

**COTUIT FIRE DISTRICT  
PRUDENTIAL COMMITTEE MEETING  
FREEDOM HALL  
COTUIT, MA 02635  
April 22, 2024**

**(Part 1 and Part 2)**

**Present: Mark Lynch, Fran Parks, Ray Pirrone, Seth Burdick and Charlie Eager**

(Part 1)

The meeting was called to order by Fran Parks on April 22, 2024 @6pm at Freedom Hall.

Fran did a roll call of the members.

The following members present:

Charlie Eager

Ray Pirrone

Seth Burdick

Fran Parks

Mark Lynch (via ZOOM)

Fran led the Committee in the Pledge of Allegiance.

**Public Comment:**

- Member from the Water Department (Scott?) spoke about bipartisan support (difficult to hear)

**Minutes from December 6, 2023**

- Fran accepted Motion to Approve minutes of December 6, 2023, Mark moved, Seth seconded
  - All in favor

**Water Department**

- Amendment under Article 9
  - (inaudible)
- Ray Pirrone commented
  - (inaudible)
- Mark Lynch commented that it was difficult to hear what was being said
- Water Department stated again:
  - Article 12 (Scott? Read Article 12)
    - Mark had a question regarding this – he stated that the Conservation Land Trust has already purchased this property and it appears to be a donation to Barnstable Land Trust.

- Scott (?) from Water Department answered that part of their job is protecting the land and the water supply and they felt it was a legitimate purchase on behalf of the district.
- Kelly Grant with Compact Conservation Trust stated that the context of this project is that Barnstable Land Trust has the property under agreement for \$600,000.00 and this agreement is contingent upon being able to raise the funding
- They are looking at applying for a conservation partnership for half of the project at a cost of \$300,000.00 which is a State Grant and they did apply to the CPC (whose meeting was 04/22/2024) and they unanimously supported moving forward for the full application for \$250,000.00 in support of the conservation restriction. Barnstable Land Trust is coming up with additional sources of funding so that they can reach that \$600,000.00
- Scott (?) from Water Department stated to Mark that instead of using the word “donation” to instead use the word “investment”
- Mark asked if the deal had been signed?
  - Kelly answered that there was already a signed offer but no P&S yet
- Mark asked how the \$50,000.00 number was thought of for the CFD?
  - Kelly answered that she thought that it was a gap in the funding that.....(inaudible – camera to Freedom Hall cut out) audio is awful. Could not follow from 11:15 to 25:13 when Freedom Hall camera came back online

*Scott (?) from Water department continued conversation that took place during the time the audio was unintelligible and camera came back online.*

Fran stated to Scott (?) from the Water Department that legislation is not needed to speak with people and will not vote for something that is too broad and Legislation needs to be looked at 20 years down the road.

Mark stated that he listened to the Water Department’s April 16<sup>th</sup> presentation and some language in the meeting that was proposed has since been amended, including the language, “the establishment of the Cotuit Water Commission” and he asked if the Water Department is contemplating a new entity?

Mark stated that he looked up Chapter 244 of the Special Acts of Massachusetts and all that he sees is that is about foreclosure, which is confusing.

Mark asked if other Water Departments in MA are allowed enact a change to the enabling legislation of the fire districts?

Member of the audience (Jen?) came up to the microphone and read the following language;

“I would propose the following language – to do all things necessary to petition the Massachusetts legislature to enact a change to the enabling legislation of the

Cotuit Fire District substantially as follows: the Water Department of fire district shall have the authority to fund improvements and with the full approval of the property owner to protect the water supply and quality for the benefits of the residents of Cotuit"... to which Mark Robinson proposed an amendment which added "the great and general court and the establishment of Cotuit Water Commission under that Chapter 244"... to which Mark Boudreaux responded that the revisions look good.

Mark (Lynch) asked if Scott (?) from Water Department if he is looking to establish the Cotuit Water Commission?

Jen (from the audience) stated that what she believes that Mark Robinson was saying is that the Water Commission was established under.....(her audio cut out)

Scott (?) Water Department stated that his intention is to go with Mark Boudreaux language and stated that he has not reviewed other Water District legislation

Mark Lynch stated to Scott (?) that if he does want to do this – and he does think that there may be some benefits to it – he does not think that changing the enabling legislation is going to get where the Water Department wants to be and that if Cotuit changes the enabling legislation then they would be the only water district in MA that could do this. He expresses that he agrees with Seth and Fran.

Scott (?) stated that it was never a discussion among the Water Commissioners to create a new entity, instead, it was to work with private landowners on highly probable sources of contamination to see if they could work cooperatively with them to solve the problem.

Jen (from the audience) stated that it was Chapter 244 and read, "An act authorizing the fire district to supply itself and its inhabitants with water for the extinguishment of fire for domestic use..."

Mark stated that he still stood with Fran and Seth on the overall suitability of this to achieve the Water Commissioner's end and isn't sure that it fixes the problem and voted no.

Lisa asked if it goes on the Warrant as Article 23 as provided including the Water Commission language and Fran answered yes

Ray spoke but the audible was unintelligible so Ray and Seth switched seats

Ray stated that March represents  $\frac{3}{4}$  of the year and the budget target for evaluating the performance is 75% and Revenue collections stand at 84% and Expenditures at 71%. Target has been exceeded YTD by close to \$400,000.00. Budget has been underspent including some one-time annual expenditures of a significant nature such as: insurance / retirement contributions. Budget has been underspend by 71% vs. 75%.

Ray spoke about cash but audio was cutting out

Fran asked Lisa about the SDM card at the printers

Fran asked Mark if he had coordinated with the man regarding the reporting for the SDM and Mark answered that yes, and that the man is coordinating with Cotuit Federated Church and he will check with him again. Fran and Mark discussed how many microphones were needed and sound systems.

there was a discussion regarding who would check people in and voting cards. Mark asked Charlie to check with the moderator. Lisa and Charlie discussed the voter list and the process.

Kevin Conley, Chairman of the Cotuit Fire Commissioners spoke about Warrant #8 to appropriate \$1.3M for design of new fire station and the output that the Fire Commissioners is requesting is the actual construction design documents as well as approvals with the town and the assumption that the two lots are merged.

Fran asked if there was an estimate of the final thought yet regarding building

Kevin stated that there is a meeting with the architects on 04.23.2024 and there may be some more information after that

Fran asked about the title of the brush breaker and Lisa stated that it will be renumbered

Fran asked if there were any other changes to the fire budget?

Ray spoke but it was unintelligible

Set asked Kevin about the timeline

Kevin answered that they were looking at having the design phase done prior to next year and (audio was unintelligible)

Mark stated that it was difficult to hear Kevin and apologized if his question was a repeat question but he asked Kevin if the decision as to where such a new facility would on High St. or somewhere else?

Kevin answered that they were working under the assumption that it would be on High St. merging the two lots, although there isn't approval for that yet.

Seth spoke to Kevin about the \$1.3M (unintelligible at times) and he asked Kevin what is the lifetime of the study?

Kevin answered that when they have their DM in 2025, the Fire Commissioners will have plans, a well locked down price point, a design where they can build a particular station – theoretically – at that site

Fran spoke about the Hyannis Fire Department and the pushback on the initial price of \$19M that they received when building their new structure

Seth asked Kevin where was the Village Workshop aspect in this?

Kevin stated that he did not understand the question

Seth restated his question regarding the Village Workshop

Kevin answered that the outside design will try to look the same as what it looks like now. Kevin stated to Fran that regarding the inside design, the Commissioners are trying to be very conservative financially. Kevin stated that they planned on inviting the neighbors and having coffee breaks, inviting them to discuss.

Fran asked to be allowed to buy new bunting for Freedom Hall for the 4<sup>th</sup> of July for around \$200. The original bunting that she purchased a few years ago was damaged.

Seth made a motion for Fran to purchase new bunting. All in favor.

Fran stated that the Annual District Meeting Warrant needed to be read through and all of the Articles for the record

Mark and Fran had a discussion regarding traditional budgeting and forecasting in the warrants and Seth weighed in (inaudible). There was a discussion amongst the Prudential Committee and members of the public that attended in person. (completely inaudible)

Fran asked to take a vote on which version to use regarding the two versions of the warrant for the May 29, 2024 meeting – One version has the traditional breakout of the costs associated with each department and the other version that has just a summary of the expenses that are going to be taken on by the Water Dept. Fran proposed that the Prudential Committee accept the summary version of the 2024 warrant for the Cotuit Fire District. Seth seconded. Mark opposed.

Prudential Committee members started to talk read the Articles.

- Article 1 – To see if the District will accept the reports of the officers and committees of the district as printed
- Article 2 – To see if the District will vote to set the annual salaries of elected officials as follows
  - o Members of the Board of Fire Commissioners and members of the Board of Water Commissioners \$1,250/each and moderator \$250
- Article 3 – To see if the District will vote to raise and appropriate or transfer an appropriate the sum of \$45,000.00 to establish the Reserve Fund as provided under G.L. Ch. 40 § 5c
- Article 4 - To see if the District will vote to raise and appropriate or transfer an appropriate the sum of \$122,300.00 for the labor and salaries of the District's Finance Dept. and \$309,182.00 for the remaining expenses of the Prudential Committee for a total appropriation of \$431,482.00
  - o Mark asked what does the \$309,182.00 include:
    - Ray answered (inaudible)
    - Lisa answered all the worker's comp / insurance plus all payroll taxes
- Article 5 - To see if the District will vote to raise and appropriate or transfer an appropriate the sum of \$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

- Article 6 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$800,000.00 for the additional funds to purchase and equip a new Fire Department engine and sell or trade the 1994 fire engine VIN# (inaudible)
- Article 7 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$333,000.00 for the purchase of protective clothing for the fire fighters.
- Article 8 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$1,300,000.00 for the design phase including any related testing for the design of the fire station by request of the board of Fire Commissioners
- Article X - To see if the District will approve the transfer of title for the 2001 brush breaker VIN# (inaudible)
- Article 9 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$473,500.00 for labor and salaries of the Water Department and \$416,825.00 for the remaining expenses of the water department for a total appropriation of \$890,325.00 by request of the Board of Water Commissioners
  - o Mark interrupted Seth re the Article 9 and objection that was raised and spoke with Chris (Water Dept?) and Fran (inaudible)
- Article 10 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$25,000 for new software and equipment by request of the Board of Water Commissioners
- Article 11 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$88,500.00 for the new departmental computers and related systems/security by the request of the Board of Water Commissioners
- Article 12 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$50,000.00 to acquire a conservation restriction pursuant to MA G.L. ch 184 § 31-33 to be held jointly with the town of Barnstable – 4609 Falmouth Rd. Cotuit, MA
  - o Seth asked if this Article is recommended? Fran answered that this land is going to abut Barnstable land. Fran stated that she thinks that it is a good idea.
  - o Mark asked Seth if he thought it was a good idea?
    - Seth answered that he was on the fence about it but he understands the intention of it and he spoke about his concerns.
      - Chris from Water Dept. weighed in (inaudible)
    - Mark weighed in with his concerns and stated that it appeared to be a donation

- Article 13 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$6,211.00 for the labor and salary of (inaudible)
- Article 14 To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$10,700 to maintain the street lights of the district
- Article 15 To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$26,780 to support the maintenance of the Cotuit Library
- Article 16 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$431,290 for payment of principal and interest
- Article 17 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum \$935,530.00 for the purpose of paying employee other/post-employment benefits
  - o Mark stated there is a red line version of this article
  - o Ray weighed in (inaudible) and Lisa commented regarding insurance
    - Video cut out and Part 2 started

(Part 2)

- o Discussion continued between Ray, Chris (Water Department ?) and Mark regarding contracts and insurance
- Seth re-read Article 17:
  - o Article 17 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$953,161.00 for the purpose of paying employee other/post-employment benefits
  - o Mark asked if, at the ADM, was there a breakout of the \$953,161.00 by attribution to the Fire, Water and Prudential Committee?
    - Ray answered yes.
- Article 18 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$35,000.00 for the stabilization fund provided under MA G.L. ch. 40 § 5B
- Article 19 - To see if the District will vote to raise and appropriate or transfer an appropriate from available funds and/or borrow and appropriate the sum of \$46,300.00 for Water Dept. Stabilization Fund as provided under Article 9 § 5 of the District By-Laws
- Article 20 - To see if the District will vote to raise and appropriate or transfer an appropriate the certified free cash from certified free cash the sum of \$37,100.00 for the balance of the FY2024 transferred to the Water Dept. Stabilization Fund as provided under Article 9 § 5 of the District By-Laws.

- Article 21 – To see if the District will vote to repurpose Articles 2015-10 and 19 water tank security to be available for funding the voter determined disposition of the Cotuit Elementary School building
- Article 22 – To see if the District will vote to repurpose Article 2022-24 School property Environmental Study to be available for funding the District determined disposition of the Cotuit School building
  - o Fran asked why Article 22 was for the school
    - Ray answered (inaudible).
    - Discussion between committee members and Ray reworded Article 22
      - Article 22 – To see if the District will vote to repurpose the following Articles: Article 2015-10 and 19 water tank security Comprising \$312,634; Article 22-24 School Property Environmental Study comprising \$28,000; and Article 2021-17 Alternative Development Determination comprising \$204,926.00 for funding the Voter determined disposition of the Cotuit Elementary school building
  - o Fran stated that Article 21 is no longer needed
- Article 23 – (new Article 22) – To do all things necessary to petition the MA General Court to enact the change of the legislation of the Cotuit Fire District and the establishment of the Cotuit Water Commission under ch. 244 of Special Acts of MA 1935 substantially as follows:
  - o The Water Commission of the Cotuit Fire District shall have the authority to fund improvements on private property with written approval from the property owner to protect and enhance the quality of the water supply for the benefits of the residents of Cotuit
    - The Prudential Committee does not recommend this Article

Fran stated that she needed a Motion to approve Articles 1-22 that the Prudential Committee recommends these articles and for Article 23, the Prudential Committee does not recommend this article.

- Seth seconded the motion, all in favor.

Lisa pointed out that the date needs to change to 29<sup>th</sup> day of April 2024 which is 30-days

Fran asked Mark if he had a report from the By-Law Committee

- Mark answered that the By-Law Committee this year is not recommending any changes to the By-Laws

**Public Comment:**

No public comment

Fran stated that she would accept a Motion to Adjourn / Mark seconded – all in favor