

Cotuit Fire District
Prudential Committee
5 June 2014

Present: Fran Parks, Marge Wallace, Laurie Hadley, Mark Bodreau

Fran Parks: Calling to order the special meeting Cotuit Fire District Prudential Committee. June 5th, 2014 is there anyone recording?

Amy Kates is recording.

Open Meeting Law complaint:

Fran Parks: Thank you. So tonight we're addressing the open meeting lot complaint from Mrs. Agnes Murray. The complaint stems from a March 24th meeting where she had difficulty hearing, so I'll read the complaint: "The Prudential Committee on March 24th 2015 could not be heard by many members of the public; most particularly the Treasurer does not speak up. It is though he is having a private conversation with the Committee. This has been an ongoing problem. He does not speak into the microphone no matter how many times he has been requested to do so. People in the front row could not hear him. I did write a note which I brought up to the Committee, to the Chairman, which said he the Treasurer, needs to speak up and into the microphone. This note was completely ignored by Chairman Berry. The meeting is a public meeting where there were about twenty people present and many people could not hear. Over many months people have addressed this situation to the Board, it's unacceptable that people cannot hear is a violation of the Open Meeting Law. It's my understanding that a new audio system has been installed but unless the speakers use the microphones properly the system becomes inadequate. It has remained known that the same meeting was not taped because of a malfunction of the sound system." And the correction that she wants is that she wants "members of the board and any speakers taking part of the meeting to speak up and make proper use of the microphone so that all members of the public can hear." Do you want me to read the letter also?

Mark Bodreau: Please.

Fran Parks: On May 6th it says 2015, but I believe Mrs. Murray meant 2014, she wrote a letter to the Attorney General accompanying the complaint: "Enclosed is an Open Meeting Lot complaint which I sent to Mr. Richard Berry, Chair of the Cotuit Fire District Prudential Committee on April 7, 2014. To date I have not received a response from him. On April 14th the Committee held a special meeting after Mr. Berry recognized the Treasurer, Michael Daily, to speak. Mr. Berry asked the Treasurer to

Cotuit Fire District
Prudential Committee
5 June 2014

Speak into the microphone because they had received a complaint about people not being able to hear. The meeting went well, Mr. Daily spoke into the mic and people could hear what was going on. If such good work had continued I probably would not have filed this complaint because the problem had been resolved. However on the April 28th regular meeting of the Prudential Committee was held and it was a very important meeting because a warrant for the annual meeting is being finalized, the meeting lasted approximately one hour and ten minutes and for the most part no one could hear anything. Mr. Daily did not speak into the microphone and Mr. Berry did not ask him to. Along the way a person did speak up to say they could not hear, it did not do any good." That's what happens when you turn them up too much. The only comment I have to make is about the dates, the alleged violation was March 24th, was received by the Attorney General on May 6th 2014, which is more than thirty days.

Mark Bodreau: Okay, should I speak?

Fran Parks: Yes, go ahead.

Mark Bodreau : Generally when the Prudential Committee does receive a letter directly it is simply the complaint in following the correct procedure to notify the particular governmental body, in this case the the Prudential Committee, and there should have been a response even if the response was brief, to state "We don't believe we have violated the Open Meeting Laws." Having seen no response, the complainant, Mrs. Murray, did what she's supposed to do. She sent it up to the Attorney General's Office and I would just suggest as I have before, if this body receives a complaint they should respond. It would obviate the need for this brief meeting, the Attorney General's Office also requires that if I'm going to respond that I be so asked at a public meeting by the Prudential Committee, so if you'd like to do that you can entertain a vote. Before you do that I do have a question for Mrs. Murray if I could? The issue is really not the microphones. It's not people's ability generally to hear. It's that the Treasurer did not use the microphones properly, is that correct?

Was anyone in the public looking to get any special equipment because they're hearing impaired?

Agnes Murray: Agnes Murray, people even having your mouth too far away from the microphone it doesn't go through too well. As long as people use the microphone people can hear. Particularity with Mr. Daily, he speaks

Cotuit Fire District
Prudential Committee
5 June 2014

further away and speaks very softy and you can't hear a single word but if you speak into the microphone and be aware of it, everyone can hear and that was the problem. I wouldn't have filed it because the next meeting went very well, the special one I mentioned. Everybody could hear, but after that, that very important meeting, nothing.

Mark Bodreau : The reason I asked you that is because if there are people who need assistance with hearing and this board does not provide any assistance then you could have an Americans with Disabilities Act complaint and I want to make sure we're not dealing with that we're just dealing with an inability to use the equipment as it's supposed to.

Agnes Murray: Just use the equipment as it's supposed to.

Mark Bodreau : Perfect, thank you.

Fran Parks: I just want to clarify that Mrs. Hadley and I were not made aware of the complaint until the night of the annual meeting and the very first time that we could have a meeting was Monday but we didn't have a copy of the complaint on Monday so that's why we waited to have the meeting done tonight. So it's not that Mrs. Hadley or I were delinquent in taking care of this. I would accept a motion to ask Mr. Bodreau to write a response to the Attorney General's Office in regard to the complaint, , filed by Mrs. Murray.

Marge Wallace: So moved.

Fran Parks: All in favor?

All speakers respond in the affirmative.

Fran Parks: Motion to adjourn, are we all set?

Marge Wallace Before you ajourn could I just make a suggestion that if you cannot hear, just raise your hand. If you're at a meeting and you're not hearing us just raise your hand. It's faster than trying to pass a note to us so that we will know what that means probably.

.

Fran Parks: Close the special meeting, thanks.

Cotuit Fire District
Prudential Committee
5 June 2014