

# REPORT OF THE CLERK

## ANNUAL ELECTION AND DISTRICT MEETING

May 28 and 29, 2024

In accordance with the foregoing notice and the by-laws of the District, the annual election of the Cotuit Fire District was held at the Freedom Hall, 976 Main Street, Cotuit, on May 28, 2024, between the hours of four o'clock and eight o'clock PM. The results were as follows:

	<u>Votes Received</u>
<u>Member, Prudential Committee, 3 years</u>	
Mark W. Lynch	53
<u>Member, Board of Fire Commissioners, 3 years</u>	
Christopher Ross	56
<u>Member, Board of Water Commissioners, 3 years</u>	
Mark H. Robinson	53

Also, in accordance with the foregoing notice and the by-laws of the District the annual meeting of the Cotuit Fire District was held Wednesday, May 29, 2024, at Freedom Hall, Main Street, Cotuit, at seven-thirty o'clock PM. The meeting was called to order by the Moderator. The Moderator identified himself as Jack Gardner and asked all able to please stand for the Pledge of Allegiance. He led the meeting in the Pledge. The Moderator explained the meeting would be governed by the Bylaws and the policies in the book "Town Meeting Time." The Moderator then asked the Clerk to read the call of the meeting and return of the same. The Moderator then asked the Clerk to report on the election results. The Clerk then reported the election results. Then action was taken by the District voters on the following articles:

**Article 1:** Upon motion duly made and seconded, the District voted not to accept the reports of the officers and committees of the District as printed. **The article did not pass.**

**Article 2:** Upon motion duly made and seconded, the District voted to set the annual salaries of the elected officials as follows: Prudential Committee Members, Members of the Board of Fire Commissioners, and Members of the Board of Water Commissioners: **\$1,250.00** each; and Moderator: **\$250.00**. **The article passed unanimously.**

**Article 3:** Upon motion duly made and seconded, the District voted to raise and appropriate the sum of **\$45,000.00** to establish the reserve fund as provided under Section 5C, Chapter 40 of the General Laws.

**The article passed unanimously.**

**Article 4:** Upon motion duly made and seconded, the District voted to raise and appropriate **\$122,315.00** for the labor and salaries of the District's Finance Department; and **\$309,182.00** for the remaining expenses of the Prudential Committee, for a total appropriation of **\$431,497.00**.

**The article passed by a majority.**

**Article 5:** Upon motion duly made and seconded, the District voted to raise and appropriate **\$2,309,735.00** for the labor and salaries of the District's Fire Department; and **\$395,654.00** for the remaining expenses of the Fire Department for a total appropriation of **\$2,705,389.00**.

**The article passed by a majority.**

**Article 6:** Upon motion duly made and seconded, the Board of Fire Commissioners requested that the District vote to borrow the sum of **\$800,000.00** to purchase and equip a new fire engine and sell and/or trade the 1994 fire engine VIN 4PICT02D0RA000728 that it will replace. The Board of Fire Commissioners then requested to withdraw the article. The District voted to withdraw the article.

**The article was withdrawn unanimously.**

**Article 7:** Upon motion duly made and seconded, the District voted to borrow and appropriate the sum of **\$33,000.00** for the purchase of protective clothing for the fire fighters.

**The article passed unanimously.**

**Article 8:** Upon motion duly made and seconded, the District voted to borrow and appropriate the sum of **\$1,300,000.00** for the design phase including any related testing for the design of a new Fire Station.

**The article passed by a 2/3 majority with 56 yeas and 9 nays.**

**Article 9:** Upon motion duly made and seconded, the District voted to approve the transfer of the title for the 2001 Brush Breaker VIN 1HTSEAR61H366080 from the Cotuit Fire District to the Joint Base Cape Cod Fire Department.

**The article passed by a majority.**

**Article 10:** Upon motion duly made and seconded, the District voted to raise and appropriate **\$473,370.00** for labor and salaries of the Water Department; and **\$416,825.00** for the remaining expenses of the Water for a total appropriation of **\$890,195.00**.

**The article passed by a majority.**

**Article 11:** Upon motion duly made and seconded, the District voted to borrow and appropriate the sum of **\$25,000.00** for new meter reading software and equipment.

**The article passed unanimously.**

**Article 12:** Upon motion duly made and seconded, the District voted to transfer and appropriate from Certified Free Cash the sum of **\$8,500.00** for new departmental computers and related system/security equipment. **The article passed unanimously.**

**Article 13:** Upon motion duly made and seconded, the District voted to transfer and appropriate from Certified Free Cash the sum of \$50,000 to acquire a conservation restriction on the property located at 4609 Falmouth Road, Cotuit, pursuant to MGL Chp.184 ss. 31-33 to be held jointly with the Town of Barnstable. **The article passed unanimously.**

**Article 14:** Upon motion duly made and seconded, the District voted to raise and appropriate **\$6,211.00** for the labor and salaries and **\$21,180.00** for the remaining expenses of the operation of Freedom Hall for a total appropriation of **\$27,391.00**. **The article passed unanimously.**

**Article 15:** Upon motion duly made and seconded, the District voted to raise and appropriate the sum of **\$10,700.00** to maintain the streetlights of the District. **The article passed unanimously.**

**Article 16:** Upon motion duly made and seconded, the District voted to transfer and appropriate from Certified Free Cash the sum of **\$26,780.00** to support the Maintenance of the Cotuit Library. **The article passed unanimously.**

**Article 17:** Upon motion duly made and seconded, the District voted to raise and appropriate \$327,500.00 and transfer and appropriate from Debt Premium **\$17,343.00** and transfer and appropriate from Certified Free Cash **\$86,450.00** for a total appropriation of **\$431,293.00** for payment of principal and interest. **The article passed by a majority.**

**Article 18:** Upon motion duly made and seconded, the District voted to raise and appropriate **\$496,319.00** and transfer and appropriate **\$473,842.00** from Certified Free Cash for a total appropriation of **\$970,161.00** for the purpose of paying employee and post-employment benefits. **The article passed unanimously.**

**Article 19:** Upon motion duly made and seconded, the District voted to transfer and appropriate from Certified Free Cash the sum of **\$35,000.00** for the Stabilization Fund as provided under Section 5B, Chapter 40, of the General Laws. **The article passed unanimously.**

**Article 20:** Upon motion duly made and seconded, the District voted to transfer and appropriate from Certified Free Cash the sum of **\$46,300.00** for the Water Department Stabilization Fund as provided under Article IX, Section 5 of the District By-Laws. **The article passed unanimously.**

**Article 21:** Upon motion duly made and seconded, the District voted to transfer and appropriate from Certified Free Cash the sum of **\$37,100.00** for the balance of the fiscal year 2024 transfer to

the Water Department Stabilization Fund as provided under Article IX, Section 5 of the District By-Laws. **The article passed unanimously.**

**Article 22:** Upon motion duly made and seconded, the District voted to re-purpose the following Articles: Article(s) 2015-10 & -19 Water Tank Security comprising **\$312,634.00**; and Article 2022-24 School Property Environmental Study comprising **\$28,000**; to be available for funding the voter determined final disposition of the Cotuit Elementary School Building.

**The article passed unanimously.**

**Article 23:** Upon motion duly made and seconded, the District was requested to vote to repurpose Article 2021-17 Alternative Development Determination as determined in the May 4, 2024, SDM Article 2, or if that article did not pass, to be available for funding the voter-determined final disposition of the Cotuit Elementary School Building. The Prudential Committee then requested that the article be withdrawn. **The article was withdrawn.**

**Article 24: (Non-binding article).** Upon motion duly made, the Board of Water Commissioners moved that the District vote to authorize the Cotuit Fire District to do all things necessary to petition the Massachusetts Great and General Court to change the enabling legislation of the Cotuit Fire District and the establishment of the Cotuit Water Commission under Chapter 244 of the Special Acts of Massachusetts (1935) substantially as follows: The Water Commission of the Cotuit Fire District shall have the authority to fund improvements on private property, with written approval of the property owner, to protect and enhance the quality of the water supply for the benefit of the residents of Cotuit. The Board of Water Commissioners made an amendment to the article to remove **“The Water Commission of the Cotuit Fire District shall have the authority to fund improvements on private property, with written approval of the property owner, to protect and enhance the quality of the water supply for the benefit of the residents of Cotuit”** and replace it with **“The Board of Water Commissioners of the Cotuit Fire District shall have the authority to recommend improvements on private property, with prior written approval of the property owners and seek funds by vote of the District, to protect and enhance the quality of the water supply for the benefit of the residents of Cotuit.”** The voters first voted on whether to accept the amendment to the article.

**The amendment passed by a majority.**

The amended article now reads: “To see if the District authorizes the Cotuit Fire District to do all things necessary to petition the Massachusetts Great and General Court to change the enabling legislation of the Cotuit Fire District that established the Cotuit Water Department and Board of Water Commissioners under Chapter 244 of the Special Acts of Massachusetts (1935) substantially as follows: The Board of Water Commissioners of the Cotuit Fire District shall have the authority to recommend improvements on private property, with prior written approval of the property owners and seek funds by vote of the District, to protect and enhance the quality of the water supply for the benefit of the residents of Cotuit.”

**The non-binding article passed by a majority.**

**Article 25:** Upon motion duly made and seconded, the Prudential Committee moved that the District vote to raise and appropriate and/or transfer and appropriate from available funds a sum not to exceed \$1,100,000.00 for the demolition of the Cotuit Elementary School Building located at 140 Old Oyster Road, Cotuit, Massachusetts. The Prudential Committee then requested that the article be withdrawn subject to the withdrawal of Article 26.

**The article was withdrawn unanimously.**

**Article 26:** Upon motion duly made and seconded, Patty Daley moved that the District vote to transfer and appropriate from available funds a sum, not to exceed the sum previously allocated and unexpended under Article 17 in 2021, from Certified Free Cash to:

- (1) to study the feasibility and estimate the cost of restoring and rehabilitating all or a portion of the former Cotuit Elementary School at 140 Old Oyster Road (the “School Property”) for the use of District residents, funding a professional analysis of the building for potential reuse and potential recreational and other uses of the grounds, and for the author(s) of said study to present the finding of the completed study to the voters of the District at a public meeting; and,
- (2) to study the cost of demolition of the School Property and the restoration of the site to a natural state; and,
- (3) to hold a Special District Meeting to allow voters to determine the District course of action related to the School Property.

Patty Daley then requested that the article be withdrawn.

**The article was withdrawn unanimously.**

The Moderator announced he has appointed for a one-year term Amy Kates and Laura Opie to the By-laws Committee and Michael Curtis and Lally Lloyd to the Policy Advisory Committee.

Motion made, seconded, and passed unanimously to dissolve the meeting.

A True Copy, attest:

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Charles W. Eager, Clerk  
Cotuit Fire District