULIFFE: No.

Deputy Speaker MCCUTCHEON: Do you see what I'm saying?

Mr. OHMAN: I can see that.

Deputy Speaker MCCUTCHEON: I was there. I didn't say I remembered it but I was there.

Mr. OHMAN: So with that minor amendment, I would ask for a vote -- a second?

Ms. MCAULIFFE: Second.

Mr. OHMAN: Okay. And now a vote, unless there's more discussion.

Ms. MARTIN: Aye.

Ms. MCAULIFFE: Aye.

Ms. TAYLOR: Aye.

Deputy Speaker MCCUTCHEON: Aye.

Mr. OHMAN: Aye. And any no's? No. Thank you. That one carries.

(Motion carried.)

Mr. OHMAN: All right. March 11th, I would ask for -- I would ask for approval of the meeting of March 11th, 2015.

Deputy Speaker MCCUTCHEON: So moved.

Mr. OHMAN: So moved. Do I have a second?

Ms. MCAULIFFE: I'll second but I'm going to abstain a vote.

Mr. OHMAN: So we have a second. Is there a discussion? All those in favor who were in attendance say "Aye."

Deputy Speaker MCCUTCHEON: Aye.

Ms. TAYLOR: Aye.

Ms. MARTIN: Aye.

Mr. OHMAN: Aye. Any opposed? No.

Ms. MCAULIFFE: Abstention.

Mr. OHMAN: And one abstention by Suzanne McAuliffe. Thank you.

(Motion passed.)

Mr. OHMAN: And March 25th.

Deputy Speaker MCCUTCHEON: Motion to approve.

Ms. MCAULIFFE: Second.

Mr. OHMAN: Any discussion on March 25th? All those in attendance in favor?

Deputy Speaker MCCUTCHEON: Aye.

Ms. TAYLOR: Aye.

Ms. MCAULIFFE: Aye.

Mr. OHMAN: Any opposed?

Ms. MARTIN: Abstained.

Mr. OHMAN: And one abstention. Thank you.

(Motion passed.)

Speaker BERGSTROM: Yes, the Finance Committee will give a full report to the Assembly on their recommendations on the budget two weeks from today when we take up the Budget Ordinance on the 15th of April.

Standing Committee on Public Service.

Clerk O'CONNELL: This is Marcia.

Speaker BERGSTROM: Marcia.

Ms. KING: Thank you, Mr. Speaker. This is for James, Brian, and Linda. I need a motion to accept the draft minutes of the March 18th meeting which was having to do with the Fire Academy.

Mr. O'MALLEY: So moved.

Ms. KING: Do I have a second?

Ms. ZUERN: Second.

Ms. KING: All those in favor say "Aye."

Mr. KILLION: Aye.

Ms. ZUERN: Aye.

Mr. O'MALLEY: Aye.

Ms. KING: Any opposed? It passes 4-0.

Speaker BERGSTROM: Thank you.

(Motion passed.)

Clerk O'CONNELL: This is Jim.

Speaker BERGSTROM: Jim. Standing Committee on Telecommunication minutes, the 3/16/15.

Mr. KILLION: I'd like a motion for approval of minutes of 3/16/15.

Deputy Speaker MCCUTCHEON: So moved.

Mr. KILLION: Second?

Mr. PRINCI: Second.

Mr. KILLION: All in favor?

Mr. PRINCI: Aye.

Deputy Speaker MCCUTCHEON: Aye.

Mr. KILLION: Aye.

Deputy Speaker MCCUTCHEON: Aye.

Speaker BERGSTROM: Is that three? Okay. Now we move on to Health and Human Services. Ned, is that you? No, it's Pat. I'm sorry.

Mr. PRINCI: Yes and I'd like to hear a motion that we approve the minutes -- our committee approved the minutes of 3/18/2015.

Mr. O'MALLEY: So moved.

Mr. PRINCI: Second? Is there a second from members over there?

Mr. PRINCI: Thank you. All those in favor?

Mr. LEWIS: Aye.

Mr. O'MALLEY: Aye.

Mr. PRINCI: Aye.

Speaker BERGSTROM: Do you have 3? Do you have 3 members?

Mr. PRINCI: Yes.

Mr. LEWIS: I'll vote for it.

Speaker BERGSTROM: Okay.

Mr. PRINCI: Two or 3. Thank you.

(Motion passed.)

Speaker BERGSTROM: And now Suzanne on Economic Affairs.

Ms. MCAULIFFE: The Standing Committee on Economic Affairs met on March 18 and the minutes are submitted for approval.

The members at the meeting were Ned Hitchcock, Marcia King, myself, and Ed McManus. May I have a motion?

Ms. KING: So moved.

Mr. HITCHCOCK: Second.

Ms. MCAULIFFE: All those in favor?

Ms. KING: Aye.

Mr. HITCHCOCK: Aye.

Ms. MCAULIFFE: Aye.

Mr. MCMANUS: Abstain

Ms. MCAULIFFE: It's approved.

(Motion passed.)

Speaker BERGSTROM: Okay. Thank you.

Report from the Clerk

Speaker BERGSTROM: We will now move on to a report from the Clerk.

Clerk O'CONNELL: Good afternoon. I want to let you know that I think I sent an email today out to you with a couple of samples or templates that you can use if you're planning on making any amendments to the proposed budget.

I did speak to Mr. Troy and did get confirmation that those two samples that I provided you with would be the specific template that you would need to use to submit amendments.

And in addition to that, just to reiterate what was said about potential amendments related to finance and bonding; that probably will be the case. I think it's probably going to fall to finance to fashion that friendly amendment that will reduce spending on the budget.

And I also anticipate, again, this was something that I just received today. I think I forwarded it to you regarding some language in the Proposed Ordinance related to bonding. So there will be an amendment.

Ms. TAYLOR: The 10 or 20.

Clerk O'CONNELL: Correct; yes, you saw that on the amount of years. And I think the explanation went with the email. So anticipate that you will probably see an amendment for that as well.

And the other item I want to alert you to is the fact that in your folders I have placed the audit for FY14. I noticed that some people have picked them up. That will be scheduled with Finance; I think it is May 20. It's a little far away right now, but Finance is going to meet with the auditors and then eventually they come back to the Assembly and report out to you on the meeting with the auditors.

I suggest that if you bring your audits home, you may want to think about returning them or leaving them in your folder because I don't have any extras. I can send that to you electronically but that's all I have.

And I have an office copy if anyone wants to look at it. You all have your individual copies because I placed them in your folder.

I think that's it. That's all I have for today.

Other Business

Speaker BERGSTROM: Okay. Under other business, I put a discussion on the Fiscal '16 Budget. Obviously, the Ordinance which will be presented to the Assembly two weeks from now would have to be -- any amendment or change in the budget would have to be made after the budget is moved and seconded -- the Ordinance is moved and seconded. That's not going to happen for two weeks.

But I realize that this is quite a discussion we've had, and I know there's some strong sentiments among the members of the Assembly on whether or not to approve this budget, whether disprove it, what changes to make. I wanted everybody to get a chance of giving their opinion. And if there are people of similar opinions in the room, that could save us some time and trouble that you can get together as long as you're not a quorum and say, well, you've got an amendment similar to my amendment, and we'll just get together and we'll file that as an amendment.

So I'm going to start off, as usual, with the Chair of the Finance Committee who's going to tell us what is the budget deficit currently under discussion.

Mr. OHMAN: The last time we looked at this budget, the deficit was approximately \$750,000 of which some of it may be amended. I think that it's egregious that we are dipping into our reserves to the tune of \$750,000.

Speaker BERGSTROM: Well, you know, I don't want to quibble over words, but if you take the money out of reserves, it's not really a deficit. But you're saying we're spending more money than we're taking.

Mr. OHMAN: We're spending more money than revenue would allow to have -- to balance the budget, sir.

Speaker BERGSTROM: Well, I'll open this up for discussion. Anybody have anything to say about it?

Yes, Ed.

Mr. LEWIS: I just want to ask a procedural question because I remember, and this is someone who's just new, two and a half months/three months. When Pat introduced an Ordinance regarding balancing the budget, he introduced it as --

Speaker BERGSTROM: A Resolution.

Mr. LEWIS: -- a Resolution. And it was two weeks before you could vote on that.

Speaker BERGSTROM: Right.

Mr. LEWIS: You introduced it and then two weeks later you voted on it. We introduced it at one meeting and then it was two weeks later that we voted on that; right?

Speaker BERGSTROM: That's how it works, yeah.

Ms. MCAULIFFE: We were handed that.

Speaker BERGSTROM: Yes.

Mr. LEWIS: We submit it --

Speaker BERGSTROM: You submit it at the meeting before, yeah.

Mr. LEWIS: The meeting before. Does the budget work differently in that you can submit amendments the day you vote on the budget and change the budget so you don't need two weeks? That's the procedural thing.

Thank you.

Speaker BERGSTROM: It would be nice if you warned us, but you don't have to.

Yes, Ed.

Mr. MCMANUS: As a newbie, you were referring to we're spending money out of our reserves, and as an informational question, how does money arrive in reserves and what's the process? I assume that the budget has an appropriation, is appropriating money out of that, but how does money flow into reserves?

Speaker BERGSTROM: Ed, if you ask -- once the Assembly convenes, we only discuss among ourselves. The exception to that is if you have a question for staff, you can move to suspend the rules and then ask, for instance, Bob or someone else to answer that question. I haven't got the answer to your question; do you know what I'm saying?

Ms. MCAULIFFE: Suspend the rules.

Mr. MCMANUS: Well, I'd request to suspend the rules.

Speaker BERGSTROM: We move to suspend the rules.

Deputy Speaker MCCUTCHEON: So moved.

Ms. MCAULIFFE: Second.

Speaker BERGSTROM: Okay. All those in favor? Aye. Opposed?
(Motion passed.)

Speaker BERGSTROM: Okay. Bob, you knew you weren't going to get off easy.

Interim Finance Director LAWTON: I know.

Speaker BERGSTROM: So now you're part of the discussion.

Interim Finance Director LAWTON: I was going to go home early.

Speaker BERGSTROM: And Mike too.

Do you have an answer to Ed's question?

Interim Finance Director LAWTON: I can start. The funds that come into reserves are from two sources. One is funds that are not expended at the end of the fiscal year then go into a reserve account.

There are some that are appropriated into reserves for specific purposes, such as for insurance, possibly some of the medical issues, etcetera, etcetera. So there are really two methods.

And they're also encumbrances which we don't use as reserve. It's an encumbrance from a prior fiscal year where there's a purchase order.

Speaker BERGSTROM: Yes, Deborah.

Deputy Speaker MCCUTCHEON: Can you tell us or do you know for how many years has the County budget dipped into reserves or is this the first time?

Interim Finance Director LAWTON: Depending -- let me form the question this way. Each year, it's my understanding that there's been an Ordinance at the end of the fiscal year to transfer funds from various reserves to balance the budget at the end of the fiscal year.

Deputy Speaker MCCUTCHEON: Okay.

Interim Finance Director LAWTON: It is different this year that I'm proposing. I know there may be a problem, and I'm pretty sure there will be a problem in 2016. So I'm doing it earlier.

Deputy Speaker MCCUTCHEON: Okay. So my question is how long has it been since we affirmatively added to reserves rather than taking out, subtracting?

Interim Finance Director LAWTON: Each year, the reserve changes based upon the lack of expenditure or particular line items within the budget. So each year it's a fluid amount.

I think you had seen or were provided on June 30 of 2014 what the reserves look like. Then that was the compilation of all the money that was either encumbered, not spent or otherwise appropriated.

Speaker BERGSTROM: Okay. Yes, Ed.

Mr. LEWIS: It appears reserves is similar to the town's free cash; similar, not the same but similar.

Interim Finance Director LAWTON: It is similar but it isn't certified by the state.

Mr. LEWIS: No, I know it's not certified but it's the same idea.

Interim Finance Director LAWTON: Yes, sir.

Mr. LEWIS: It's very unusual or it's probably not good business, from an operational standpoint, to take money -- we don't, in Brewster, we never take money from an operational standpoint out of free cash. We use free cash for capital expenditures and a lot of other things.

Do we know what is in free cash -- free cash, excuse me, what is in reserves now and what we would expect to be in reserves as of July 1 and what you would expect to be in reserves as of July 1, 2016?

Interim Finance Director LAWTON: If I was that good, I'd probably try to be on Wall Street.

Mr. LEWIS: Bob, you are that good. That's why you're the manager of all these different towns.

Interim Finance Director LAWTON: Not to be flip, but I think today my recollection is from the accounting officer that were about a million two, I believe. And then we -- I'm suggesting that you appropriate, as was stated earlier, approximately 700,000 for those reserves, leaving at that snapshot about, again, another 700, which would increase based upon the lack of expenditure this fiscal year.

So at the end of Fiscal '16 if you went on the history of what has been unexpended, etcetera, you'll probably wind up with about a million dollars each year.

Mr. LEWIS: As a follow-up to that.

Interim Finance Director LAWTON: Yes, sir.

Mr. LEWIS: If you were looking in a school district and you have E&D, which is somewhat also a similar type.

Interim Finance Director LAWTON: Yes, sir.

Mr. LEWIS: And the state doesn't allow you to have more than 5 percent of your total budget in that; otherwise, you have to give it back to the towns.

Interim Finance Director LAWTON: Yes, sir. I believe that's right.

Mr. LEWIS: Is there some type of a percentage based on the budget of 28-29 million that you would say we must keep in reserves?

Interim Finance Director LAWTON: Not a legal -- I don't think there's a legal requirement.

Administrator BRILLHART: There's not a legal --

Interim Finance Director LAWTON: Yeah, in the perfect world, you'd keep 5 to 10 percent because of unforeseen problems. That's what I would say.

Mr. LEWIS: So based on that, even if we took the 700 out, which I'm not saying I advocate, but even if we took the 700 out, based your statements, which I realize it just, you know, your guess is guesstimates, educated guesstimates. But as of June -- the end of June in 2016, we'll have close to five percent within that reserves.

Interim Finance Director LAWTON: Yes, sir.

Mr. LEWIS: Which would be normal. And if we didn't take anything out, we'd have much more than 5 percent --

Interim Finance Director LAWTON: Yes, you would.

Mr. LEWIS: -- which I would say is probably not prudent when you've got and would not want to cut in order to get reserves way down, because we'd still have the amount of money that we needed, rather than have much more.

Interim Finance Director LAWTON: That certainly is a policy decision that this board would make.

Mr. LEWIS: Thank you.

Administrator BRILLHART: Mr. Speaker, if I could just add a little bit?

Speaker BERGSTROM: Yes.

Administrator BRILLHART: Just to clarify, we have both restricted and unrestricted reserves. The restricted reserves are those things for legal expenses, pension, all of those things that are mandated that we keep in so that if there's a problem in that area we have the funds.

The unrestricted are those balances, many that carryforward, historically the County has carried forward dollars at the end of the fiscal year.

This past fiscal year, we ran into an issue with the general funds. We didn't have a sufficient amount this year, that's why we're in this matter of trying to figure out how can we reconcile and budget.

So this is the most unique year that we've had in a while. We're at the end of this fiscal year. The funds aren't there, what you were calling the free cash. And so we don't want to go to the restricted funds, so we have to look at the unrestricted funds to try to help reconcile.

Speaker BERGSTROM: Let me follow up on some Ed Lewis's questions. It seems to me, for instance, in Chatham when we were doing the town budgets, we would generate a surplus every year, which leads you to believe that maybe we were budgeting too conservatively or something.

But none the less, it worked out well because we took that surplus and we put it into free cash. Now free cash, as Ed says, was used strictly for capital expenditures. We didn't use it

for the next year's budget. In other words, we didn't take that carryover and say, well, we had an extra half-a-million; we'll throw that in the budget.

But it seems, from what your explanation is is that that money goes into reserves and that could be used or could be proposed to being used for part of the next year's operating budget.

In other words, if you take 750,000 out of reserves but you're also suggesting at the same time that any surplus you generate in 2016 is not going to be used for the 2016 budget but it's going to be carried over into 2017. That's what I'm getting.

In other words, at the same time that you're going into reserves to cover the deficit, you're also generating reserves which are not using for the deficit but what you're going to be carried over into the next year. In other words, you're taking out but you're also filling in.

Interim Finance Director LAWTON: Because I don't know what those would be to recommend to you until the end -- until June of 2016.

Speaker BERGSTROM: Right.

Interim Finance Director LAWTON: So it's cash that is available that could be used to balance the budget, as many towns show from various sources.

Speaker BERGSTROM: So I guess another way of explaining it is if you find let's say the Health and Human Service Department is not going to use a lot of money that's appropriated, you're not going to say, well, without -- you would have to come to us to transfer that to another department.

Interim Finance Director LAWTON: That's my understanding. Yes, sir.

Speaker BERGSTROM: Instead of doing that, you're going to simply take the money we -- "we" might appropriate out of reserves to cover your deficit. And even though you have a surplus in another department that will be carried over to the next year and not used for that fiscal year's shortfall. Do you understand what --

Interim Finance Director LAWTON: Yes, right. I believe that's --

Speaker BERGSTROM: Maybe I'm not explaining it right, what I'm saying.

Interim Finance Director LAWTON: Right.

Speaker BERGSTROM: So when we say we're running a deficit, it's a way -- it depends on how you look at it.

Interim Finance Director LAWTON: That's correct. There is no actual deficit. The budget that was submitted to you was balanced using various sources of income, including an available fund.

Speaker BERGSTROM: And it really depends on the difference between what we use in reserves to cover a potential projected shortfall for 2016 and what we will actually accumulate at the end of 2016 in reserves from --

Interim Finance Director LAWTON: Yes.

Speaker BERGSTROM: That will be the actual, if you want to look at it, the deficit that we face.

Interim Finance Director LAWTON: That's another way to look at it.

Speaker BERGSTROM: Yeah, Julia.

Ms. TAYLOR: I really object to using the word "deficit." We do not run a deficit in this County. We never have. There is no deficit. We can't have a deficit. We have to balance the budget.

Interim Finance Director LAWTON: Sure.

Ms. TAYLOR: That's it. So let's not use that word because it is not.

Speaker BERGSTROM: I apologize. I'll make sure -- Yes, Chris.

Ms. TAYLOR: We have differences in our expenditures and our revenues for certain calendar periods, but we don't run a deficit because we can't. We balance it and we -- because we have always saved every year, there is not year that we don't put savings in, and then we have the savings. So we balance every year.

Speaker BERGSTROM: Okay. Chris.

Mr. KANAGA: Can I perhaps, maybe there's a simpler way to get to this question or concern of the excess of expenditures over revenues which I will not refer to as the "D"-word.

Speaker BERGSTROM: Don't you dare.

Mr. KANAGA: Can we get a simple spreadsheet with the reserves on July 1 for the last seven years to see what the trend is and maybe that will give us an idea of what's going?

Speaker BERGSTROM: I think we can have that by the meeting two weeks from now. Yes, Ed.

Ms. TAYLOR: Yes, unrestricted.

Mr. LEWIS: One point by looking at this, at the budget, and I look at the revenues, this is really too a large extent a revenue shortfall.

Interim Finance Director LAWTON: Yes.

Mr. LEWIS: It's not an expenditure where we've over expended over and above what we -- this is a revenue shortfall that is caused by over indulgence, if you will, on one set of revenues where --

Interim Finance Director LAWTON: When I estimated the revenues, I went to the various departments and, certainly, the Registry of Deeds as we wanted to be accurate for the Assembly and for all of us and that's why I put the number in, the lower number.

Mr. LEWIS: I agree with you.

But a lot of that happened because in this year there's this revenue shortfall from the same Registry of Deeds, so you've been more conservative.

Interim Finance Director LAWTON: Proactive.

Mr. LEWIS: More proactive in what you've done. So it's really a revenue shortfall that may, in the long run, be righted.

Interim Finance Director LAWTON: We are hopeful.

Mr. LEWIS: We would hope.

Speaker BERGSTROM: Okay. Yes, Jim.

Mr. KILLION: Thank you, Mr. Speaker. Just to ask (Inaudible) question in a little different way. If you're going to put together a sheet with our reserve fund balances on the -- for the beginning of the fiscal year, I think what she was getting at is to look at how we've done revenue versus expenses over the last several years.

So if you could put that together so we know how our -- how we -- we don't want to use the word deficit, but how we've been spending more than we have taken in over the last years.

Interim Finance Director LAWTON: We can do that.

Mr. KILLION: Thank you.

Speaker BERGSTROM: Yes, Suzanne.

Ms. MCAULIFFE: And just a word of caution. I know towns and school districts do

have generous estimates on their budgets because it's a once-a-year thing. And they, therefore, do have cash accrued at the end of the year, whether it's free cash or excess insufficiency.

However, this year the D-Y School District for dipping into their free cash every year and using it for operational expenses doesn't have that money anymore. And it does -- it might not be this year or next year, but over a period of years if you're adding staff and you've got contract increases and you've got this, it gradually will eat away at the ability for us to use our reserves, especially if the revenues are fairly flat, which I think they are.

So just we need to, I think, carefully consider that we are aware that we need to either do something about our revenues or do something about our spending. Because you will pay the piper at some point, and it will be because you're spending more than what you're taking in.

Speaker BERGSTROM: Well, let me just add to that because this is -- I mean I've done a lot of budgets, and I still don't understand a few things.

One thing I don't understand is how we wind up with a surplus every year. And every year I sit here and I say, geez, we've got expenses up the wazoo, and, you know, we haven't got any money. And then the next thing you know we're turning over 3 or \$400,000 at the end of the year.

So I mean in some senses, I don't want to say it was deliberate, but in a sense, some town managers and administrators deliberately budget so that they have surplus at the end of the year. It isn't really honest but that's what they do. And they come up with a surplus, and they can use it for various purposes.

So the question is how close -- I mean, you know, to run around and say the sky is falling; if it isn't, we should know that. Do you know what I mean?

And in a perfect world, you would say, geez, you know, we're going to spend 26,250,700.16 this year, and what do you know, we got exactly that amount back. But I know it's not possible.

But I would like to see a budgetary process that's within reason because we can't project our revenues that more closely tied to what's actually happening out there as far as expenditures and revenues.

Ed.

Mr. LEWIS: Actually, what the town administrators, good town administrators do is a very good policy about being very conservative in the way they budget so they will get money in free cash at the end to take care of capital. If they didn't do that, you'd have a lot of problems with being able to come up with capital dollars.

On the other hand, you have the advantage in towns that with Prop 2-1/2, every 3 or 4 years you do need an override in order to increase the base. I mean you cannot maintain a town budget at a 2, 2-1/2 percent every single year.

At some point, you have to increase the base and that -- because that includes schools and all the different things that are involved.

So, go along with what either Suzanne or you said at some point we have to look at the revenue structure and to find out how -- I don't know if there's any room. I don't know if it's the State Legislature or the Commissioners or us and find out how we increase the amount of money that we get out of the Registry of Deeds, or increase the amount of money we get from the different towns with regard to the assessments.

But if the County is going to continue to look to regionalize a lot of different projects, it

costs money. And you can't do this by constantly taking out of reserves or constantly saying we can't increase revenues.

So I do think that whatever way is possible, and I don't know what the rules are as far as that, to look at ways to increase revenue. And then I think you'll find that you'll have the ability then to do the programs you want to do. We do it in towns and we should be able to do it in the County.

Speaker BERGSTROM: Marcia, do you have a question?

Ms. KING: Just I wanted to, back what Suzanne said. I think it's very important that, you know, it may be just this year we're looking at a three-quarters-of-a-million dollars deficit, and it is a deficit. But, you know, if we keep running that, we're going to be running out of money.

Only a few years ago, and I can't remember exactly when it happened, but the County was not allowed even to have certain reserve funds. I don't know if you knew that, Bob.

Interim Finance Director LAWTON: No.

Ms. KING: I think Mark worked with the Legislature to get it changed so that we have, and I forget which reserve funds that we do have; I was the Finance Committee Chair at the time and I know that was -- because we are a little bit different than the town.

Interim Finance Director LAWTON: Yes.

Ms. KING: But that's what my concern is is that I think we have actually run a deficit for about three years. I mean it hasn't been a large deficit. This is definitely the largest one.

And I think you, unlike previous with Mark, you decided to basically kind of be upfront about it. And I give you actually a lot of credit for that because I think in the past we have kind of hoped for the best. And at the end of the fiscal year, that's when we moved a lot of money around to cover the deficit.

What I think you have done was say the revenues are X and our expenses are Y and there's a gap in the middle. And like all of us when we do our house budgets, that's a deficit and I have to figure out where to find it and I'm going to savings.

So that's laudable and that's fine, but I think what Suzanne said and I completely agree, is that you can go on there for a couple years, but even if you put a million dollars a year away, if we spend three-quarters-of-a-million dollars, eventually we will have nothing to support the decrease in revenues.

Interim Finance Director LAWTON: Yes.

Ms. KING: Now you can do one of two things, raise revenues or decrease expenses. That's all you can do. And so -- but I'm not sure we can raise revenues as much as we can because we are stuck with the Registry and that's a whole big mishegoss having to do with the state and the fees.

So I just wanted to say that and back what Suzanne said. I thought that was quite good. Thanks.

Speaker BERGSTROM: Yes, Linda.

Ms. ZUERN: I have a question about Children's Cove. I was told that there were several of these agencies in the state and a lot of them come under the District Attorney's Office.

So is that a possibility to take that away from the County budget and move it under a district attorney's budget instead?

Administrator BRILLHART: That's an option but we would have to look at changing the Legislature. Because the way that Children's Cove was enabled was slightly different than those others, so we would have to sit down and talk with the District Attorney's Office to see if that's actually something they would want to do.

Speaker BERGSTROM: Okay. Yes, Ned.

Mr. HITCHCOCK: I think that part of the Children's Cove issue that Michael was just talking about relates to their charge and that is some similar organizations are exclusively the sort of the property of the prosecutor.

Some are more focused on serving the needs of the community and responding not only to those cases that may be prosecuted but also to those where there is some question about something and where prosecution may not be inevitable and so forth.

And I think that's the key distinction here, and if we were to take it away from the County and put it directly under the prosecutor, you would seriously have to change the focus and the mandate, all the legal stuff, about Children's Cove.

Speaker BERGSTROM: Yeah, I'd like to ask a question here, and I don't know if you gentleman have the answer -- maybe John has the answer. This has something to do with what Ed Lewis asked about our ability to raise money.

My understanding is we've had this debate before us that we -- actually, the County has the ability to raise more revenue than we do by increasing the tax; is that right, John?

Mr. OHMAN: Yes, Mr. Speaker, it is. The tax was raised approximately four years ago, and we are running out of room at the ceiling part of it. We have to match the state's obligation. So we can do it; I don't recommend we do it. I'd recommend that we live within our budget right now.

Speaker BERGSTROM: Yes.

Mr. OHMAN: There is some room at the top. There are also the Registry fees on the business side. They haven't given us another dime in the last say 16 years. We've been flat lined as far as the money -- regardless of the money it cost us to produce those revenues for the state.

So those are the kind of things. The other fee we can do is through any of the departments like the Health Department has fees and we could increase those somewhat. We could increase the dredge fees. I think we have that even on the table this year.

Speaker BERGSTROM: But it's important from a fiscal standpoint because if it -- let's say I'm an auditor and I look at the County. I say, "These guys have the ability to raise money if they have to." It's always good to keep that room there. In other words to say that that room is there because -- and we're not using it.

But that's our -- those are our options should we care to take them.

Yes, first Ed and then Suzanne.

Mr. MCMANUS: John referred to the Registry fees and Health Department fees and those are understandable. But the other revenue he said there's room at the top and I have no idea what he was referring to.

Mr. OHMAN: The deeds tax. In other words, for every sale of or refinancing of any property in Barnstable County is subject to a fee. We have a fee that's been raised once in the last four years. It has a little bit more ability to go up but not much, and it's subject to the state's ceiling tax.

So that would be significant if we wanted to raise the cost of selling a house on Cape Cod.

Mr. MCMANUS: Just a real quick question. Is that a fee or a tax that's a dollar value per thousand or what's the fee?

Deputy Speaker MCCUTCHEON: Dollars value per thousand.

Administrator BRILLHART: If I can address that question a little bit more? For every sale of a home that's recorded, there's a collection that's done by the Registry. The Registry submits the highest percentage up to .5 percent to the state and the County collects .23/.27. We could go up to but not exceed the amount that the state receives.

So the difference is anywhere from 2 to 3 million additional. We've looked at that. So that would require action by both boards and the state to allow us to collect up to and not exceed what they receive in those transfers.

Speaker BERGSTROM: Yes, we looked into that. I think, John, we raised that a couple years ago. We had every real estate appraiser on Cape Cod --

Mr. OHMAN: I'm pretty sure it was four years ago.

Speaker BERGSTROM: So it's not something we take -- we do lightly, this is what we say. Suzanne.

Mr. OHMAN: I do not recommend another increase.

Ms. MCAULIFFE: Last year we voted to not increase the assessments to the towns by 2-1/2 percent that was for last year. Now is the 2-1/2 increase included in your revenue assessments this year?

Interim Finance Director LAWTON: Yes.

Ms. MCAULIFFE: Okay. So unless we vote to not do it, it automatically occurs. So we've already taken advantage of that. We already have 2-1/2 percent coming in to the '16 budget?

Interim Finance Director LAWTON: Yes. The other part of that is that if you do not increase it at the County, you lose it, as opposed to a town which would retain the ability to increase by the 2-1/2 percent in succeeding years.

Ms. MCAULIFFE: So it's already in the budget for revenues?

Interim Finance Director LAWTON: Yes, ma'am.

Speaker BERGSTROM: Okay. Do we have anything else to discuss on the budget? I mean there's some issues brought up. Yes, Ed.

Mr. LEWIS: I just want to understand a little more of what John and Ed McManus were just asking. We have the option of raising with the tax on transfers of real estate another couple of million bucks, we could do that. Am I correct? Is that what you said?

Administrator BRILLHART: On the amount, I can't -- I'm just giving you a best estimate.

Mr. LEWIS: A guesstimate.

Administrator BRILLHART: Because you don't know how many sales are going to happen in a year.

Mr. LEWIS: Right. And the reason we don't recommend doing that is because the real estate industry and the homebuilders are against it; is that a fair question?

Speaker BERGSTROM: Well, no, I said that in jest.

Mr. LEWIS: No, I know you said it in jest, but that's -- I mean --

Speaker BERGSTROM: Great, I'm in trouble.

Mr. LEWIS: That's always been a bugaboo of mine, so I don't really mind taking on the real estate world with the rest of the board, but I realize that I don't have support there. I'd rather pay my people than worry about the real estate people.

Speaker BERGSTROM: John and then Marcia.

Mr. OHMAN: Well, in regard to that, it's the last bullet we have in the gun.

Interim Finance Director LAWTON: Right.

Mr. OHMAN: Once we do that, there is nowhere else to go to raise revenues. So I think that should be our last resort. I think our revenues have to be contained rather than -- and our revenues are contained. I think our expenses have to be contained. I think we're charging quite enough in real estate tax and we need that buffer zone in case things get really bad. And it has been in my tenure here, this is my 19th year on the Assembly.

Speaker BERGSTROM: Marcia, did you --

Ms. KING: Yes. I was here when we did that, and you can say it really lightly but understand what a deeds -- and I'm not sure you understand what a deeds tax is. It's the seller who pays it. And the issue was when we had the chamber packed, because I was here for that, when we raised it, the chamber was packed. It affects a lot of our senior citizens who are trying maybe to sell their homes. And coming out of this recession, I wouldn't even go near it. That's just -- you cannot raise that. That will hit people like nobody's business and, again, you will have a packed chamber if you attempt to go and try to raise that one more time.

And by the way, we are the highest in the state because we did go up when all the other Registries did not. They just went to what the state did. We added on so we are the highest one for a transfer tax in the whole state of Massachusetts.

Speaker BERGSTROM: Okay. All right. Yes, Deborah.

Deputy Speaker MCCUTCHEON: I just have a little exercise in semantics. If your revenues exceed -- are not sufficient to cover all of your current expenditures or current revenues, what do you call that shortfall?

Interim Finance Director LAWTON: It's a shortfall in revenue and then --

Deputy Speaker MCCUTCHEON: Call it a deficit; is that right?

Ms. TAYLOR: No.

Interim Finance Director LAWTON: Well, it's not an official deficit until the end of the fiscal year, but we cannot have that.

Deputy Speaker MCCUTCHEON: Right.

Interim Finance Director LAWTON: So there must be transfers either internally or through some --

Deputy Speaker MCCUTCHEON: Yeah, so if you don't have what was called free cash but it is an unrestricted reserve, if you don't have that then you have to borrow to cover that; is that right?

Interim Finance Director LAWTON: I don't believe that's authorized. I believe that expenses would have to be cut because there can be no deficit.

Deputy Speaker MCCUTCHEON: It would have to be cut because there cannot be a deficit.

Interim Finance Director LAWTON: During this fiscal year, that is what the administrator was currently doing.

Deputy Speaker MCCUTCHEON: Is cutting --

Interim Finance Director LAWTON: Well, he's restricting expenditures to ensure there will be no shortfall.

Deputy Speaker MCCUTCHEON: So, for example, positions are not being filled?

Administrator BRILLHART: Positions are not being filled. Some expenditures that were in this year's budget are not going forward.

Deputy Speaker MCCUTCHEON: Uh-huh.

Administrator BRILLHART: That's why it's so different to look at a budget from the very beginning.

Deputy Speaker MCCUTCHEON: Okay.

Administrator BRILLHART: We were doing the budget estimate, but at the end is where we really know because we track expenses each month.

Deputy Speaker MCCUTCHEON: At the end of this fiscal year, June 30, you'll push a button on your computer and you'll know exactly how many dollars you need to cover out of your reserves; is that right?

Interim Finance Director LAWTON: I would believe we would know before that and that's why each month it's being monitored by our office and the administrators. Yes, ma'am.

Deputy Speaker MCCUTCHEON: Okay. Now I did not understand what Mr. Brillhart said was different about this year from other years. Do you remember that comment?

Interim Finance Director LAWTON: Yes.

Deputy Speaker MCCUTCHEON: Can you just tell me --

Administrator BRILLHART: The difference is, though there have been shortfalls in the past where the County staff has had to go back and make up -- there has been what I would call consistency where the expenditures are not at the same as the revenue. In other words, we haven't spent as much. So there has been carryforward.

This current year's is going to be a different animal and that we are looking right now to see where we're going to be at the end of the fiscal year end. So we're trying to cut appropriations right now.

So, in other words, instead of making appropriations, we'll have to look at a shortfall. So we're looking at unrestricted reserves as an example to make the deficit.

Deputy Speaker MCCUTCHEON: Okay. Thank you.

Speaker BERGSTROM: I'd like to bring up a subject that has gotten a lot of controversy. I've haven't been to the previous Finance Committee meetings, so I apologize if you've covered this ground before.

But some have proposed cutting I think the COLAs or cutting -- no, someone proposed cutting some of the benefits that the employees get, COLAs, step raises. Now, from what I understand, you don't get merit -- you do not get merit increases until your steps are over or can you get both? Do we know?

Interim Finance Director LAWTON: Well, yes. The merit only applies to those who are in the management professional category.

Speaker BERGSTROM: Right.

Interim Finance Director LAWTON: There are 15 people that are eligible for a merit increase after they have completed their eight steps.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: The other employees, they go through the step process, which as someone testified earlier in the evening, earlier in the day, is based upon their performance but it's a pass/fail. It does not make a difference how you do. If you are acceptable, then you would receive the step which is approximately 3 percent. Some people if they're not acceptable, would not receive that.

Speaker BERGSTROM: And how many steps are there?

Interim Finance Director LAWTON: Eight.

Speaker BERGSTROM: There are 8 steps?

Interim Finance Director LAWTON: Yes, sir.

Speaker BERGSTROM: So if I start off at \$50,000, I could get increased with a step would be -- how much did you say?

Interim Finance Director LAWTON: Approximately 3 percent each year for 8 years.

Speaker BERGSTROM: Three percent plus the COLA is 2. So I would be increased 5 percent --

Interim Finance Director LAWTON: By that example, yes, sir.

Speaker BERGSTROM: -- each year. I don't know -- I'm not a math genius, but it would probably end up at like 70 or something like that? I don't know.

Ms. MCAULIFFE: No.

Interim Finance Director LAWTON: There are step, yes. The person would receive both.

Speaker BERGSTROM: Now have you guys decided or come up with a figure as to how much money would be saved if we eliminated the --

Ms. MCAULIFFE: Steps.

Speaker BERGSTROM: -- steps and the COLA?

Ms. MCAULIFFE: COLA we know, steps is tricky because we --

Interim Finance Director LAWTON: On the steps, we did a calculation. We had to extract because the motion was not to include anyone who was in a bargaining unit. So we excluded those. You'd be in the range of \$178,000.

Speaker BERGSTROM: Now does that include employees who are not under the supervision of the County Commissioners, who are under the supervision of other departments like the Registry of Deeds, Registry of Probate?

Interim Finance Director LAWTON: Yes, that's correct.

Speaker BERGSTROM: It does.

Interim Finance Director LAWTON: You asked --

Speaker BERGSTROM: So I can tell Jack Meade that his employees are not going to get their step increases?

Interim Finance Director LAWTON: Well, no, because they're in a bargaining unit.

Speaker BERGSTROM: Okay.

Interim Finance Director LAWTON: And I -- which -- so those who are not in a bargaining unit, if you voted that and if the County Commissioners agreed with you, which they may or may not, then there would have to be a calculation of eliminating that, for those who are not in a bargaining unit.

Speaker BERGSTROM: Have we done an estimate of how -- I mean, obviously, people come and go. Somebody senior might leave and then someone newer would come in.

Interim Finance Director LAWTON: Correct.

Speaker BERGSTROM: I mean the state has encouraged that in the past. I'm not suggesting we do it. So, technically, even though people are moving through their steps, it may be in a position where the County -- the overall budget for employees budget doesn't increase by that much because, as I say, --

Interim Finance Director LAWTON: Yes. And that's why it's an inexact science. When we estimate today or when we had to estimate back in December or January what the amount was going to be, people come and go and there may be some savings. But I can't estimate that. We don't know who's coming or going.

Speaker BERGSTROM: But you could go retrospectively and look and see the increase in salaries with let's say current -- I know we hire more and so on and things change, but you can take let's say 50 employees who are in the same position, you know, or positions, not 50 employees but positions to say, you know, it's a wash or the salaries have gone up and stuff. I'm not trying to give you more work but --

Interim Finance Director LAWTON: It's possible. That's very labor-intensive.

Speaker BERGSTROM: Yeah, I'm sure that --

Interim Finance Director LAWTON: We have one person who does that.

Speaker BERGSTROM: But I don't want people to think that because we give steps and merit raises that it's just -- everybody is just getting more money because people are, what I'm going to say, leaving.

Interim Finance Director LAWTON: Some do leave.

Speaker BERGSTROM: And some new ones.

Interim Finance Director LAWTON: For other positions.

Speaker BERGSTROM: For positions at the bottom. So, anyway. Yes, Suzanne.

Ms. MCAULIFFE: Yes, one of the things the Finance subcommittee looked at was because there are requests for new positions in the budget and that the 5 percent, even though it isn't every employee, is a fairly big raise and not really necessarily commensurate with what municipal and other employees get. Typically if you're in a bargaining unit in the town of Yarmouth, you'll get probably closer to 3 percent for an increase.

So one of the things that we talked about was, well, do you want to take away the 2 percent COLA, which everybody gets. And then some people would get merit, only 15 people, and some people would be on the steps and they would get 3 percent.

Well, we thought that that wouldn't necessarily work because then you would leave people not getting anything.

So the thing that the committee talked about was taking away steps and merit and then everyone would get their 2 percent cost-of-living increase as a more fair way of doing it. And this is a single year budgetary look at trying to reign in some expenses because there are a lot of requests for new employees.

And the County employees, through all the lean years, really never, ever, ever took pay cuts or furloughs or had any restrictions on salaries that everyone else in the world did.

Speaker BERGSTROM: Isn't that a good thing though?

Ms. TAYLOR: That's not true. I think we had some.

Ms. MCAULIFFE: Well, that was presented to me by a senior member of the Assembly. At any rate, it was just a way to keep -- to give everybody some money and to also

try to save some money. Because everyone could get their 5 percent if that's what the Assembly wants or 6 percent depending on the merit that they get.

But then how do you then turn around and higher all these new employees when you have finite resources. Just food for thought.

Speaker BERGSTROM: Okay. Anybody? We're all silent here. We're all going to save our power for next meeting? Yes, Jim.

Mr. KILLION: Thank you, Mr. Speaker. If all the rules are suspended, I get a couple of questions on this submittal from the Fire Training Academy, if we could ask one of those gentlemen to come forward.

Speaker BERGSTROM: I think -- I'm not sure that we specifically have to ask each -- I think we have to suspend the rules to go to an individual. I might be wrong on that.

Mr. KILLION: Can I?

Speaker BERGSTROM: But we can do that, yeah.

Mr. KILLION: Okay. If you could make that request.

Ms. KING: You make a motion.

Mr. KILLION: I make that motion.

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

(Motion passed.)

Speaker BERGSTROM: Do we have someone from the Fire Training Academy back there? We have two. Who will be the sacrificial lamb here?

Deputy Director MARK FOLEY: Depends on the question. Good afternoon, Mr. Chair. Mark Foly, Deputy Director.

Director GEORGE RUSSELL: George Russell, Director.

Speaker BERGSTROM: Congratulations.

Director GEORGE RUSSELL: Thank you, I think.

Speaker BERGSTROM: If that's in order.

Director GEORGE RUSSELL: April Fool.

Speaker BERGSTROM: Yes, Jim.

Mr. KILLION: Gentlemen, the submittal you gave to us today, you've gone through and listed all the towns and the services you offer.

And at the bottom of each town, you have some information which I'm not quite clear on. You have students and a dollar value, a day value and an hour value. Could you just explain that?

Deputy Director MARK FOLEY: Yes. Just to clarify, this isn't the entire capture --

Mr. KILLION: That was the next question.

Deputy Director MARK FOLEY: Right. This isn't the entire capture. This is a snapshot of each town which courses or I should say how many students attended each of those courses, and they varied depending on the town and the course.

And then at the bottom it calculates the amount of students. And then the dollar value, the dollar value that we associate with that training as it applies to that number of students and then it is just extrapolated out as to a how many day value, in other words, some courses are a full day, some courses take a week, some courses are a half a day. So you get an idea of how many essentially days per student and an hour value for that.

Mr. KILLION: So that dollar value relates directly to those other two pieces of

information, the day and the hour?

Deputy Director MARK FOLEY: Yes. Mostly, yes.

Deputy Director MARK FOLEY: And then I did notice that this was a midyear report. Does this represent about half based on other years or is this?

Director GEORGE RUSSELL: It's a midyear fiscal year, so it's the calendar year of '14.

Mr. KILLION: Okay. So but in terms of it's -- so this is -- is this a full year just based on the calendar?

Mr. GEORGE RUSSELL: Yes.

Mr. KILLION: Okay. Thank you.

Deputy Director MARK FOLEY: Not reflecting the fiscal --

Speaker BERGSTROM: Okay.

Deputy Director MARK FOLEY: And just for background, we do submit this twice a year to the Assembly. So you should have this information in your files and background. So the format has not changed that drastically over the years.

Mr. KILLION: Thank you.

Speaker BERGSTROM: Doc.

Mr. O'MALLEY: Just also to clarify. I'm sorry. I remember when you testified before the committee, there was another issue about mask testing. I don't see that reflected in here, that type of -- that's another service that you're giving.

Deputy Director MARK FOLEY: Correct.

Mr. O'MALLEY: Am I understanding correctly that although you're assigning a dollar value, we're not charging the towns for these services. And what is the issue there? What's the prohibition there? Why can it not be charged to the towns for the services that were rendered?

Deputy Director MARK FOLEY: The towns that are reflected in the report, and just to answer your first question as I said upfront, not all of the services are reflected in the report. That, as you stated, is one of them.

Mr. O'MALLEY: Okay.

Deputy Director MARK FOLEY: And we could do a more -- I think there's some information in the back that covers some of those things. But if you have specific questions, we can certainly answer those more in depth at a further time.

The question as to why don't we charge our Cape Cod communities, the ones you represent, is that historically the mission in the Charter and the charge of the Fire Academy from back in the very early days of when it transferred -- I'll call it ownership from the Chiefs Association in the early days to the County.

The mission in the Charter was to deliver those services back to the towns to offset their costs for delivering training here locally, regionally on the Cape. That continued to be the Charter. And up for many, many years, we did not have a revenue stream at all. And I'm going to go -- you can't hold me to the date but I'm going to say 10 to maybe 12 years ago there started to be, you know, budget shortfalls in places where the Assembly and the Commissioners looked for ways to generate some possible revenue, and we were charged with looking into that.

And at that time, we generated some public/private contracts with entities that come in

and do training with us. Those entities we are in contract with today, and they do generate funds in the neighborhood of somewhere between 175 and \$200,000 that offsets our budget of about 460-or-so roughly.

Of course, those revenues go back into the general fund. They don't directly. We're not an enterprise fund. They don't directly come back to the Academy. They go back into the general fund so please don't charge us an administrative fee for continuing the efforts with the contracts.

In a nutshell, that's the reason why we do not charge the Town of Provincetown.

Mr. O'MALLEY: It's history. You charge off-Cape departments.

Deputy Director MARK FOLEY: Off-Cape departments who are not part of Barnstable County.

Mr. O'MALLEY: Exactly.

Deputy Director MARK FOLEY: Yes, we do charge those and they do pay a tuition fee to come and use the Academy or use the facility.

Mr. O'MALLEY: I had a conversation with the Fire Chief in Truro who said, "The services are so valuable, we'd be willing to pay for it." Okay. Yeah, okay.

Speaker BERGSTROM: We'll send them a bill. John, do you have a question?

Mr. GEORGE RUSSELL: We'll send him a bill for the Eastham Fire Department.

Mr. OHMAN: Thank you, Mr. Speaker. I do have a few questions, actually. How many towns avail themselves of Fireman 1 and 2 as opposed to going to the Fire Training Academy?

Deputy Director MARK FOLEY: Well, I'm glad you bring that up. That question has surfaced and it would take me probably an hour to fully explain it, but let me try briefly to explain the difference. And people mentioned Stow, the State Academy.

The State Academy in Stow is a recruit academy when a brand-new, full-time firefighter is hired by most of the towns. In most of the towns there is a contractual obligation between the local fire department and the town that requires them to send their newly hired recruit through the Massachusetts Firefighting Academy for recruit training. That's a contractual obligation that many of the towns have between their local and the fire department.

Mr. LEWIS: The union.

Deputy Director MARK FOLEY: The unions. We offer the same exact curriculum, not in the same amount of hours. There is many more hands-on hours that are delivered at the State Academy, which is certainly a beneficial thing for a full-time professional firefighter.

We offer the same Academy training curriculum. We, at the end of our training, there is a ProBoard certification. So the ProBoard comes down and tests our firefighters to the same level of testing that a full-time firefighter goes through at the end of the State Academy.

The difference being our Academy is suited more toward the call departments here on Cape Cod for two reasons. There is a call academy occasionally at the state level, but you have to travel either to Stow or to Springfield to partake in that.

That, as you can imagine, for a call firefighter coming from Truro or Provincetown or Brewster or West Barnstable would be an enormous financial liability as well as just a time and effort liability for the person. So that does not happen that often.

We fill that void and have the Academy here locally as, again, mostly for the call firefighters. Our Academy runs from mid-January until the end of May/ beginning of June.

It's held on Monday and Thursday evenings from 6 till 10 at night and every Saturday in between from 8 o'clock in the morning until 6 o'clock at night. That's the difference.

Again, I could go into more detail but really in a nutshell that's the difference between the full-time professional Academy at Stow that the full-time employees generally go to versus our Academy which is the call volunteer firefighters that we service here on the Cape.

And that's only one program. That's a flagship program that we have but it's only one.

Mr. OHMAN: But most of the towns do avail themselves of Stow for their full-time firefighters; Provincetown maybe not.

Deputy Director MARK FOLEY: Provincetown doesn't have any full-time firefighters.

Mr. OHMAN: Right.

Deputy Director MARK FOLEY: Because you live in the town of Dennis, I will say that they do send their full-time, non-ProBoard certified newly hired firefighters to Stow.

Mr. OHMAN: Yes.

Deputy Director MARK FOLEY: But they also have a contractual obligation to do that.

Mr. OHMAN: All right.

Deputy Director MARK FOLEY: Your call firefighter's in Dennis, which you do have some, come to the Barnstable County Fire Academy and go through that Academy because there is no contractual obligation and it's obviously the logistics of sending someone who's not a full-time firefighter.

Mr. OHMAN: I --

Speaker BERGSTROM: Teresa.

Ms. MARTIN: I was just going to ask him if he could explain --

Mr. OHMAN: Could I just have one more question?

Speaker BERGSTROM: Okay. But you have to let me know when you're done because there's silence so then I recognize somebody else. The next thing you know, "Wait a minute, I'm not done yet."

Mr. OHMAN: So I was looking at your core purpose and thought -- I was thinking what is good. Why are we in the business of training Boy Scouts? I love Boy Scouts but --

Deputy Director MARK FOLEY: As do we and I've heard that comment come up too. We don't train Boy Scouts. We have an occasional class at the request of a particular Boy Scout Troop, Brownie Troop, any troop out there because they earn merit badges in many, many professional careers and aspects of life. And they will occasionally give us a call and say, "Can we bring the Boy Scout Troop over to earn a merit badge."

And that can be accomplished in many different ways. Typically we may have a short classroom session on fire safety, maybe first aid, some basic things that they could earn a merit badge for. And that's the extent of our training of Boy Scouts.

As well as they go to other places of professional places all over the County to gain merit badges. I think they can get one in Civics, so maybe we can send them over here to the Assembly.

Mr. MCMANUS: Don't do that.

Speaker BERGSTROM: Okay. Are we done with that? Okay. Teresa.

Ms. MARTIN: Chief, I was just going to ask for people listening at home and even people here if you could explain this municipal firefighter and call firefighter.

So the Outer-Cape I know it's -- they played a really important role and if you're used to

larger towns of municipal firefighters, it's not always clear what that difference is and why they can't be trained at one place or the other?

Deputy Director MARK FOLEY: Sure. That kind of dovetails into the explanation I gave MR. Ohman, but call firefighters are part-time, per diem, if you will, paid by the call depending on their arrangement, firefighters.

Full-time firefighter is a full-time firefighter. They go to the job and work a schedule that is 42 hours a week.

Depending on the towns, some have call firefighter, some do not, but I can just relay from Provincetown is all call. Truro is all call. Wellfleet is a combination department, and a combination department means just that. They have full-time and call firefighters. Eastham is all full-time firefighters; we have no call firefighters. Brewster is a combination department. Chatham is a combination department. Orleans is a combination department. Harwich is a full-time department. Dennis is a combination department. The town of Barnstable has five fire districts within its geographic area and they are independent of the town of Barnstable. Cotuit is a combination department. Centerville-Osterville-Marstons Mills is a full-time fire department. Hyannis is a full-time fire department. Barnstable Village is a full-time fire department. I don't believe they have any call firefighters at the moment; they have in the past. West Barnstable is a mostly call department with a small contingent of full-time firefighters. Sandwich, combination.

Director GEORGE RUSSELL: No.

Deputy Director MARK FOLEY: They've recently given up the combination. They do not have the call firefighters anymore in Sandwich. Mashpee, full-time department. Falmouth, full-time department. Bourne, combination department.

Director GEORGE RUSSELL: And Otis.

Deputy Director MARK FOLEY: And then Mass. Military Reservation or Joint Base Cape Cod is part of our family also. They are a full-time fire department.

Ms. MCAULIFFE: You forgot your favorite one.

Deputy Director MARK FOLEY: Yarmouth. I did. I forgot Yarmouth. How could I ever forget Yarmouth?

Ms. MCAULIFFE: He came from Yarmouth.

Deputy Director MARK FOLEY: I spent many, many years in Yarmouth, and Yarmouth is a combination department.

So you can see if you calculated that, the vast majority of them have some contingent of call firefighters. Does that --

Ms. MARTIN: Thank you.

Deputy Director MARK FOLEY: Thank you.

Speaker BERGSTROM: Ed.

Mr. LEWIS: Mark, would I be correct because Brewster has a fairly large call department.

Deputy Director MARK FOLEY: Yes, they --

Mr. LEWIS: And always has had, and it works extremely well.

Deputy Director MARK FOLEY: Yes, sir.

Mr. LEWIS: And saves the tax -- they perform well and they save the taxpayer a lot of money at the same time.

Deputy Director MARK FOLEY: Yes, sir.

Mr. LEWIS: If a call firefighter who trains and becomes a call when there's an opening and they become a full-time firefighter, they're training at the Fire Academy here. And if they pass their boards, they don't have to go to Stow to get more training; do they?

Deputy Director MARK FOLEY: I can't speak to that specifically for Brewster, and it's different in each town. I can, because I had history in Yarmouth, it wouldn't matter in Yarmouth even if you had gone to the State Academy prior. You would go back to the State Academy.

Mr. LEWIS: Okay.

Deputy Director MARK FOLEY: And I'm not sure what the arrangement is in Brewster. My thought is that once you are ProBoard certified in Brewster, you're ProBoard certified and you won't have to go for further training.

Mr. LEWIS: Brewster does not have a labor union agreement saying you have to go to Stow. A lot of towns around do have that.

Deputy Director MARK FOLEY: That's correct.

Mr. LEWIS: I don't understand that, I said before. I negotiated those contracts the past three terms as a Selectman, and it would seem to me I understand for recruits and things, it would seem to me that the Fire Academy, which does a marvelous job, and is especially important to the town of Brewster, it would benefit the town if the contracts when they were negotiated did not have that in there.

If they want to send them to Stow, it's a managerial right, that's okay. But not to have a contract that says they have to because I think that eliminates the possibility of the Fire Academy doing their job, which they do so well.

Deputy Director MARK FOLEY: Yes.

Speaker BERGSTROM: Can I ask a couple questions? Who does the training? I mean let's say you have a couple call firefighters --

Deputy Director MARK FOLEY: Yes, sir.

Speaker BERGSTROM: -- who does the training?

Deputy Director MARK FOLEY: We have approximately 40 to 50 per diem full-time firefighters that do the training. They're all -- the ones who are instructors are all certified instructors, ProBoard Certified Instructors. We have a contingent of folks who aren't certified instructors but they do the support work.

Speaker BERGSTROM: And these would be people who are currently in the -- working in the fire departments?

Deputy Director MARK FOLEY: The vast majority of them are full-time firefighters.

Speaker BERGSTROM: How do you determine their compensation? I mean how do you determine their compensation? I mean how do you determine what the per diem is? Who sets that?

Deputy Director MARK FOLEY: Well, it's set by the County in discussion with the administration, but the current pay scale is, correct me if I'm wrong, it's 17 -- depending on your status, 17, 18 or --

Director GEORGE RUSSELL: Fourteen.

Deputy Director MARK FOLEY: Sorry. Then go ahead then.

Director GEORGE RUSSELL: I think it's 14 to -- is support help, which you can get

more at McDonald's -- 14, 18, 20 and then 22 dollars an hour.

Speaker BERGSTROM: Okay. So this doesn't have anything to do with how -- in other words, if I'm a firefighter in let's say Chatham and I go over there to do some training, I don't carry with me my per diem or --

Deputy Director MARK FOLEY: No.

Director GEORGE RUSSELL: No.

Speaker BERGSTROM: It's not like a detail?

Deputy Director MARK FOLEY: No, not at all.

Director GEORGE RUSSELL: No.

Deputy Director MARK FOLEY: I had per diem through the County as a County employee per diem.

Speaker BERGSTROM: And the County Administrator basically, I wouldn't say oversees it, but basically he handles the finances and so on like that?

Deputy Director MARK FOLEY: Certainly through budget discussion we determine a pay rate pay scale.

Speaker BERGSTROM: And who determines, in other words, let's say this was -- let's say I was a policeman and there was some details on the highway or, you know, there's a competition for those kind of the things, you know. It's an extra little thing. I mean how do you hand that? How do you handle who does it?

Deputy Director MARK FOLEY: Well, as I said, there's about 40 or 50 per diem employees. And some of them have certain expertise in certain areas, so they are chosen for their expertise in those certain areas.

Speaker BERGSTROM: Who are they chosen by?

Deputy Director MARK FOLEY: The staff.

Speaker BERGSTROM: Okay. That's another thing. Now you don't do EMTs. You just do strictly fire; right?

Deputy Director MARK FOLEY: The base mission of the Academy is to do fire training. However, since you brought it up.

Speaker BERGSTROM: Okay.

Deputy Director MARK FOLEY: All of the Cape fire departments are fire-based EMS. So all of the firefighters on Cape Cod are either EMTs or paramedics.

Speaker BERGSTROM: Right.

Deputy Director MARK FOLEY: We do do paramedic and EMT training at the Academy grounds. It's done through Cape and Islands EMS, which is a nonprofit overseer of the Cape and Islands EMS system, but they're all our own firefighters.

So they use the building to do the trainings. They use their funding to pay for their instructors to conduct the trainings but they use our facility to do that.

And the reason that we do that is obviously it's a complement to our firefighting staff. If they had to go out and get training space, they would have to rent space, own space, secure space some other way that would increase the cost back to the fire departments.

So when we have available time and space, we work them in to use the Fire Academy facility.

Speaker BERGSTROM: Okay. Thank you. Yes, Ed. How about we try to wrap this up pretty soon.

Mr. MCMANUS: Just one other question I don't see anywhere in your report, but I know I tend to say it's a very valuable service you provide is you base -- are the home base for certain equipment that it doesn't warrant every town to have. But if every town doesn't have it, then who registers it and insures it and you provide that; can you tell me?

Deputy Director MARK FOLEY: I think what you're referring to is there is some technical teams on the Cape that are regional teams. There's a regional dive team. There's a regional technical rescue team. We do have some equipment that they use. It's a regional asset, much like mutual aid is shared between towns, those are shared between the towns also. There are a couple of vehicles that those teams use that are registered with the County, County assets. I think that answer your question.

Mr. MCMANUS: That would be nice to have as part of your report.

Deputy Director MARK FOLEY: Yes. We had some discussion earlier about expanding the report to cover more in depth all of the functions of the Academy. As we said, we were kind of sticking to the firefighting aspect of it, but there are many more aspects of it that aren't in there.

One other suggestion was and the capital question has come up and we haven't asked for capital as often in the past as it is reflected in this budget, and that's because of a change in the way that the structure of the academy has been operating since this year.

In the past, we did a lot of our own construction work over there, maintained the buildings, and did a lot of that with the Academy staff.

And the current thinking is that we made to look at that and it may not be the right way to effectively use the staff that we hire. So that's why those capital items are reflected in the budget. They're not immediately life and death have to be done this year or even the next fiscal year, but they do have to be recognized as projects that would have to be taken care of going forward.

And one last point on that is a lot of the equipment that we have at the Academy, the engines that we use, the equipment, some of the equipment that we use, the hose, the fittings, the appliances; the vast majority of that equipment was donated by the towns.

When an engine goes out of service, its useful first-line service, and a town would be either trading it in or giving it up for surplus. They often will come to the Fire Academy and ask us if we could use the engine or the equipment. It's not first-line serviceable, but it's certainly serviceable for training purposes.

And I'm going to say we have in the millions of dollars worth of equipment that we have never come to the County to ask for capital funds to replace because the towns have been so generous to us offering up these surplus pieces of equipment, if you will.

Speaker BERGSTROM: Thank you. I think we've pretty much beat this subject to death.

I appreciate your being here and answering our questions.

Deputy Director MARK FOLEY: Anytime. And, again, the offer was made to come over to the Academy. I think someone made that offer. We're certainly there --

Speaker BERGSTROM: Is there any fish in that pond?

Deputy Director MARK FOLEY: Not that I'm aware of.

Speaker BERGSTROM: They're all dead. Okay. All right. We'll move right -- thank you, very much, and we'll move right on to our next --

Is there any other business to be brought before the Assembly? Hearing nothing.

Deputy Speaker MCCUTCHEON: Motion to adjourn.

Speaker BERGSTROM: Okay. Moved and seconded. All those in favor of adjourning say “Aye.”

Whereupon, it was moved, seconded, and voted to adjourn the Assembly of Delegates at 5:45 p.m.

Respectfully submitted by:

Janice O’Connell, Clerk
Assembly of Delegates