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Volume: I  
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COMMONWEALTH OF MASSACHUSETTS  
HYANNIS FIRE DISTRICT

WARRANT FOR THE 2016 ANNUAL MEETING OF THE HYANNIS FIRE DISTRICT

BEFORE: Peter Cross, Chairman  
Dennis S. Sullivan  
Benjamin A. Perry, Jr.  
Victor Skende, Clerk  
Demetrius Atsalis, Vice Chairman

DATE: Wednesday, May 18, 2016  
7:00 p.m. to 8:28 p.m.

PLACE: Barnstable Middle School Cafeteria  
895 Falmouth Road  
Hyannis, MA 02601

JOHN F. KIELTY  
2 Garrett Place  
Plymouth, Massachusetts 02360  
(774) 454-6777

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1 APPEARANCES:

2 BRANDON H. MOSS, ESQUIRE

3 Murphy, Hesse, Toomey & Lehane, LLP

4 Quincy, Massachusetts 02169

5 Attorney for the Town of Hyannis

6 ALSO PRESENT:

7 Harold Brunelle, Fire Chief

8 Dean Melanson, Deputy Fire Chief

9 Deborah L. Krau, Moderator

10 Verna R. LaFleur, Clerk/Treasurer

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PROCEEDINGS

MS. KRAU: Okay. I'm now calling the meeting to order. My name is Deb Krau, and I'm the moderator of the Hyannis Fire District.

I would like to make sure that we can identify the voters. So if you have a red card, we'd like you in these maroon seats, okay? So if you have a red card, please move over to the maroon seats, and if you do not have a red card, the middle school kitchen chairs, dining room accessories would love to have you to sit there.

Okay. So everybody over here has a red card?

Okay. Okay. I will now declare that we have a quorum, and we will proceed with the meeting.

I will now ask Mrs. LaFleur, our district clerk/treasurer, to read the warrant.

MS. LaFLEUR: "Warrant For The 2016 Annual Meeting Of The Hyannis Fire District.

"To: Verna R. LaFleur.

"Clerk of the Hyannis Fire District.

"Greetings:"

In the name of the Commonwealth of

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Massachusetts, you are hereby requested to notify the inhabitants of the Hyannis Fire District who are qualified to meet at the Hyannis Youth & Community Center, 141 Bassett Ave, Hyannis, Massachusetts, on Tuesday, May 17, 2016, between the hours of 3:00 P.M. and 8:00 P.M., then and there to bring in their votes for the following elective office.

"Two (2) members of the Board of Commissioners for the term of Three (3) years, and to meet subsequently at the Barnstable Middle School Cafeteria, 895 Falmouth Road, Hyannis, Massachusetts, on Wednesday, May 18, 2016, at 7:00 P.M., and then and there to act on the following articles:

"You are hereby directed to serve this Warrant by posting attested copies thereof in two (2) or more places in the District, and in all Towns served thereby, and by advertising in the newspaper published within the Town of Barnstable, fourteen (14) days at least, before the date of said meeting.

"Given under our hands this 28th day of April, 2016.

"BOARD OF COMMISSIONERS HYANNIS FIRE

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1 DISTRICT.

2 "Peter Cross, Chairman.

3 "Dennis S. Sullivan.

4 "Benjamin A. Perry, Jr.

5 "Victor Skende, Clerk.

6 "Demetrius Atsalis, Vice Chairman.

7 "A True Copy, Attested.

8 "Verna R. LaFleur.

9 Clerk."

10 MS. KRAU: Thank you very much.

11 Before we proceed, I would like to introduce

12 the people on the stage. Beginning at the end, the

13 other end down there, is Peter Cross, Chairman of

14 the Commissioners. Next to him is Victor Skende,

15 Clerk of the Commissioners and then Demetrius

16 Atsalis, Vice Chair and then Dennis Sullivan, who

17 you reelected last night for another term. Then we

18 have Verna LaFleur, our District Clerk/Treasurer,

19 then Chief Brunelle, Deputy Chief Melanson, and

20 Brandon Moss, our lawyer, and over here we have our

21 stenographer, John -- oh.

22 THE REPORTER: Kielty.

23 MS. KRAU: Kielty. Okay.

24 We will now -- Peter, did you want to say

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1 something?

2 MR. CROSS: Yes.

3 Good evening, ladies and gentlemen, welcome

4 to the annual meeting of the Hyannis Fire District.

5 In his absence tonight, I wish to thank Commissioner

6 Perry for his over 20 years of service to you and to

7 me as a fire commissioner. He was a dedicated

8 member of this board that brought a lot of energy

9 and insight to the board, and we thank him for his

10 over 20 years of service.

11 Thank you, Ben Perry.

12 (Applause.)

13 MS. KRAU: Okay. I'd like to review the

14 procedure for today. If anyone would like to speak

15 on any of the articles, they need to come to the

16 microphone in the front here, and when you come, you

17 need to give your name and your address and speak it

18 clearly, please, because our stenographer will need

19 to put that in the proceedings.

20 So that as many views as possible can be

21 shared on topics that are discussed, please do not

22 repeat what has already been said. Any amendments

23 that you would like to make to any of the articles

24 we would really appreciate it if you would submit

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1 them in writing so we get them correctly.

2 I will now read Article 1.

3 "Article 1. To hear and to vote to accept

4 the reports of the Treasurer, Chief Engineer, Board

5 of Commissioners, and all other Fire District

6 Officers and Committees, or to take any other action

7 relative thereto.

8 "(The Board of Commissioners recommends favorable

9 action on all reports.)"

10 Commissioner Sullivan.

11 MR. SULLIVAN: I move that the reports of

12 the Treasurer, Chief Engineer, Board of

13 Commissioners, and all other Fire District Officers

14 and Committees be accepted as printed in the Annual

15 Report.

16 MS. KRAU: Is there a second?

17 THE TOWN'S PEOPLE: Second.

18 MS. KRAU: You have now heard and made the

19 motion and seconded it. Is there any discussion?

20 Seeing that there's no discussion, all those

21 in favor, please indicate by saying, "Aye."

22 THE TOWN'S PEOPLE: Aye.

23 MS. KRAU: Those opposed?

24 THE TOWN'S PEOPLE: No.

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1 MS. KRAU: There is a no. The motion has

2 carried.

3 We now go on to Article 2. To see if the

4 District will vote to authorize the Board of

5 Commissioners to enter into contracts for street

6 lighting power and maintenance for the period

7 July 1, 2016 through June 30, 2017, or take any

8 other action relative thereto.

9 "(The Board of Commissioners recommends favorable

10 action.)"

11 Commissioner Sullivan.

12 MR. SULLIVAN: I move that the District

13 authorize the Board of Commissioners to enter into

14 contracts for street lighting power and maintenance

15 for the period of July 1, 2016 through June 30,

16 2017.

17 MS. KRAU: You have now heard the motion.

18 Is there a second?

19 THE TOWN'S PEOPLE: Second.

20 MS. KRAU: All those in favor?

21 THE TOWN'S PEOPLE: Aye.

22 MS. KRAU: All those opposed?

23 The motion passes unanimously.

24 "Article 3. To see if the District will

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<p>1 vote to raise and appropriate the sum of \$80,000 for  2 street lighting power and maintenance for the period  3 July 1, 2016 through June 30, 2017, or to take any  4 other action relative thereto.  5 "(The Board of Commissioners recommends favorable  6 action.)"  7 Commissioner Sullivan.  8 MR. SULLIVAN: I move that the District vote  9 to raise and appropriate the sum of \$80,000 for  10 street lighting power and maintenance for the period  11 July 1, 2016 through June 30, 2017.  12 MS. KRAU: You have heard the motion. Is  13 there a second?  14 THE TOWN'S PEOPLE: Second.  15 MS. KRAU: All those in favor?  16 THE TOWN'S PEOPLE: Aye.  17 MS. KRAU: All those opposed?  18 The motion carries.  19 Article 4. To see if the District will vote  20 to set the following salaries of elective and  21 appointed District Officers for the fiscal year 2017  22 as follows: Board of Commissioners, \$3800 each plus  23 an additional 500 for the Chairman of the Board of  24 Commissioners; Clerk/Treasurer, \$64,943; Moderator,</p>	<p>1 amounts for fiscal year 2017: \$651,800 for  2 equipment for fires and rescues; \$10,000 for  3 Interest on Anticipation Loans; \$87,093 for District  4 Officers; \$8,433,823 for Incidental &amp; Current  5 Expenses; and \$1,039,004 for Retirement Fund  6 Assessment, or to take any action relative thereto.  7 "(The Board of Commissioners recommends favorable  8 action.)"  9 Commissioner Sullivan.  10 MR. SULLIVAN: I move that the District vote  11 to appropriate the following sums for the fiscal  12 year 2017: \$651,800 for equipment for fires and  13 rescues; \$10,000 for Interest on Anticipation Loans;  14 \$87,093 for District Officers; \$8,433,823 for  15 Incidental &amp; Current Expenses; and \$1,039,004 for  16 Retirement Fund Assessment, and that to meet said  17 appropriations, \$1,700,000 will be transferred from  18 the Ambulance Account and the remainder be raised  19 from the tax levy.  20 MS. KRAU: Is there a second?  21 THE TOWN'S PEOPLE: Second.  22 MS. KRAU: Is there any discussion?  23 Yes. Please come up to the mike.  24 MS. PENN: I just have a question. I don't</p>
10	12
<p>1 \$300; Assessors, \$50 each; and Tax Collector, 2200  2 or to take any other action relative thereto.  3 (The Board of Commissioners again recommends  4 favorable action.)  5 Commissioner Sullivan.  6 MR. SULLIVAN: I move that the District vote  7 to set the following salaries of elective and  8 appointed District Officers for the fiscal year 2017  9 as follows: Board of Commissioners, \$3,800 each  10 plus an additional \$500 for the Chairman of the  11 Board of Commissioners; Clerk/Treasurer, \$64,943;  12 Moderator, \$300; Assessors, \$50 each; and Tax  13 Collector, \$2200.  14 MS. KRAU: You have heard the motion. Is  15 there a second?  16 THE TOWN'S PEOPLE: Second.  17 MS. KRAU: Is there any discussion?  18 All those in favor?  19 THE TOWN'S PEOPLE: Aye.  20 MS. KRAU: Those opposed?  21 It is passed unanimously.  22 Article 5. To see if the District will vote  23 to raise and appropriate and/or transfer and  24 appropriate from available funds the following</p>	<p>1 understand. This is my first meeting, so I just  2 have a question. My name is Felicia Penn from  3 Hyannis, Daisy Bluff Lane. What else do you need?  4 That's it.  5 MS. KRAU: That's it.  6 MS. PENN: I don't understand who -- the  7 title of "District Officers" because it appears to  8 me that before this we talked about \$3,800, et  9 cetera, et cetera, et cetera for all the officers,  10 et cetera in there. Who are the "District  11 Officers"? Is that different? That's different  12 from salary personnel, et cetera? I'd just like a  13 definition of that.  14 Thank you.  15 MS. KRAU: Would someone please define  16 "District Officers"?  17 MR. CROSS: Okay. The District -- the  18 previous article, Article 4, set the salaries for  19 the people that you see sitting at the table here.  20 When it talks about District Officers, 8,000,000,  21 that is for all the other staff in the district, I  22 do believe.  23 Dennis.  24 MR. SULLIVAN: Ms. Penn, the sum you're</p>

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1 questioning is the \$87,093 for District Officers; is  
 2 that correct?  
 3 MS. PENN: I'm not questioning the sum. I  
 4 just want a definition of who the District Officers  
 5 are, because in the "Chief's Budget" here, he's got  
 6 "Salaries Uniformed" --  
 7 MR. SULLIVAN: All right.  
 8 MS. PENN: -- "Personnel."  
 9 MR. SULLIVAN: If I may --  
 10 MS. KRAU: The question is --  
 11 MR. SULLIVAN: If I may, do you have the  
 12 warrant book?  
 13 MS. PENN: No.  
 14 MR. SULLIVAN: You don't? Okay.  
 15 MS. PENN: I have the right book.  
 16 MR. SULLIVAN: All right. If you look on  
 17 page 26, you'll see a category in bold print for  
 18 "Fire District Officers." They include the  
 19 "Assessors and Tax Collector," the  
 20 "Clerk/Treasurer," the "Board of Commissioners," and  
 21 the "Moderator." Each has their own sum, and it  
 22 totals \$87,093.  
 23 MS. PENN: Thank you. I missed that when I  
 24 went through it.

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1 MR. SULLIVAN: You're very welcome.  
 2 MS. PENN: Thank you very much.  
 3 MS. KRAU: Is there any other discussion on  
 4 this article?  
 5 All those -- hearing no other discussion,  
 6 all those in favor?  
 7 THE TOWN'S PEOPLE: Aye.  
 8 MS. KRAU: All those opposed?  
 9 THE TOWN'S PEOPLE: No.  
 10 MS. KRAU: Please note that it is not  
 11 unanimous. There is a no vote. The article  
 12 passes.  
 13 "Article 6. To see if the District will  
 14 vote to raise and appropriate \$40,000 to be set  
 15 aside in a reserve fund for extraordinary or  
 16 unforeseen expenditures, or to take any other action  
 17 relative thereto.  
 18 "(The Board of Commissioners recommends favorable  
 19 action.)"  
 20 Commissioner Sullivan.  
 21 MR. SULLIVAN: I move that the District  
 22 vote to appropriate \$40,000 to be set aside in a  
 23 reserve fund for extraordinary or unforeseen  
 24 expenditures.

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1 MS. KRAU: Is there a second for this  
 2 motion?  
 3 THE TOWN'S PEOPLE: Second.  
 4 MS. KRAU: Thank you.  
 5 Is there any discussion?  
 6 Yes, Mr. Poyant.  
 7 MR. POYANT: Lucien Poyant, West Hyannisport  
 8 Circle. What I'm trying to find out is, one, we  
 9 have an annual budget for expenses that have been  
 10 paid. Why do we need an additional \$40,000 to be  
 11 able to appropriate for unforeseen expenditures? I  
 12 don't quite understand where we have -- I think our  
 13 budget is somewhere around \$10 million. Why do we  
 14 not have enough funds in there set aside?  
 15 MS. KRAU: Who would like to answer Mr.  
 16 Poyant's question?  
 17 MR. SULLIVAN: I'll answer it. I think it's  
 18 somewhat self-explanatory. It's for "extraordinary  
 19 or unforeseen expenditures," and it's a budget item.  
 20 If there are no "unforeseen or extraordinary  
 21 expenditures," the money does not get spent.  
 22 MR. POYANT: All right. But the only thing  
 23 is, in an annual budget of \$10 million there, there  
 24 are usually some monies set aside for such --

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1 MR. SULLIVAN: That's what we're doing here,  
 2 is setting this money aside for "unforeseen or  
 3 extraordinary expenses."  
 4 MR. POYANT: Well, the way I read it, it  
 5 says that we are to appropriate 40 million --  
 6 \$40,000.  
 7 MR. SULLIVAN: And that's true, but if we  
 8 don't spend it --  
 9 MR. POYANT: Appropriated from where is what  
 10 I want to know?  
 11 MR. SULLIVAN: From the tax levy.  
 12 MR. POYANT: From the tax levy.  
 13 MR. SULLIVAN: Yes.  
 14 MR. POYANT: Yeah. Okay.  
 15 MS. KRAU: Thank you.  
 16 Is there any other discussion on this  
 17 article? I move the question. All those in favor  
 18 please say, "Aye."  
 19 THE TOWN'S PEOPLE: Aye.  
 20 MS. KRAU: Those opposed?  
 21 THE TOWN'S PEOPLE: No.  
 22 MS. KRAU: Again, it is not unanimous.  
 23 There's a no vote.  
 24 "Article 7. To see if the District will

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1 vote to raise and appropriate the sum of \$26,813 to  
 2 pay the Town of Barnstable for tax billing expenses  
 3 for fiscal year 2017, or take any other action  
 4 relative thereto.  
 5 "(The Board of Commissioners recommends favorable  
 6 action.)"  
 7 Commissioner Sullivan.  
 8 MR. SULLIVAN: I move that the District vote  
 9 to raise and appropriate the sum of \$26,813 to pay  
 10 the Town of Barnstable for tax billing expenses for  
 11 fiscal year 2017.  
 12 MS. KRAU: You've heard the motion. Is  
 13 there a second?  
 14 THE TOWN'S PEOPLE: Second.  
 15 MS. KRAU: Okay. Any discussion?  
 16 MR. POYANT: Yes.  
 17 MS. KRAU: Mr. Poyant.  
 18 MR. POYANT: Again, I'm coming back to you  
 19 and saying, in other words, we know that we've got  
 20 to pay the town for tax billing. Is that not put in  
 21 the operating budget of \$10 million?  
 22 MR. SULLIVAN: That's what this is, Mr.  
 23 Poyant. This item is part of the \$10 million. I  
 24 mean, you have to --

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1 MR. POYANT: Well, then why --  
 2 MR. SULLIVAN: -- categorize it.  
 3 MR. POYANT: -- do you have to appropriate  
 4 it? It said, "raise and appropriate." I thought we  
 5 have already \$10 million put aside. Why do we have  
 6 to "raise and appropriate"?  
 7 MS. KRAU: I believe, Mr. Poyant, that as we  
 8 go through the articles that build to the  
 9 \$10 million, we have to approve certain specific  
 10 ones as we go through, even though it's included in  
 11 the 10 million.  
 12 MR. POYANT: Thank you for answering my  
 13 question, madam moderator.  
 14 MS. KRAU: Mr. Krau.  
 15 MR. KRAU: Good evening, Ralph Krau, 10 Pram  
 16 Road, West Hyannisport. The first question I'd like  
 17 to ask is, how much was actually spent of the 26,800  
 18 last year for this service that you got from the  
 19 Town? And the second, I've gone through the book,  
 20 and I fail, again, to see the actuals that have  
 21 been expenditure -- actual expenditures which I've  
 22 asked for the last decade. I'd like to see two  
 23 years of actual expenditures along with your budget  
 24 item.

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1 Thank you.  
 2 MS. KRAU: Who would like to address that?  
 3 MR. SULLIVAN: The answer to that first part  
 4 of how much of the \$26,813 was spent, \$26,813.  
 5 MR. KRAU: I challenge that number.  
 6 MR. SULLIVAN: Oh, excuse me. I'm in error.  
 7 We spend 8,000.  
 8 MR. KRAU: Thank you.  
 9 MR. SULLIVAN: You're welcome.  
 10 MS. KRAU: Are there any other questions for  
 11 discussion?  
 12 Hearing no more questions, I will close the  
 13 discussion. All those in favor please say, "Aye."  
 14 THE TOWN'S PEOPLE: Aye.  
 15 MS. KRAU: All those opposed?  
 16 THE TOWN'S PEOPLE: No.  
 17 MS. KRAU: The article passes, but there are  
 18 negative votes.  
 19 "Article 8. To see if the District will  
 20 vote to raise and appropriate the sum of \$1,020,990  
 21 for the purpose of paying compensation to Permanent  
 22 Personnel for overtime, who respond to fires,  
 23 drills, and other duty, for the fiscal year 2017, or  
 24 to take any other action relative thereto.

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1 "(The Board of Commissioners recommends favorable  
 2 action.)"  
 3 Commissioner Sullivan.  
 4 MR. SULLIVAN: I move that the District vote  
 5 to raise and appropriate the sum of \$1,020,990 for  
 6 the purpose of paying compensation to Permanent  
 7 Personnel for overtime, who respond to fires,  
 8 drills, and other duty, for the fiscal year 2017.  
 9 MS. KRAU: You've heard the motion. Is  
 10 there a second?  
 11 THE TOWN'S PEOPLE: Second.  
 12 MS. KRAU: Is there any discussion?  
 13 Mr. Poyant.  
 14 MR. POYANT: It says here, fire, drills, and  
 15 other duties. What are some of the other duties  
 16 that the expenditures that we have to make?  
 17 MR. SULLIVAN: Chief.  
 18 MR. BRUNELLE: The other duties are, of  
 19 course, we do all kinds of different duties other  
 20 than fires, as you know, Mr. Poyant. We also do  
 21 emergency medical services. So this overtime  
 22 sometimes is just to pay the personnel to be on  
 23 duty, covering the stations. They come in at all  
 24 hours of the day and night, weekends, holidays, and

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1 we pay overtime for when they come back for calls  
 2 and other emergencies.  
 3 MR. POYANT: And that's not covered in the  
 4 emergency calls that they go out on, that's not  
 5 covered under it?  
 6 MR. BRUNELLE: This is over -- this is for  
 7 overtime for over their normal working hours, which  
 8 is 42 hours a week. So any hours over 42 hours a  
 9 week, they get compensated at overtime.  
 10 MR. POYANT: Thank you.  
 11 MR. BRUNELLE: You're welcome.  
 12 MS. KRAU: Is there any other discussion?  
 13 Mr. Julius.  
 14 MR. JULIUS: John Julius, Hyannis. So we  
 15 know that we have --  
 16 MS. KRAU: Mr. Julius, you need to give your  
 17 street, please.  
 18 MR. JULIUS: Oh, 140 Chase Street. We know  
 19 that we have a little over a million dollars built  
 20 seemingly automatically into the overtime. Why is  
 21 it -- why are these monies built in before the  
 22 overtime even comes? I'm perplexed, and I'm at a  
 23 loss to try and figure out and understand what would  
 24 happen if they happen to move the Hyannis -- the

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1 homeless shelter out of Hyannis and the Hyannis Fire  
 2 District gets 1,000 less calls a year? Why are we  
 3 sitting here with over a million dollars of  
 4 automatic overtime that's already built in? It  
 5 seems -- it seems absolutely preposterous to me.  
 6 MS. KRAU: Is your --  
 7 MR. JULIUS: I think, quite honestly, you  
 8 might have forgotten what happened out there in  
 9 Detroit. The Hyannis taxpayers are not an open  
 10 checkbook, and we need more fiscal accountability  
 11 and responsibility to come here --  
 12 MS. KRAU: Thank you, Mr. --  
 13 MR. JULIUS: -- because I'll tell you,  
 14 you're not helping the taxpayers --  
 15 MS. KRAU: Mr. Julius.  
 16 MR. JULIUS: -- in my -- thank you.  
 17 MR. KRAU: The question is, why is there an  
 18 automatic \$1,020,990 in the budget?  
 19 Would someone like to answer that question?  
 20 MR. CROSS: Yes, I'd like to speak to that  
 21 issue. We have -- we have looked at this. This is  
 22 something that is an ongoing proposition, and when  
 23 we have things, like, winter storms that we had not  
 24 this past winter but the winter before and we had

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1 many people were in here for overtime, there's  
 2 absolutely no way in planning for that. Should the  
 3 Noah Shelter move and we have thousands of fewer  
 4 calls of emergency services, the budget will be  
 5 adjusted, you can rest assured. It is cheaper in  
 6 the long run to pay overtime for those people to  
 7 come in than it is to hire new hires? Because when  
 8 you hire a new hire, you put them through -- you put  
 9 them through the fire academy. You put them through  
 10 their medical training. You buy them uniforms, and  
 11 all those things. When you bring somebody in for  
 12 overtime, they already have their uniforms, they're  
 13 already certified. They are ready to go.  
 14 This is a large figure. You're absolutely  
 15 correct, but it's an accurate figure. And we  
 16 agonize over it every year and look at it very  
 17 carefully. People are not called in for frivolous  
 18 things.  
 19 When we have -- when we have the car show in  
 20 on father's day and we have 65,000 people on Main  
 21 Street, that could bring in some people for  
 22 overtime. When we have a blizzard and we can't get  
 23 people in because their driveways or their roads  
 24 have not been plowed, we bring people in on

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1 overtime, and they stay. And that means that when  
 2 you have someone that has a medical emergency at  
 3 your house or a fire at your house, that those  
 4 people are there. They're not trying to get from  
 5 their house to the firehouse to your house. They  
 6 are already there, and yes, it's a lot of money.  
 7 But it's also something that is looked at and  
 8 studied closely.  
 9 MS. KRAU: Are there any other questions?  
 10 Hearing no more questions or discussions,  
 11 then all those in favor of the motion please say,  
 12 "Aye."  
 13 THE TOWN'S PEOPLE: Aye.  
 14 MS. KRAU: Those opposed?  
 15 THE TOWN'S PEOPLE: No.  
 16 MS. KRAU: The article passes but not  
 17 unanimously.  
 18 Article 10 --  
 19 MR. SULLIVAN: Nine.  
 20 MS. KRAU: Nine. Excuse me.  
 21 To see if the District will vote to raise  
 22 and appropriate the sum of \$60,000 for the purpose  
 23 of paying compensation to Training Officers for  
 24 overtime for the fiscal year 2017, or to take any

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1 action relative thereto.  
 2 "(The Board of Commissioners recommends favorable  
 3 action.)"  
 4 Commissioner Sullivan.  
 5 MR. SULLIVAN: I move that the District vote  
 6 to raise and appropriate the sum of \$60,000 for the  
 7 purpose of paying compensation to Training Officers  
 8 for overtime for the fiscal year 2017.  
 9 MS. KRAU: Having heard the motion, is there  
 10 a second?  
 11 THE TOWN'S PEOPLE: Second.  
 12 MS. KRAU: Is there any discussion?  
 13 Seeing no discussion, all those in favor?  
 14 THE TOWN'S PEOPLE: Aye.  
 15 MS. KRAU: All those opposed?  
 16 THE TOWN'S PEOPLE: No.  
 17 MS. KRAU: The article passes but not  
 18 unanimously.  
 19 "Article 10. To see if the District will  
 20 vote to authorize the Board of Commissioners to  
 21 sell, or dispose of, in the best interest of the  
 22 District, miscellaneous materials with a monetary  
 23 value of less than \$500 per item, or to take any  
 24 other action relative thereto.

26

1 "(The Board of Commissioners recommends favorable  
 2 action.)"  
 3 Commissioner Sullivan.  
 4 MR. SULLIVAN: I move that the District vote  
 5 to authorize the Board of commissioners to sell, or  
 6 dispose of, in the best interest of the District,  
 7 miscellaneous materials with a monetary value of  
 8 less than \$500 per item.  
 9 MS. KRAU: Is there any discussion?  
 10 Seeing no discussion, all those if favor  
 11 please say, "Aye."  
 12 THE TOWN'S PEOPLE: Aye.  
 13 MS. KRAU: All those opposed, "No."  
 14 It passes unanimously.  
 15 The next one, Article 11. "To see if the  
 16 District will vote to raise and appropriate the sum  
 17 of \$8,000 for the Indemnification Fund, or to take  
 18 any other action relative thereto.  
 19 "(The Board of Commissioners recommends favorable  
 20 action.)"  
 21 Commissioner Sullivan.  
 22 MR. SULLIVAN: I move that the District vote  
 23 to raise and appropriate the sum of \$8,000 for the  
 24 Indemnification Fund.

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1 MS. KRAU: Having heard the motion, is there  
 2 a second?  
 3 THE TOWN'S PEOPLE: Second.  
 4 MS. KRAU: Is there any discussion?  
 5 Seeing no discussion, all those in favor  
 6 please say, "Aye."  
 7 THE TOWN'S PEOPLE: Aye.  
 8 MS. KRAU: All those opposed?  
 9 Passes unanimously.  
 10 Article 12. To see if the District will  
 11 vote to transfer and appropriate the sum of \$75,000  
 12 from the Ambulance Account for the Ambulance Billing  
 13 Expense Account, or to take any action relative  
 14 thereto.  
 15 "(The Board of Commissioners recommends favorable  
 16 action.)"  
 17 Commissioner Sullivan.  
 18 MR. SULLIVAN: I move that the District vote  
 19 to transfer and appropriate the sum of \$75,000 from  
 20 the Ambulance Account for the Ambulance Billing  
 21 Expense Account.  
 22 MS. KRAU: You have heard the motion. Is  
 23 there a second?  
 24 THE TOWN'S PEOPLE: Second.

28

1 MS. KRAU: All those in favor?  
 2 THE TOWN'S PEOPLE: Aye.  
 3 MS. KRAU: Excuse me. Is there any  
 4 discussion?  
 5 Yes, Mr. Poyant.  
 6 MR. POYANT: Could somebody explain what  
 7 this article is all about? When you talk about  
 8 accounts for the "Ambulance Account for the  
 9 Ambulance Billing Expense Account," are they not one  
 10 in the same? I'm not clear.  
 11 MR. SULLIVAN: I'd be happy to answer that.  
 12 The "Ambulance Account" gets its revenue from the  
 13 ambulance billing.  
 14 MR. POYANT: Yes.  
 15 MR. SULLIVAN: If an ambulance is used,  
 16 there is the expense involved to the patient, all  
 17 right? And so that money comes to the District  
 18 through insurance or cash or whatever. The  
 19 ambulance billing account is a company that does the  
 20 billing for us, and this \$75,000 represents what we  
 21 pay to the billing company to handle the billing.  
 22 MR. POYANT: That would have been nice if  
 23 that would have been clarified within that article.  
 24 MR. SULLIVAN: It seems to me that it is

29

1 clarified, but --

2 MR. POYANT: Well, maybe.

3 MR. SULLIVAN: -- there's nothing I can --

4 MR. POYANT: Are you an accountant, sir?

5 MR. SULLIVAN: Pardon me?

6 MS. KRAU: Thank you. Thank you very much.

7 Is there any other discussion?

8 MR. CROSS: Yeah, I would like to add

9 something to that. Just this year we adjusted our

10 ambulance billing. We were sort of sliding. It

11 hadn't been adjusted since 2013, I believe.

12 Is that correct, Dennis?

13 MR. SULLIVAN: I believe so.

14 MR. CROSS: 2013, and we were -- with the

15 company that we're with, we were getting towards the

16 little end. We adjusted it more towards the middle.

17 You need to know that nobody is denied ambulance

18 services based on their ability to pay.

19 When the ambulance shows up at your house,

20 nobody says, "Do you have insurance? Do you have 50

21 bucks?" That's not the question. We bill in after,

22 after the -- after service is rendered, and we

23 currently have a collection of around 92 percent of

24 all our -- of all our revenues. And nobody is

30

1 denied services, and nobody is turned down at their

2 home because they can't pay an ambulance bill.

3 MS. KRAU: Is there any other discussion?

4 Hearing no other discussion, all those in

5 favor please say, "Aye."

6 THE TOWN'S PEOPLE: Aye.

7 MS. KRAU: All those opposed?

8 It passes unanimously.

9 The next article is Article 13. To see if

10 the District shall raise and appropriate the sum of

11 \$9,660 to be set aside in the Health Care Fund, or

12 take any other action relative thereto.

13 "(The Board of Commissioners recommends favorable

14 action.)"

15 Commissioner Sullivan.

16 MR. SULLIVAN: I move that the District vote

17 to raise and appropriate the sum of \$9,660 to be set

18 aside in the Health Care Fund.

19 MS. KRAU: Having heard the motion, is there

20 a second?

21 THE TOWN'S PEOPLE: Second.

22 MS. KRAU: Is there any discussion?

23 Seeing no discussion, all those in favor

24 would you please say, "Aye"?

31

1 THE TOWN'S PEOPLE: Aye.

2 MS. KRAU: Those who are opposed?

3 The article passes unanimously.

4 Article 14. To see if the District will

5 raise and appropriate the sum of \$28,704 for the

6 CMED Operation System for the period of July 1, 2016

7 through June 30, 2017, or take any action relative

8 thereto.

9 "(The Board of Commissioners recommends favorable

10 action.)"

11 But, Commissioner Sullivan, if you could

12 tell the audience what the "CMED Operation System"

13 is when you put the motion on?

14 MR. SULLIVAN: I move that the District vote

15 to raise and appropriate the sum of \$28,704 for the

16 CMED Operation System for the period of July 1, 2016

17 through June 30, 2017, and I would ask the chief to

18 explain the "CMED."

19 MR. BRUNELLE: "CMED" stands for Centralized

20 Medical Emergency Dispatching. All of the emergency

21 medical services on Cape Cod, which is all the fire

22 departments, belong to the CMED system, which is the

23 radio communications that we have right from the

24 ambulance or in the patient's home directly to the

32

1 hospital so we can talk right to the emergency room

2 doctors if the case calls for it, and it also allows

3 the county to keep track of all the ambulance

4 activity in the county for when we have major

5 incidents going on.

6 So that system is organized and operated out

7 at the sheriff's office out at Joint Base Cape Cod,

8 and all of the communities pay their share of the

9 system. And that is the share for the Hyannis Fire

10 District's cost to operate the CMED system.

11 MS. KRAU: Thank you very much, Chief.

12 MR. BRUNELLE: You're welcome.

13 MS. KRAU: The motion is now on the table,

14 and you've had an explanation of what it is. Is

15 there a second for the motion?

16 THE TOWN'S PEOPLE: Second.

17 MS. KRAU: Is there any discussion?

18 Hearing no discussion, will all those in

19 favor please say, "Aye"?

20 THE TOWN'S PEOPLE: Aye.

21 MS. KRAU: Those that are opposed, "No."

22 It passes unanimously.

23 We're now on to Article 15. To see if the

24 District will vote to authorize the Treasurer to



33

1 enter into compensating balance agreements for  
 2 fiscal year '17 or to take any other action relative  
 3 thereto.  
 4 "(The Board of Commissioners recommends favorable  
 5 action.)"  
 6 Commissioner Sullivan.  
 7 MR. SULLIVAN: I move that the District vote  
 8 to authorize the Treasurer to enter into  
 9 compensating balance agreements for the fiscal year  
 10 2017.  
 11 MS. KRAU: Having heard the motion, is there  
 12 a second?  
 13 THE TOWN'S PEOPLE: Second.  
 14 MS. KRAU: Is there any discussion?  
 15 Seeing no discussion, all those in favor  
 16 please say, "Aye."  
 17 THE TOWN'S PEOPLE: Aye.  
 18 MS. KRAU: All those opposed, "No."  
 19 It passes unanimously.  
 20 "Article 16. To see if the District will  
 21 vote to transfer any sum from Free Cash in order to  
 22 reduce the property tax for fiscal year 2017, or to  
 23 take any other action relative thereto.  
 24 "(The Board of Commissioners will make their

34

1 recommendation at the meeting.)"  
 2 Commissioner Sullivan.  
 3 MR. SULLIVAN: I move that the District vote  
 4 to transfer from Free Cash the sum of \$700,000 for  
 5 the purpose of reducing the tax rate.  
 6 MS. KRAU: Having heard the motion, is there  
 7 a second?  
 8 THE TOWN'S PEOPLE: Second.  
 9 MS. KRAU: Is there any discussion?  
 10 Seeing no discussion, all those in favor  
 11 please say, "Aye."  
 12 THE TOWN'S PEOPLE: Aye.  
 13 MS. KRAU: Those opposed?  
 14 Passes unanimously.  
 15 "Article 17. To see if the District will  
 16 vote to raise and appropriate the sum of \$100,000 to  
 17 the Stabilization Fund or take any other action  
 18 relative thereto.  
 19 "(The Board of Commissioners recommends favorable  
 20 action.)"  
 21 Commissioner Sullivan.  
 22 MR. SULLIVAN: I move that the District vote  
 23 to raise and appropriate the sum of \$100,000 to the  
 24 Stabilization Fund.

35

1 MS. KRAU: Having heard the motion, is there  
 2 a second?  
 3 THE TOWN'S PEOPLE: Second.  
 4 MS. KRAU: Is there any discussion?  
 5 Seeing no discussion, all those in favor  
 6 please say, "Aye."  
 7 THE TOWN'S PEOPLE: Aye.  
 8 MS. KRAU: Those opposed?  
 9 Passes unanimously.  
 10 For Articles 18 to 26, which amend our  
 11 by-laws, a two-thirds vote is required for passage.  
 12 If the voice vote is not clear, I will call for a  
 13 vote using our red cards. So please make sure you  
 14 all have your red cards.  
 15 But first, I would like to introduce and  
 16 thank the by-law review committee. You can find  
 17 their full report in the annual meeting booklet.  
 18 I'd like to introduce Laura Cronin, Chair of the  
 19 by-law review committee, Nathaniel Munafo, Clerk.  
 20 The other members are Commissioner Peter Cross,  
 21 Chief Harold Brunelle, and EMT Supervisor Michael  
 22 Medeiros. He's back there. Okay.  
 23 Okay. I need to read all of this, but we  
 24 won't have it read twice, okay? So Article 18 is

36

1 for the Preamble for the Hyannis Fire District  
 2 By-Laws.  
 3 Justification for the Proposed Change  
 4 The By-Law Committee believes that the inclusion of  
 5 a Preamble in the By-Laws will help to clarify -- to  
 6 clearly outline District functions and inform the  
 7 District officers.  
 8 "Approved Proposed Change:" -- "District voters,"  
 9 excuse me.  
 10 Approved Proposed Change: Insert a New Preamble for  
 11 the Hyannis Fire District By-Laws before Article I  
 12 The "PREAMBLE" would read: "As authorized by the  
 13 District's enabling legislation and by actions of  
 14 the District through its registered voters at Annual  
 15 and/or Special Meetings, the functions of the  
 16 District include providing street lighting,  
 17 fire-prevention services, extinguishment of fires,  
 18 and emergency medical care, rescue and ambulance  
 19 services within the District and to perform those  
 20 additional services as may be authorized under  
 21 general or special law and/or as authorized by the  
 22 District voters. The District may also provide  
 23 emergency aid in firefighting and medical care, and  
 24 rescue and ambulance services outside the boundaries

37	<p>1 of the District according to the terms of any mutual</p> <p>2 aid agreement as approved by the Board of</p> <p>3 Commissioner or to take any other action relative</p> <p>4 thereto.</p> <p>5 "(The By-Law Committee recommends favorable</p> <p>6 action.)"</p> <p>7 Mr. Munafo.</p> <p>8 MR. MUNAFO: I move to amend the by-laws as</p> <p>9 printed in the warrant.</p> <p>10 MS. KRAU: Is there a second?</p> <p>11 THE TOWN'S PEOPLE: Second.</p> <p>12 MS. KRAU: Is there any discussion?</p> <p>13 Seeing no discussion, all those in favor</p> <p>14 please say, "Aye."</p> <p>15 THE TOWN'S PEOPLE: Aye.</p> <p>16 MS. KRAU: Those opposed.</p> <p>17 It passes -- it -- excuse me. I have to</p> <p>18 read this exactly.</p> <p>19 I hereby declare that the motion carries by</p> <p>20 a two-thirds vote.</p> <p>21 Okay. Article 18 -- excuse me. We did</p> <p>22 that. "Article 19. Elections [Article I Section</p> <p>23 1]."</p> <p>24 <u>The Current Hyannis Fire District By-Laws [Article I</u></p>	39	<p>1 "Section 1: The preparation and filing of</p> <p>2 nomination papers of candidates for District office</p> <p>3 shall require 50 (50) certified signatures of</p> <p>4 registered voters of the Hyannis Fire District. The</p> <p>5 Hyannis Fire District elections shall be held</p> <p>6 annually on the Tuesday prior to the third Wednesday</p> <p>7 in May."</p> <p>8 Subsection (a) "The election shall be held</p> <p>9 within the limits of the Hyannis Fire District in a</p> <p>10 manner in accordance with all of the Massachusetts</p> <p>11 General Laws pertaining to elections; and in a</p> <p>12 location as determined by the Board of Commissioners</p> <p>13 to be suitable to safely accommodate the number of</p> <p>14 potential District voters so participating."</p> <p>15 Subsection (b) The District shall use</p> <p>16 Official ballots as defined in Massachusetts General</p> <p>17 Law Chapter 50, Section 1. In District elections at</p> <p>18 which official ballots are used, nominations for</p> <p>19 District officers elected by ballot shall be made,</p> <p>20 ballots and other apparatus therefor provided, and</p> <p>21 election of such officers conducted, in accordance</p> <p>22 with Massachusetts General Laws Chapters 41 and 50</p> <p>23 to 56, inclusive, so far as applicable.</p> <p>24 Subsection (c) "Ballot Position: The order</p>
38	<p>1 <u>Section 1]</u></p> <p>2 "ARTICLE I: ELECTIONS.</p> <p>3 "Section 1: The preparation and filing of</p> <p>4 nomination papers of candidates for District office</p> <p>5 shall require fifty (50) certified signatures of</p> <p>6 registered voters of the Hyannis Fire District. The</p> <p>7 Hyannis Fire District elections shall be held</p> <p>8 annually on the Tuesday prior to the third Wednesday</p> <p>9 in May. The election shall be held within the</p> <p>10 limits of the Hyannis Fire District in a manner in</p> <p>11 accordance with Chapter 41, Sections 113 to 119,</p> <p>12 inclusive, of the Massachusetts General Laws."</p> <p>13 <u>The Justification for the Proposed Changes</u> is, "The</p> <p>14 By-Law Committee believes that it is critically</p> <p>15 important to replace the current Article I Section 1</p> <p>16 with an expanded and updated Section that complies</p> <p>17 with Massachusetts General Laws, provides clarity</p> <p>18 for the election rules in place, and will hopefully</p> <p>19 help avoid election issues that other communities</p> <p>20 have experienced."</p> <p>21 So the article would then read, "<u>Approved</u></p> <p>22 <u>Proposed Change: Replace Article I Section 1 to</u></p> <p>23 <u>read as follows:</u></p> <p>24 "ARTICLE I: ELECTIONS.</p>	40	<p>1 in which names of candidates appear on the ballot</p> <p>2 for each office shall be determined by a drawing by</p> <p>3 lot conducted by the District Clerk-Treasurer in the</p> <p>4 presence of such candidates or their representatives</p> <p>5 as may choose to attend such drawings."</p> <p>6 Subsection (d) "The District will make</p> <p>7 available guidelines and voter information to the</p> <p>8 voters upon request; in addition to the foregoing,</p> <p>9 such guidelines and voter information shall be</p> <p>10 posted at least sixty (60) days prior to the</p> <p>11 election in a publicly accessible format, as</p> <p>12 determined by the Board of Commissioners."</p> <p>13 Subsection (e) Unless otherwise stated in</p> <p>14 the District By-Laws, the provisions of this Article</p> <p>15 I, Section 1, will apply to all District elections;</p> <p>16 or to take any action related thereto.</p> <p>17 "(The By-Law Committee recommends favorable</p> <p>18 action.)"</p> <p>19 Mrs. Cronin.</p> <p>20 MS. CRONIN: I move to amend the by-laws as</p> <p>21 printed in the warrant.</p> <p>22 MS. KRAU: Is there any discussion?</p> <p>23 THE TOWN'S PEOPLE: Second.</p> <p>24 MR. SULLIVAN: Second.</p>

41

1 MS. KRAU: Oh, I'm sorry. A second?

2 THE TOWN'S PEOPLE: Second.

3 MS. KRAU: Is there any discussion?

4 MS. CRONIN: I just would like to have one

5 point of clarification, no questions. The 60-day

6 time frame is just for the election ruling. It has

7 nothing to do with the Annual Report or anything in

8 the warrant. So it's just to provide the District

9 voters how the elections will be held, where they

10 would be held, and anything, information that could

11 be provided for absentee ballots, et cetera, and

12 what to expect on what you have.

13 MS. KRAU: Is there any discussion on this

14 article?

15 Seeing no discussion, I will now call for a

16 vote. All those in favor please say, "Aye."

17 THE TOWN'S PEOPLE: Aye.

18 MS. KRAU: All those opposed?

19 The article has the required two-thirds

20 vote, and therefore, the motion carries by the

21 two-thirds vote.

22 We are now on to Article 20. "Residency

23 Requirement for Commissioners (Article I Section 2)"

24 The Current Hyannis Fire District -- "Current

42

1 Hyannis Fire District By-Laws

2 "The Current By-Laws do not contain an Article I

3 Section 2."

4 Justification for the Proposed Change

5 The District's enabling legislation (Chapter 313 of

6 the Acts of 1984) and Massachusetts General Law

7 (Chapter 41, Section 109) both contain residency

8 requirements that apply to the District

9 Commissioners. To provide clarity for the

10 District's election rules, the By-Law Committee

11 believes that it is an excellent idea to also add

12 this to the By-Laws.

13 Therefore, the Proposed Change would insert a new

14 Article I Section 2 to read as follows:

15 "ARTICLE I: ELECTIONS."

16 Section 2: In accordance with Chapter -- excuse me.

17 In accordance with Section 1 of Chapter 313 of the

18 Acts of 1984, each Commissioner shall be a

19 registered voter of the Hyannis Fire District at the

20 time of election and shall continue to be a resident

21 thereof throughout his or her term; or take any

22 other action in relation thereto.

23 "(The By-Law Committee recommends favorable

24 action.)"

43

1 Mr. Munafo.

2 MR. MUNAFO: I move to amend the by-laws as

3 printed in the warrant.

4 MS. KRAU: Is there a second?

5 THE TOWN'S PEOPLE: Second.

6 MS. KRAU: Is there any discussion?

7 MR. ATSALIS: Yes, I'd like to amend the

8 item to also include for elected officials to add

9 the moderator to be, obviously, within the village

10 of Hyannis. It would just make sense.

11 MR. SULLIVAN: Second.

12 THE TOWN'S PEOPLE: Second.

13 MS. KRAU: Is there a second for the

14 amendment?

15 THE TOWN'S PEOPLE: Second.

16 MS. KRAU: Okay. So I would suggest that

17 this say that each commissioner and the moderator --

18 MR. ATSALIS: And district moderator.

19 MS. KRAU: District moderator shall be a

20 registered voter. Is that an acceptable place to

21 put it?

22 MR. ATSALIS: Sure.

23 MS. KRAU: Okay.

24 MR. SULLIVAN: And resident, right?

44

1 MR. ATSALIS: Right, and resident.

2 MS. KRAU: Yeah. Yes, a registered voter.

3 Yes, just I'm just adding --

4 MR. SULLIVAN: Okay.

5 MS. KRAU: -- each commissioner and the

6 district moderator.

7 MR. ATSALIS: Right.

8 MS. KRAU: That's all, just the word and

9 registered moderator.

10 Okay. Is there a second for the amendment?

11 THE TOWN'S PEOPLE: Second.

12 MS. KRAU: Okay. We are going to vote on

13 the amendment first. All those in favor of the

14 amendment please say, "Aye."

15 THE TOWN'S PEOPLE: Aye.

16 MS. KRAU: Okay. Is there any discussion on

17 the amended motion?

18 Seeing no discussion, all those in favor of

19 the amended motion, please -- main motion, please

20 say, "Aye."

21 THE TOWN'S PEOPLE: Aye.

22 MS. KRAU: Okay. All those opposed?

23 Okay. Thank you.

24 We will go on to the next one, --

45

1 MR. MOSS: Excuse me.

2 MS. KRAU: -- which is Article 21. "Rules

3 of Order (District Meetings)"

4 (Discussion off the record.)

5 MS. KRAU: Excuse me. Thank you very much.

6 I hereby declare that the motion carries by

7 a two-thirds vote. That's why we have our lawyer

8 here.

9 (Discussion off the record.)

10 MS. KRAU: Okay. I'll do it again.

11 Okay. The article was amended, which took a

12 majority vote to add the moderator. We now need to

13 vote on the amended main motion.

14 THE TOWN'S PEOPLE: We did.

15 MR. SULLIVAN: We did.

16 MS. KRAU: Thank you. Okay.

17 The next one is Article 21. Rules of Order

18 for (District Meetings).

19 The Current Fire District By-Laws

20 "Research by the District Moderator and the By-Law

21 Committee has determined that the current By-Laws do

22 not contain any Rules of Order for District

23 Meetings.

24 "The current By-Laws do not have an Article II

46

1 Section 5."

2 The Justification for the Proposed Change is, "The

3 By-Laws do not currently list Rules of Order for use

4 in District Meetings. Town Meeting Time has been

5 utilized for years by the District Moderator to

6 govern these meetings, and this proposal officially

7 codifies what is already being used."

8 The Approved Proposed Change is: "Create a new

9 Article II: Annual and Special Meetings, Section

10 5."

11 "ARTICLE II: ANNUAL AND SPECIAL MEETINGS."

12 Section 5. The Moderator shall preside at the

13 Annual and all Special District Meetings, using the

14 most current version of Town Meeting Time: A

15 Handbook of Parliamentary Law, as published by the

16 Massachusetts Moderators Association, for rules

17 governing procedures; or take any action relative

18 thereto.

19 Mrs. Cronin.

20 MS. CRONIN: I move to amend the by-laws as

21 printed in the warrant.

22 THE TOWN'S PEOPLE: Second.

23 MS. KRAU: Second?

24 All those in favor -- any discussion?

47

1 All those in favor?

2 THE TOWN'S PEOPLE: Aye.

3 MS. KRAU: All those opposed?

4 I hereby declare that the motion carries by

5 a two-thirds vote.

6 The next one is Article 22. "Job

7 Descriptions," which is currently Article III,

8 Section 1(h).

9 Current Hyannis Fire District By-Laws [Article III

10 Section 1 (11)]. No, I think there's a misprint

11 here.

12 "ARTICLE III: OFFICERS."

13 Currently, Section 1(h): The Board of Commissioners

14 shall prepare, distribute and amend job descriptions

15 and qualifications for all positions of the

16 District, and all new applicants shall submit to

17 psychological testing.

18 The Justification for the Proposed Change

19 The By-Law Committee recommends this change to help

20 prevent any conflicts that may arise between these

21 By-Laws and any Collective Bargaining Agreements.

22 Therefore, the Approved Proposed Change is

23 to Replace Article III Section 1(h) to read as

24 follows:

48

1 "ARTICLE III: OFFICERS.

2 "Section 1: The Board of Commissioners.

3 "The Board of Commissioners shall prepare,

4 distribute, and amend job descriptions and

5 qualifications for all positions of the District not

6 listed in these By-Laws or any Collective Bargaining

7 Agreement entered into by the District. All new

8 applicants shall submit to physical, medical, and

9 psychological testing."

10 Mr. Munafo, would you put the motion on?

11 MR. MUNAFO: I move to amend the by-laws as

12 printed in the warrant.

13 MS. KRAU: Okay. Is there a second?

14 THE TOWN'S PEOPLE: Second.

15 MS. KRAU: Is there any discussion?

16 Seeing no discussion, all those in favor

17 please say, "Aye."

18 THE TOWN'S PEOPLE: Aye.

19 MS. KRAU: All those opposed please say,

20 "No."

21 THE TOWN'S PEOPLE: No.

22 MS. KRAU: Okay. I believe that that --

23 that the motion carries by a two-thirds vote.

24 Okay. Moving on. The next one is Article

<p style="text-align: right;">49</p> <p>1 23.</p> <p>2 "Filling Commissioner Vacancies (Article III</p> <p>3 Section 1(i))"</p> <p>4 <u>The Current Hyannis Fire District By-Laws [Article</u></p> <p>5 <u>III Section 1(i)</u></p> <p>6 "ARTICLE III: OFFICERS.</p> <p>7 "Section I: (I) The Board of Commissioners.</p> <p>8 "Vacancies occurring on the Board of</p> <p>9 Commissioners due to incapacitation, resignation or</p> <p>10 death shall be filled by the remaining members of</p> <p>11 the Board for the balance of the unexpired term of</p> <p>12 the vacating commissioner."</p> <p>13 <u>The Justification for the Proposed Change</u></p> <p>14 "This proposed change would give District Voters the</p> <p>15 opportunity to fill long-term vacancies on the Board</p> <p>16 of Commissioners, instead of giving the Board of</p> <p>17 Commissioners the authority to fill all vacancies on</p> <p>18 the Board."</p> <p>19 <u>The Approved Proposed Change is to Replace Article</u></p> <p>20 <u>III Section 1(i) to read as follows:</u></p> <p>21 "ARTICLE III: OFFICERS.</p> <p>22 "Section 1: The Board of Commissioners.</p> <p>23 "Vacancies occurring on the Board of</p> <p>24 Commissioners shall be filled as follows:</p>	<p style="text-align: right;">51</p> <p>1 Section 1 of the By-Laws do not apply to the recall</p> <p>2 of elected district officials; or take any action</p> <p>3 relative thereto.</p> <p>4 "(The By-Law Committee recommends favorable</p> <p>5 action.)"</p> <p>6 Mrs. Cronin.</p> <p>7 MS. CRONIN: I move to amend the by-laws as</p> <p>8 printed in the warrant.</p> <p>9 MS. KRAU: Is there a second?</p> <p>10 THE TOWN'S PEOPLE: Second.</p> <p>11 MS. KRAU: Is there any discussion?</p> <p>12 MS. CRONIN: Again, just for clarification</p> <p>13 on some of the determinations of the 15 months less</p> <p>14 the 15 months, the committee looked at what it would</p> <p>15 take to set up election and the time frame that it</p> <p>16 would take to get signatures and such, and that's</p> <p>17 why we felt that anything greater than 15 months</p> <p>18 would give the opportunity for anyone interested in</p> <p>19 running for the seat that was expired and it would</p> <p>20 give the voters an opportunity to have a special</p> <p>21 election before the expired term.</p> <p>22 MS. KRAU: Is there any other discussion?</p> <p>23 Seeing no --</p> <p>24 MR. SULLIVAN: If I may?</p>
<p style="text-align: right;">50</p> <p>1 "(I) If a vacancy occurs on the Board of</p> <p>2 Commissioners within fifteen (15) months or less</p> <p>3 remaining on the unexpired term of the vacating</p> <p>4 commissioner, the remaining members of the Board of</p> <p>5 Commissioners shall, as soon as practical, appoint a</p> <p>6 replacement to fill the balance of the unexpired</p> <p>7 term.</p> <p>8 "For any vacancy that occurs on the Board of</p> <p>9 Commissioners with greater than fifteen (15) months</p> <p>10 remaining on the unexpired term of the vacating</p> <p>11 commissioner, the remaining members of the Board of</p> <p>12 Commissioners shall ensure that the unexpired term</p> <p>13 remains vacant for no longer than six (6) months.</p> <p>14 If determined to be feasible by the Board of</p> <p>15 Commissioners, the remainder of the unexpired term</p> <p>16 shall be filled by a special election within the</p> <p>17 Annual Election. Otherwise, the Board of</p> <p>18 Commissioners shall schedule a special election to</p> <p>19 be held as soon as practical to fill the vacancy for</p> <p>20 the balance of the unexpired term."</p> <p>21 Subsection "(iii) The provisions of these</p> <p>22 By-Laws governing elections shall, so far as they</p> <p>23 are apt, apply to said special elections."</p> <p>24 And (iv) The provisions of this Article III,</p>	<p style="text-align: right;">52</p> <p>1 MS. KRAU: Yes.</p> <p>2 MR. SULLIVAN: Did you in discussing this</p> <p>3 consider the expense involved in a special election</p> <p>4 and justify that expense with the change that you're</p> <p>5 proposing? A special election runs, normally, more</p> <p>6 than \$5,000.</p> <p>7 MS. CRONIN: We did discuss that, and this</p> <p>8 was some of the requests that we did receive from</p> <p>9 some of the voters as to looking at an opportunity</p> <p>10 to see if they could have some input on replacing,</p> <p>11 let's say, if someone were to get into their seat</p> <p>12 and then a month later decide not to -- for whatever</p> <p>13 reason, they're vacant, that would allow almost a</p> <p>14 three -- the full three-year term to be filled in by</p> <p>15 someone that the voters didn't elect into an elected</p> <p>16 position. That's all.</p> <p>17 MR. SULLIVAN: Okay.</p> <p>18 MS. KRAU: Mr. Munafo.</p> <p>19 MR. MUNAFO: We also -- in determining this,</p> <p>20 we also gave the Board of Commissioners six months</p> <p>21 to fill the seat. So that gave them only half a</p> <p>22 year to slide somebody into the regular election and</p> <p>23 have him just be a separate seat on the ballot in a</p> <p>24 regular election. So we did factor that in in</p>

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1 allowing a six-month window there in the writing of  
 2 this article.  
 3 MS. KRAU: Are there any other questions?  
 4 Yes.  
 5 MR. HENRY LAWRENCE: Henry Lawrence, 142  
 6 Chestnut Street. Am I understanding that in  
 7 15 months the board of selectmen -- or the  
 8 commissioners can appoint somebody? Is that up to  
 9 six months, and then at the end of six months,  
 10 they're still there for the term, 15 months?  
 11 MS. CRONIN: They would fill the remaining  
 12 term.  
 13 MR. HENRY LAWRENCE: For the three years?  
 14 MS. CRONIN: Correct.  
 15 MR. HENRY LAWRENCE: Right.  
 16 MS. CRONIN: If it's great- -- if it's less  
 17 than 15 months.  
 18 MR. HENRY LAWRENCE: But if it goes 14  
 19 months --  
 20 MS. KRAU: Can you both get close enough to  
 21 the microphone so everybody can hear?  
 22 MR. HENRY LAWRENCE: Right.  
 23 MS. KRAU: You have to dip in and out.  
 24 MR. HENRY LAWRENCE: If somebody dies at

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1 14 months or 13 months, --  
 2 MS. CRONIN: Right.  
 3 MR. HENRY LAWRENCE: -- what happens then?  
 4 MS. CRONIN: It would -- it would allow the  
 5 opportunity to have a special election.  
 6 MR. HENRY LAWRENCE: Which would take --  
 7 MS. CRONIN: Fill out the remaining --  
 8 MR. HENRY LAWRENCE: -- to six months?  
 9 MS. CRONIN: -- months. No, it could  
 10 take --  
 11 MR. HENRY LAWRENCE: You're giving them six  
 12 months?  
 13 MS. CRONIN: They have six months to replace  
 14 the vacancy.  
 15 MR. HENRY LAWRENCE: So what happens in that  
 16 six months, nobody's --  
 17 MS. CRONIN: Nobody would be in there,  
 18 right.  
 19 MR. HENRY LAWRENCE: So for two months --  
 20 say, 13 months somebody decides they don't want to  
 21 retire or whatever, then nobody's appointed, but --  
 22 MS. CRONIN: The Board of Commissioners has  
 23 six -- up to six months --  
 24 MR. HENRY LAWRENCE: Up to six months?

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1 MS. CRONIN: -- to fill it. Correct.  
 2 MR. HENRY LAWRENCE: To appoint somebody  
 3 or --  
 4 MS. KRAU: Mrs. Cronin, --  
 5 MR. HENRY LAWRENCE: -- to have an election?  
 6 MS. KRAU: -- maybe you would like to go  
 7 through if the vacancy occurs with less than  
 8 15 months left in the term, --  
 9 MR. HENRY LAWRENCE: Right.  
 10 MS. KRAU: -- okay? So they've already  
 11 served for 21 months, --  
 12 MR. HENRY LAWRENCE: Right.  
 13 MS. KRAU: -- then what would happen?  
 14 MR. HENRY LAWRENCE: Yeah. They would have  
 15 to have a special election.  
 16 THE TOWN'S PEOPLE: No.  
 17 MS. CRONIN: The commissioners would appoint  
 18 someone to fill out the remaining term.  
 19 MR. HENRY LAWRENCE: Okay. So when does the  
 20 six months -- the 15 months --  
 21 MS. KRAU: Okay. But what Mrs. Cronin has  
 22 said is that if the resignation occurs with less  
 23 than 15 months to the election --  
 24 MR. HENRY LAWRENCE: Right.

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1 MS. CRONIN: To the expired term.  
 2 MS. KRAU: To the expired -- to the expired  
 3 term, yes, then the commissioners would appoint  
 4 through the end of that term because there's not  
 5 enough time to run an election. If the resignation  
 6 occurs anywhere between month 1 of the term to month  
 7 21 of the term, Mrs. Cronin, --  
 8 MR. HENRY LAWRENCE: It just seems like  
 9 it's -- okay.  
 10 MS. CRONIN: Okay.  
 11 MR. CABRAL: Joseph Cabral, 63 Garden Lane,  
 12 Hyannis. I don't think this by-law change is  
 13 necessary at all. They had one time when  
 14 Commissioner Posipanko stepped aside. The remaining  
 15 members and someone, John Mitchell, that served that  
 16 period. They're capable people. We've elected  
 17 them. Let them do it. This is not necessary.  
 18 MS. KRAU: Is there any other discussion?  
 19 Seeing no more discussion, I will now call  
 20 for a vote. All those in favor of this by-law  
 21 please say, "Aye."  
 22 THE TOWN'S PEOPLE: Aye.  
 23 MS. KRAU: All those opposed?  
 24 THE TOWN'S PEOPLE: No.

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1 MS. KRAU: I think we should count it. So  
 2 you have to have a red card. All those -- can the  
 3 tellers help?  
 4 (Discussion off the record.)  
 5  
 6 MS. KRAU: All those in favor of amending  
 7 the by-laws raise your card.  
 8 (Discussion off the record.)  
 9 MS. KRAU: Okay. Have we got everybody's?  
 10 Okay.  
 11 THE TELLERS: 30.  
 12 MS. KRAU: Thank you.  
 13 All those opposed please raise your cards.  
 14 (Discussion off the record.)  
 15 THE TELLERS: 31 and seven, 38, 38.  
 16 MS. KRAU: 38. Okay. The vote is 30 in  
 17 favor, 38 against. The motion does not get the  
 18 required two-thirds vote and therefore, is defeated.  
 19 The next one is Article 24. Rules of Order  
 20 (for the Board of Commissioners Meetings).  
 21 The Current Hyannis Fire District By-Laws  
 22 "Research by the District Moderator and the By-Law  
 23 Committee has determined that the current By-Laws do  
 24 not contain any Rules of Order for Board of

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1 Commissioners meetings.  
 2 "The current By-Laws do not have an Article III,  
 3 Section 1(n)."  
 4 Justification for the Proposed Change  
 5 The By-Laws do not currently list Rules of Order for  
 6 use in Board of Commissioners meetings. Robert's  
 7 Rules of Order have been recommended as the  
 8 appropriate Rules of Order for use in Board of  
 9 Commissioners meetings.  
 10 The Approved Proposed Change is to create a new  
 11 Article III: Officers, Section 10.  
 12 "ARTICLE III: OFFICERS.  
 13 Section -- I think that should have said, "Section  
 14 1(n)."  
 15 "ARTICLE III: OFFICERS.  
 16 "Section 1: The Board of Commissioners."  
 17 Subsection (n) the Robert's Rules of Order  
 18 shall be used for rules governing procedures at  
 19 meetings of the Board of Commissioners except for  
 20 the extent directly in conflict with a general or  
 21 special law; or take any action related thereto.  
 22 "(The By-Law Committee recommends favorable  
 23 action.)"  
 24 Mr. Munafo.

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1 MR. MUNAFO: I move to amend the by-laws as  
 2 printed in the warrant.  
 3 MS. KRAU: Is there a second?  
 4 THE TOWN'S PEOPLE: Second.  
 5 MS. KRAU: Is there any discussion?  
 6 MR. SULLIVAN: May I ask a question? In the  
 7 justification, the declaration is, "Robert's Rules  
 8 of Order has been recommended as the appropriate  
 9 Rules of Order for use in Board of Commissioners  
 10 meetings." Who recommended it?  
 11 MR. MUNAFO: That was recommendation from  
 12 both the district moderator, as well as Commissioner  
 13 Cross's, a member of the committee.  
 14 MS. KRAU: Is there any discussion?  
 15 MR. SULLIVAN: May I make a comment? I've  
 16 been on this board for 21 years. I have never seen  
 17 a conflict in the discussion of the board. I don't  
 18 see why we need to institute new rules and  
 19 regulations to the commissioners' meetings. They  
 20 run fine.  
 21 MS. KRAU: Someone?  
 22 Mr. Munafo, would you like to address that?  
 23 MR. MUNAFO: Really, we're just trying to  
 24 codify what's already being used. Robert's Rules of

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1 Order are already relatively used in the meetings.  
 2 That's what Commissioner Cross uses now, and so  
 3 we're just putting that into actual codification in  
 4 the by-laws so that it's official.  
 5 I know that there was at least one item in  
 6 the last year where somebody -- there was a  
 7 procedural issue in one of the meetings where in  
 8 order to have an item revisited you had to follow  
 9 Robert's Rules of Order, and you had to actually be  
 10 voting in favor of an issue in order to get  
 11 something reconsidered. And that didn't happen. So  
 12 things had to be adjusted to correct that. So this  
 13 is just something to have it official on the record  
 14 that we can reference.  
 15 MS. KRAU: Is there any other discussion?  
 16 Okay. Seeing no other discussion, I'll now  
 17 call for a vote. All those in favor please say,  
 18 "Aye."  
 19 THE TOWN'S PEOPLE: Aye.  
 20 MS. KRAU: All those opposed?  
 21 THE TOWN'S PEOPLE: No.  
 22 MS. KRAU: I rule that that is a two-thirds  
 23 vote, and therefore, I hereby declare that the  
 24 motion carries by the two-thirds vote.

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1 Okay. The next one is Article 25.  
 2 MR. SKENDE: Madam moderator.  
 3 MS. KRAU: Yes.  
 4 MR. SKENDE: If I might, is there  
 5 procedurally a way that, since this is correcting a  
 6 scrivener's error, is there a way that we can bypass  
 7 not having to read the two paragraphs in total, just  
 8 insert one word?  
 9 MS. KRAU: I can entertain a motion to waive  
 10 the reading.  
 11 MR. MELANSON: So moved.  
 12 MS. KRAU: All those in favor?  
 13 THE TOWN'S PEOPLE: Aye.  
 14 MS. KRAU: Thank you.  
 15 Okay. I would call Mrs. Cronin to put the  
 16 motion in.  
 17 MS. CRONIN: I move to amend the by-laws as  
 18 written in the warrant.  
 19 MS. KRAU: Is there a second?  
 20 THE TOWN'S PEOPLE: Second.  
 21 MS. KRAU: Okay. Is there any discussion?  
 22 All those in favor please say, "Aye."  
 23 THE TOWN'S PEOPLE: Aye.  
 24 MS. KRAU: Those opposed?

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1 Okay. I hereby declare that the motion  
 2 carries by the two-thirds vote.  
 3 Okay. Article 26. The By-Law Committee  
 4 [Article XII Section (a)]  
 5 Current Hyannis Fire District By-Laws Article XII  
 6 Section (a)  
 7 (A) The By-Law Committee.  
 8 There shall be a standing By-Law Committee  
 9 appointed by the Moderator consisting of one (1)  
 10 member of the Board of Commissioners, the Fire Chief  
 11 or his or her designee, one (1) permanent  
 12 firefighter, and two (2) voters of the District.  
 13 All members shall be appointed annually within  
 14 thirty (30) days of the annual meeting. The By-Law  
 15 Committee shall review and make recommendations as  
 16 to possible revisions to the District By-Laws. The  
 17 By-Law Committee is to file a written report with  
 18 the Board of Commissioners before each Annual  
 19 Meeting. The Chairman of the board of Commissioners  
 20 shall, within 45 days after the appointment of the  
 21 By-Law Committee by the Moderator, set a date for  
 22 the first meeting of the By-Law Committee. The  
 23 By-Law Committee shall, at the first regular meeting  
 24 after appointment by the Moderator, elect a Chairman

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1 and a Clerk.  
 2 The Justification for the Proposed Change.  
 3 The proposed change adds detail to the  
 4 responsibilities of the By-Law Committee and also  
 5 requires that the Bylaw Committee work to ensure  
 6 compliance with applicable Massachusetts General  
 7 Laws.  
 8 The Approved Proposed Change: To Replace Article  
 9 XII Section (a) to reads as follows:  
 10 "ARTICLE XII: BY-LAWS."  
 11 Section "(a) BY-LAW COMMITTEE."  
 12 There shall be a standing By-Law Committee  
 13 appointed by the Moderator consisting of one (1)  
 14 member of the Board of Commissioners, the Fire Chief  
 15 or his or her designee, one (1) permanent  
 16 firefighter, and two (2) voters of the District.  
 17 All members shall be appointed annually within  
 18 thirty (30) days of the Annual Meeting.  
 19 Subsection (i) The Chairman of the Board  
 20 of Commissioners shall, within forty-five (45) days  
 21 after appointment of the By-Law Committee by the  
 22 Moderator, set a date for the first meeting of the  
 23 By-Law Committee. The By-Law Committee shall, at  
 24 the first regular meeting after appointment by the

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1 Moderator, elect a Chairman and a Clerk.  
 2 Subsection (ii) The By-Law Committee shall  
 3 perform a complete review of the District By-Laws,  
 4 and make recommendations for possible revisions  
 5 bringing the District up to current standards and  
 6 practices and to comply with Massachusetts General  
 7 Law where applicable.  
 8 Subsection 3 The By-Law Committee is to  
 9 file a written report with the Board of  
 10 Commissioners before each Annual Meeting; or take  
 11 any action relative thereto.  
 12 Mr. Munafo.  
 13 MR. MUNAFO: I move to amend the by-laws as  
 14 printed in the warrant.  
 15 MS. KRAU: Is there a second?  
 16 THE TOWN'S PEOPLE: Second.  
 17 MS. KRAU: Is there any discussion?  
 18 Seeing no discussion, all those in favor,  
 19 please say, "Aye."  
 20 THE TOWN'S PEOPLE: Aye.  
 21 MS. KRAU: Those opposed, "No."  
 22 I hereby declare that the motion carries by  
 23 a two-thirds vote.  
 24 Article 27. This only requires a majority,



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1 not a two-thirds.  
 2 "Warrant Item to Pursue Term Limits.  
 3 "Current Hyannis Fire District By-Laws  
 4 The current By-Laws do not contain term limits, and,  
 5 according to the District's legal counsel, term  
 6 limits cannot be achieved through the District  
 7 By-Laws -- they must be enacted through an act of  
 8 the Massachusetts Legislature.  
 9 The Justification for the Proposed Change  
 10 The By-Law Committee and District Moderator received  
 11 a lot of feedback from District voters asking for  
 12 term limits to be considered. The By-Law Committee  
 13 drafted a proposed By-Law change to offer the  
 14 District the opportunity to vote on the issue.  
 15 However, after reviewing the proposed change, the  
 16 District's legal counsel informed the By-Law review  
 17 Committee that term limits for the District can only  
 18 be achieved through a special legislation approved  
 19 by the Massachusetts Legislature. So, as drafted by  
 20 the legal counsel, the By-Law Committee is  
 21 presenting a warrant item that, if approved, will  
 22 authorize the Board of Commissioners to petition the  
 23 Massachusetts Legislature to enact District term  
 24 limits. The text of the warrant article is as

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1 follows: To see if the District will vote to  
 2 authorize the Board of Commissioners to petition the  
 3 General Court to enact legislation in substantially  
 4 the following form, provided that the General Court  
 5 may reasonably vary the form and substance of the  
 6 requested legislation within the scope of the  
 7 general public objectives of the petition.  
 8 "An ACT providing for term limits for persons  
 9 seeking appointment or election to serve as members  
 10 of the board of commissioners in the district known  
 11 as the Hyannis Fire District."  
 12 Be it enacted in the House -- in the Senate  
 13 and House of Representatives in General Court  
 14 assembled, and by the authority of the same as  
 15 follows:  
 16 SECTION 1. Section 1 of chapter 313 of the acts of  
 17 1984 is hereby amended by adding the following  
 18 sentences after the first sentence:- No person shall  
 19 be eligible to be elected or appointed to serve as a  
 20 member of the board of commissioners if at any point  
 21 during the term of office for which the person may  
 22 be elected or appointed, the service of the person  
 23 would exceed three (3) consecutive terms or nine (9)  
 24 consecutive years on the board of commissioners. If

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1 a person was previously appointed to fill a vacancy  
 2 on the board of commissioners, such term served will  
 3 not be applied towards the said nine (9) consecutive  
 4 year term limit. Any person that vacates the office  
 5 of commissioner after having served three (3)  
 6 consecutive terms or nine (9) consecutive years  
 7 shall not be eligible to be elected or appointed to  
 8 serve as a member of the board of commissioners  
 9 until after the next election, or one (1) year,  
 10 whichever occurs last.  
 11 SECTION 2. This act shall take effect upon its  
 12 passage; or take any other action related thereto.  
 13 "(The By-Law Committee recommends favorable  
 14 action.)"  
 15 Mrs. Cronin.  
 16 MS. CRONIN: I move to -- I have to do a  
 17 different word in here in this one. I move to see  
 18 if the District will vote to authorize the Board of  
 19 Commissioners to petition the general court to enact  
 20 legislation for the term limits as written in the  
 21 warrant.  
 22 MS. KRAU: Is there a second?  
 23 THE TOWN'S PEOPLE: Second.  
 24 MS. KRAU: Okay. Is there any discussion?

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1 MR. ATSALIS: Yes. I just have a couple of  
 2 things to say. I have a little experience with  
 3 these petitions. I just want to explain to the  
 4 audience here, the voters, that you do not need your  
 5 commissioners to vote on this to petition to the  
 6 House of Representatives. In Massachusetts, we have  
 7 the admission petition process. All you have to do  
 8 is call your state representative and let him know  
 9 what you want to petition him with to try to make it  
 10 into law here in Massachusetts. You have that  
 11 avenue.  
 12 And I can say sitting up here I won't be  
 13 voting for this, because looking to my left, the  
 14 chairman, he'd be an incumbent if there wasn't any  
 15 term limits. Looking in the audience,  
 16 commissioner-elect Laura Cronin, she'd be an  
 17 incumbent.  
 18 I don't think we need -- we need terms. If  
 19 you're doing a good job, you'll stay in office, and  
 20 I think you should stay in office. If you're doing  
 21 a poor job, you'll be voted out of office. That  
 22 happens.  
 23 And I can tell you with some certainty that  
 24 if this board of five members doesn't vote unanimous

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1 five to zero or four to one, the state legislature  
 2 will not pass that piece of legislation, and it's  
 3 just coming from experience. I'm not going to sit  
 4 here and try to fool you. That's just the way --  
 5 how it operates up on Beacon Hill. So I will be  
 6 voting against term limits.  
 7 MS. CRONIN: May I add something?  
 8 MS. KRAU: Mrs. Cronin.  
 9 MS. CRONIN: Just for clarification on how  
 10 this came about, the discussion of the term limits  
 11 came up through the committee, and in working  
 12 through the attorney, this is the -- this is the  
 13 language and the process by which the only way that  
 14 the voters could have any say in term limits.  
 15 So you're right. We're not proposing that  
 16 the voters are saying we want term limits, and they  
 17 will act.  
 18 What they're saying is, "Is there an  
 19 interest out of the voters to initiate term limits  
 20 for the district?" And the commissioners have the  
 21 authority to either submit it or not.  
 22 Even if the voters approve it, the  
 23 commissioners still have to be the ones that submit  
 24 it to the state for enabling legislation. That's

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1 the way it was explained to me, and again, as a  
 2 model that we used, we used -- kind of looked to the  
 3 town counsel model that they have for the existing  
 4 term limits. So that's kind of where the  
 5 recommendation came from and how the process went  
 6 through.  
 7 MS. KRAU: Thank you.  
 8 Are there any other questions?  
 9 Yes.  
 10 MR. ATSALIS: Could we clarify that? Yeah,  
 11 did you want to clarify?  
 12 MS. KRAU: Did you want to clarify?  
 13 MR. MOSS: Yeah, I can clarify. My name is  
 14 Brandon Moss. I'm the district counsel. And when I  
 15 looked at the original by-law, it was originally  
 16 proposed as a by-law amendment for establishing term  
 17 limits. Because of Massachusetts election laws, the  
 18 District doesn't have the authority to regulate  
 19 elections. To set a term limit amounts to  
 20 regulating an election, to put that in in the form  
 21 of a by-law, it can't be done. It needs to be done  
 22 through state law, and the way to do it is -- and  
 23 the only way to do it through this District meeting,  
 24 the only way to do it through the District meeting

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1 process would be to authorize the Board of  
 2 Commissioners to petition the legislature, if the  
 3 Board being empowered so chooses to do so.  
 4 MS. PENN: I just had a question for the  
 5 By-Law Committee. Was this a unanimous  
 6 recommendation from the by-law committee, and we  
 7 already know what the composition of the committee  
 8 was? Just curious whether it was unanimously  
 9 supported by all members of the By-Law Committee?  
 10 MS. KRAU: Mrs. Cronin.  
 11 MS. CRONIN: I think we'd say by the minutes  
 12 it was four and one abstention.  
 13 Three?  
 14 MR. ATSALIS: Two and one.  
 15 MS. CRONIN: Two and one abstention. I'm  
 16 sorry. There was one person out -- two absent. It  
 17 is noted in the minutes.  
 18 MS. KRAU: Yes, sir.  
 19 MR. BRIAN LAWRENCE: Brian Lawrence, 110  
 20 Bacon Road. I'm speaking against this. We have  
 21 term limits, and I'm sure the legal counsel for the  
 22 Hyannis Fire District doesn't work for free. And  
 23 I'm sure there's going to be a cost involved with  
 24 this, okay?

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1 We have a three-year term. Then we're  
 2 allowed to vote. I don't feel there's any need for  
 3 this.  
 4 Thank you.  
 5 MR. CABRAL: He spoke for me.  
 6 MS. KRAU: Yes, sir.  
 7 MR. HENRY LAWRENCE: Henry Lawrence, 142  
 8 Chestnut Street. Am I understanding correctly that  
 9 if we vote positively or -- that we are telling the  
 10 commissioners that they have to submit this?  
 11 THE TOWN'S PEOPLE: No.  
 12 MR. MOSS: Brandon Moss, district counsel.  
 13 The answer is no. Even if the district meeting  
 14 tonight votes, all the district meeting is doing is  
 15 authorizing. It's not requiring.  
 16 MR. HENRY LAWRENCE: Okay.  
 17 MR. MOSS: The district meeting cannot  
 18 require the board to take action.  
 19 MR. HENRY LAWRENCE: Okay.  
 20 MS. KRAU: Is there any other discussion?  
 21 You have the motion before you. All those  
 22 in favor of this motion please say, "Aye."  
 23 THE TOWN'S PEOPLE: Aye.  
 24 MS. KRAU: All those opposed?

73	<p>1 THE TOWN'S PEOPLE: No.</p> <p>2 MS. KRAU: Okay. We're going to count this</p> <p>3 one, okay?</p> <p>4 So all those that are in favor of the motion</p> <p>5 please raise your red cards.</p> <p>6 (Discussion off the record.)</p> <p>7 THE TELLERS: 26.</p> <p>8 MS. KRAU: Excuse me?</p> <p>9 THE TELLERS: 26.</p> <p>10 MS. KRAU: 26. Thank you.</p> <p>11 All those opposed please raise your red</p> <p>12 cards.</p> <p>13 (Discussion off the record.)</p> <p>14 THE TELLERS: 38.</p> <p>15 MS. KRAU: 38. Okay. There are 26 in</p> <p>16 favor, 38 opposed. It was a majority vote. It has</p> <p>17 been defeated.</p> <p>18 The next thing we have is Article 28. To</p> <p>19 transact any other business that may legally come</p> <p>20 before the meeting; or to take any action related</p> <p>21 thereto.</p> <p>22 Is there any other business that anyone</p> <p>23 would like to have before the meeting?</p> <p>24 Okay. Seeing no other business before the</p>	75	<p>1 I declare Dennis Sullivan and Laura Cronin</p> <p>2 the new board of commissioners.</p> <p>3 May I ask that Dennis and Laura please</p> <p>4 stand, and I'll swear you in?</p> <p>5 I.</p> <p>6 MR. SULLIVAN: I, Dennis Sullivan.</p> <p>7 MS. CRONIN: I, Laura Cronin.</p> <p>8 MS. LaFLEUR: Do solemnly swear to perform</p> <p>9 the duties of your office and obey the laws of the</p> <p>10 Commonwealth of Massachusetts and to carry out and</p> <p>11 enforce the policies and by-laws of the Hyannis Fire</p> <p>12 District to the best of your abilities so help you</p> <p>13 God?</p> <p>14 MR. SULLIVAN: I do.</p> <p>15 MS. CRONIN: I do.</p> <p>16 MS. LAFLEUR: Congratulations.</p> <p>17 (Applause.)</p> <p>18 MS. KRAU: I will now entertain a motion to</p> <p>19 adjourn the meeting.</p> <p>20 THE TOWN'S PEOPLE: So approve.</p> <p>21 MS. KRAU: All in favor?</p> <p>22 THE TOWN'S PEOPLE: I.</p> <p>23 MS. KRAU: Opposed?</p> <p>24 Thank you all very much.</p>
74	<p>1 meeting, I will entertain a motion to adjourn.</p> <p>2 THE TOWN'S PEOPLE: So move.</p> <p>3 MS. KRAU: All those in favor?</p> <p>4 THE TOWN'S PEOPLE: Aye.</p> <p>5 MS. KRAU: Opposed?</p> <p>6 MR. ATSALIS: Are we still going to swear</p> <p>7 them in?</p> <p>8 MS. KRAU: Oh, excuse me. I'm sorry. I</p> <p>9 apologize. I apologize.</p> <p>10 MR. MELANSON: Motion to open the meeting.</p> <p>11 MS. KRAU: Okay. I need a motion to reopen</p> <p>12 the meeting.</p> <p>13 THE TOWN'S PEOPLE: So moved.</p> <p>14 MS. KRAU: All those in favor?</p> <p>15 THE TOWN'S PEOPLE: Aye.</p> <p>16 MS. KRAU: Okay. I'm now going to ask our</p> <p>17 clerk to please announce the results of the</p> <p>18 election.</p> <p>19 MS. LaFLEUR: Yeah. Excuse me. The</p> <p>20 election was held yesterday. 441 people voted. 261</p> <p>21 people voted for Dennis Sullivan. 186 people voted</p> <p>22 for Benjamin Perry. 253 voted for Laura Cronin.</p> <p>23 There were 176 blank ballots, and there were six</p> <p>24 write-ins.</p>	76	<p>1 (Hearing concluded at 8:28 p.m.)</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

CERTIFICATE

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COMMONWEALTH OF MASSACHUSETTS  
SUFFOLK, ss.

I, John F. Kielty, Notary Public in and for  
the Commonwealth of Massachusetts, do hereby certify  
that:

such hearing is a true and accurate record  
to the best of my knowledge, skill, and ability of  
the testimony given.

IN WITNESS WHEREOF, I have hereunto set my  
hand and notarial seal this        day of June,  
2016.

\_\_\_\_\_  
John F. Kielty,  
Notary Public

My Commission expires:  
January 22, 2021

<b>\$</b>	<b>1</b>			
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