



# Town of Brewster Select Board

2198 Main St., Brewster, MA 02631

townmanager@brewster-ma.gov

(508) 896-3701

## SELECT BOARD MEETING AGENDA

2198 Main Street

February 26, 2024 at 6:00PM

### Select Board

Ned Chatelain  
Chair

Mary Chaffee  
Vice Chair

Kari Hoffmann  
Clerk

Cynthia Bingham

Dave Whitney

Town Manager  
Peter Lombardi

Assistant Town  
Manager  
Donna Kalinick

Project Manager  
Conor Kenny

Executive  
Assistant  
Erika Mawn

This meeting will be conducted in person at the time and location identified above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. **As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law.** Members of the public with particular interest in any specific item on this agenda, which includes an applicant and its representatives, should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting may do so in the following manner:

**Phone:** Call (312) 626 6799 or (301) 715-8592. Webinar ID:890 9291 0526 Passcode: 509224

To request to speak: Press \*9 and wait to be recognized.

**Zoom Webinar:** <https://us02web.zoom.us/j/89092910526?pwd=WHM2V3hrVklhSTloWWWhVU09kanUzQT09>

Passcode: 509224

To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above. Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** ([livestream.brewster-ma.gov](http://livestream.brewster-ma.gov)), or **Video recording** ([tv.brewster-ma.gov](http://tv.brewster-ma.gov)).

Please note that for any item listed in this section the Select Board may take official action including votes.

1. Call to Order
2. Declaration of a Quorum
3. Meeting Participation Statement
4. Recording Statement: As required by the Open Meeting Law we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the chair.
5. Public Announcements and Comment: Members of the public may address the Select Board on matters not on the meeting's agenda for a maximum of 3-5 minutes at the Chair's discretion. The Select Board will not reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.
6. Select Board Announcements and Liaison Reports
7. Town Manager's Report (page 3)
8. Consent Agenda (pages 4-39)
  - a. Approval of Meeting Minutes: February 5, February 7, and February 9, 2024
  - b. Brewster Cultural Council Appointment: Anne Weirich
  - c. Application for Facility Use: Brewster Conservation Trust (Punkhorn Parklands)
  - d. Request to Declare Items as Surplus: Police Department
  - e. Request to Install Fiber Optic Service Line at 1657 Main Street Cell Tower
  - f. Intermunicipal Agreement with Falmouth to Purchase Oyster Seed
  - g. Request for Certified Vote for Community Development Block Grant (CDBG) Housing Rehabilitation Mortgages
9. Presentation and Vote on the Health and Human Services Committee FY25 Funding Recommendations - Suzanne Kenney, Health & Human Services Committee Chair (pages 40-44)
10. Discuss & Vote on Fire Department Staffing Recommendations - Select Board FY24-25 Strategic Plan Goal G-3 (pages 45-236)
11. Discuss and Vote on Sale of Affordable Home by the Brewster Affordable Housing Trust at 212 Yankee Drive (pages 237-249)
12. Discuss Potential Format for the Sea Camp Comprehensive Plan Warrant Article(s) at Spring 2024 Town Meeting (pages 250-264)
13. Discuss and Vote on Spring 2024 Town Meeting Warrant Articles (pages 265-267)



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14. Discuss and Vote on Select Board Policy Updates (#39, #45 and #67) (pages 268-280)
15. FYIs (pages 281-346)
16. Matters Not Reasonably Anticipated by the Chair
17. Questions from the Media
18. Next Meetings: March 11, March 25, April 1 (Tentative), April 8, and April 22, 2024
19. Adjournment

**Date Posted:**  
02/22/2024

**Date Revised:**

**Received by Town Clerk:**

BREWSTER TOWN CLERK  
24 FEB 22 3:10PM



*Town of*  
**BREWSTER**  
**MASSACHUSETTS**

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[Home](#) > Presidential Primary: In-Person Early Voting Schedule

## Presidential Primary: In-Person Early Voting Schedule

2198 Main Street: Room C



In-person early voting for the Presidential Primary elections will take place at Brewster Town Hall, 2198 Main Street, Room C, at the following dates and times:

- Saturday – February 24th – 10:00am until 4:00pm
- Monday – February 26th – 8:30am until 4:00pm
- Tuesday – February 27th – 8:30am until 4:00pm
- Wednesday – February 28th – 8:30am until 4:00pm
- Thursday – February 29th – 8:30am until 4:00pm
- Friday – March 1st – 8:30am until 4:00pm

For any questions, please contact the Town Clerk's Office at 508-896-4506.

**Source URL:** <https://www.brewster-ma.gov/home/news/presidential-primary-person-early-voting-schedule>

## Consent Agenda Cover Page

February 26, 2024

**a. Approval of Meeting Minutes: February 5, February 7, and February 9, 2024**

Draft meeting minutes from the Select Board meetings in February have been presented for review and approval. The meetings on February 7 and February 9 were joint with the Finance Committee, once approved they will be sent to the Chair for approval at an upcoming meeting.

**Administrative Recommendation:**

We recommend the Select Board approve the meeting minutes as drafted.

**b. Brewster Cultural Council Appointment: Anne Weirich**

Anne Weirich submitted her application and followed the Select Board appointment policy for the vacant member position on the Cultural Council. The Select Board liaison and Cultural Council Chair have interviewed the applicant and recommend her appointment. This is for a 3-year term that will end on June 30, 2027.

**Administrative Recommendation:**

We recommend the Select Board approve the appointment to the Cultural Council.

**c. Application for Facility Use: Brewster Conservation Trust (Punkhorn Parklands)**

The Brewster Conservation Trust has submitted an application to use the Punkhorn Parklands to host a nature walk to learn about the growing habits of fungi. This nature walk will be held on Thursday April 30, 2024, from 9:30am until 12:00pm and they expect up to 25 people to attend. Brewster Conservation Trust has submitted the required certificate of insurance. The application was shared with various department heads for review, there are no concerns with the application.

**Administrative Recommendation:**

We recommend the Select Board approve the facility use application.

**d. Request to Declare Items as Surplus: Police Department**

The Brewster Police Department is requesting permission to declare old communication radios as surplus equipment to be disposed of by the County. If approved the County will erase all information on the radios and dispose of them appropriately.

**Administrative Recommendation:**

We recommend the Select Board approve the surplus request.

**e. Request to Install Fiber Optic Service Line at 1657 Main Street Cell Tower**

Comcast Communications is requesting permission to install a new fiber optic service line to the cell tower behind the Fire Station. The work will not take longer than a day to complete and will be scheduled for February 28, 2024, between 9am and 3pm. The Fire, Building and Department of Public Works have all been notified of this potential work and have no concerns with the project.

**Administrative Recommendation:**

We recommend the Select Board approve this request for installation.

**f. Intermunicipal Agreement with Falmouth to Purchase Oyster Seed**

The Town of Falmouth oyster propagation methodology allows for more oysters to be grown than are needed to support their fishery. The Barnstable County Cooperative Extension requested Falmouth to develop an intergovernmental document to manage the sale of shellfish.

**Administrative Recommendation:**

We recommend the Select Board approve the Intermunicipal Agreement.

**g. Request for Certified Vote for Community Development Block Grant (CDBG) Housing Rehabilitation Mortgages**

The Barnstable County Registry of Deeds requires that the Town provide documentation authorizing the sub-grantee, The Resources Inc. (TRI), to record mortgages on behalf of the Town for participants of the Community Development Block Grant housing rehabilitation program. The request also includes authorization for TRI to sign and record mortgage modifications, subordinations, and discharges for loans.

**Administrative Recommendation:**

We recommend the Select Board approve the request and sign the documents.



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**Office of:**  
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## MINUTES OF THE JOINT MEETING W/ SELECT BOARD & FINANCE COMMITTEE

## REGULAR SESSION

**DATE:** February 5, 2024  
**TIME:** 5:30 PM  
**PLACE:** 2198 Main Street, Room A

**Participants:** Chair Chatelain, Selectperson Chaffee, Selectperson Hoffmann, Selectperson Whitney, Selectperson Bingham, Town Manager Peter Lombardi, Assistant Town Manager Donna Kalinick, State Senator Julian Cyr, State Representative Chris Flannagan, Finance Director Mimi Bernardo, Finance Committee members: Chair Pete Dahl, Frank Bridges, Alex Hopper, Bill Meehan, Patrick Buckley, Robert Tobias

**Remote Participation:** Finance Committee Members: Bob Young and Andrew Evans, Brewster Conservation Trust Members: Amy Henderson and Tino Kamarck,

**Absent:** Finance Committee Member Bill Henchy

### Call to Order and Declaration of a Quorum (Select Board)

Chair Chatelain called the meeting to order at 5:30pm and declared a quorum with all members present in person.

Chair Chatelain noted that the Board will be entering executive session to consider the purchase, exchange, lease, or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body- 3057 Main Street & 400 W.H. Besse Cartway

Selectperson Hoffmann moved to enter executive session. Selectperson Bingham seconded the motion. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Hoffmann-yes, Selectperson Chaffee-yes, Selectperson Whitney-yes, Chair Chatelain-yes. The vote was 5-Yes, 0-No.

The Select Board returned to open session at 5:50pm.

### Meeting Participation Statement and Recording Statement

Chair Chatelain read both the meeting participation and recording statements.

### Consent Agenda

- a. Approval of Meeting Minutes: January 22 and January 23, 2024
- b. Department of Public Works Cemetery Plot Resale Request Correction

Selectperson Hoffmann moved to approve the consent agenda of February 5, 2024. Selectperson Chaffee seconded the motion. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Hoffmann-yes, Selectperson Chaffee-yes, Selectperson Whitney-yes, Chair Chatelain-yes. The vote was 5-Yes, 0-No.

### Matters Not Reasonably Anticipated by the Chair

None



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## Next Meetings

February 7, February 9, February 12, and February 26, 2024

## Town Manager's Report

None

## Legislative Update- Senator Julian Cyr & State Representative Chris Flanagan

State Representative Chris Flanagan shared that the Commonwealth is generating revenue, but not hitting the benchmarks the way they had hoped. Adding that as we go into FY25, the Governor's budget is a great baseline for towns to use to look to account for state aid with hopes that the House will approve the budget and send to the Senate in May. Mr. Flanagan knows that state aid to municipalities is important, particularly around schools as offering high quality education comes at a cost and certainly is a good investment.

The Municipal Empowerment Act filed by the Governor expands the tools that municipalities currently have to generate revenue. Mr. Flanagan stated that we need to be partners in terms of making sure that state revolving funds qualifies Brewster for our own water quality measures. Adding that it is important for municipalities to have technical assistance and resources in developing mitigation and adaptation efforts around coastal resiliency. Mr. Flanagan shared that he helped file a Home Rule petition regarding the conservation restriction for Wing Island, it has passed the House and is currently in the Senate, the last step before it gets enacted.

Senator Cyr noted that last session a historic billion-dollar tax relief package was approved, which included a tripling of the Title V septic tax credit from \$6K to \$18K and clarifies that eligible sewer connections and upgrades to be compliant in nitrogen sensitive areas. Also, in the tax package the senior citizen circuit breaker refund doubled to help seniors with property taxes. Senator Cyr shared other information included in the tax relief package to help municipalities.

Senator Cyr referenced the Cape Cod and Islands Water Protection Fund that to date has funded \$82M for projects across the region and continues to think creatively on ways to bring more recourses into the fund. One of the larger issues is housing, in which two topics are being reviewed. A \$4.1B housing bond bill has been filed that looks at a local option transfer fee on real estate at a certain threshold, which could be a transformational sum of money if it passes. Another is the idea of a seasonal community designation, which includes year-round deed restrictions and programs for workforce housing. This could give municipalities the ability to own and have housing for their workers. Senator Cyr welcomes feedback from the Town,

Frank Bridges commented that there is a unique situation on the cape with a rapidly declining school population and increases in expenses each year, it costs about \$30K to educate a student and doesn't see how we can continue with our tax base. Senator Cyr responded that in 2018 the Student Opportunity Act was passed which to date has funneled over \$1B into additional resources for K-12 education across Massachusetts. The formula is set up to benefit communities that have lower income, and where Brewster really takes a hit is with the value of our property. Senator Cyr commented that it is unlikely that the State would come up with a formula that would benefit communities that have more assets, and the





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consolidation of schools may have to be considered. Mr. Bridges responded that we should be looking at income and not just real estate values. Senator Cyr noted that this is why housing is so essential, our ability to sustain vibrant year-round communities is only going to get more difficult.

Senator Cyr and State Representative Chris Flanagan will continue to provide more information and encourages the Town to send ideas on tools that would be helpful for our community.

## **Call to Order and Declaration of a Quorum (Finance Committee)**

Chair Dahl called the meeting to order at 6:29pm and declared a quorum in person with two members remote.

## **Update from Brewster Conservation Trust Regarding Partnership with the Town on the former Sea Camps Pond Property**

Tino Kamarck, President of Brewster Conservation Trust (BCT), reported that the Board has voted to endorse and accept the plan that has been proposed by the Pond Property Planning Committee (PPPC) of the former Sea Camps. Mr. Kamarck shared that they are particularly excited about the proposed 56 acres to be preserved in perpetuity, this is the biggest single accession of undisturbed open space since the Punkhorn properties were acquired by the Town in the 90s. Brewster Conservation Trust is grateful and appreciative of the work of the PPPC which is a great example of civic engagement. They are also looking forward to the partnership with the Town and Mass Audubon. Mr. Kamarck shared that along with this endorsement is BCT's commitment to provide funding and is confident that they will be able to provide to the Town at least \$1M.

Chair Chatelain thanked Mr. Kamarck for their generosity and for their partnership in many projects in the past. The Town looks forward to continuing to work with BCT on the future of the parcels.

## **Public Announcements and Comment**

Selectperson Hoffmann announced that she will be retiring from the Select Board and shared three suggestions for happiness; look with amazement and wonderment upon the world, the encouragement of our young people, and the love of your family and the companionship of friends. Selectperson Hoffmann thanked the volunteers, administration, and departments for all their hard work and dedication. She has been an elected official in the Town of Brewster for 9 years and it is with a sense of happiness, amazement, gratitude, encouragement, and appreciation that she has decided after her term is completed in May that she will be retiring from her service on the Select Board.

Chair Chatelain shared on behalf of the Board the pleasure it has been working with Ms. Hoffmann for many years and that she will be missed.

## **Select Board Announcements and Liaison Reports**

Selectperson Chaffee shared that the Recycling Commission and the Brewster Ladies Library will be hosting their third Fix-It Clinic on Saturday February 24, from 1pm to 3pm at the library. Registration is available on the library's website.



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## **Town Manager's Report**

No report

## **FY25 Budget Overview Presentation and Discussion (Joint with Finance Committee)**

Mr. Lombardi shared that the 5-year Financial Forecast was provided in early December for the general fund, and in mid-December the 5-year financial forecast was provided for the Golf Department. The budget guidance was shared with department heads and the schools, which for departments was to provide level services with limited targeted enhancements. They were asked to provide detailed information and justification for any budget changes of more than \$1,000. Mr. Lombardi noted that there are still some significant variables that need to be resolved.

The Finance team (Peter Lombardi, Mimi Bernardo, and Donna Kalinick) presented the FY25 Budget Overview:

- **Revenue Projections**- the revenue for the general fund is about \$47M made up of:
  - 2.5% increase over last year's levy (new growth), \$250K based on Assessor's analysis.
  - Cape Cod Environmental Protection tax fund
  - Offset for an allowance for abatements.
  - Local receipts at \$6.5M including traditional lodging, short-term rentals, and motor vehicle excise revenues.
    - Investment income increased by \$135K to \$150K based on \$286K FY23 actuals and FY24 YTD actuals.
    - Short-Term Rental Revenues increase to \$1.05M from \$1M.
  - Cherry sheet estimated receipts at \$2.6M (using the House 2 State Budget). Largest piece of the receipts are the Chapter 70 funds at just under \$1.4M.
  - Transfers In from other funds:
    - Ambulance Fund Receipts
    - Indirect costs from the Water Enterprise Fund (decreasing) and Golf Enterprise Fund (increasing)
    - Cable Franchise Fund
    - Cell Tower Lease Revolving Fund
    - Betterment Receipt Reserve Accounts
    - Solar Revenues – receive about \$20K/year that fund a part-time Energy Manager
    - Marijuana Revenues- need to be online for a full fiscal year before the Town can budget for revenues, will be in FY26.
- **Expense Drivers: School Budgets**
  - Nauset Regional
    - Projected for FY25 a 3% operating increase.
    - Currently proposed at 8% operating increase, for the Middle School and the High School.



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- Enrollment for the region has decreased 3.6% for our assessment for FY25. Significant for Brewster as we make up just under 50% of the regional assessment. Based on this, we now project we can accommodate a 4.5% increase.
- The health insurance numbers are estimates, will have the actuals on Feb 7<sup>th</sup> (a big factor in our budgets and the school budgets).
- Anything over a 4.5% increase would require an override.
- Brewster Elementary Schools
  - Projected a 3% operating increase; currently there is a proposed 12.5% increase for Stony Brook and 11.7% increase for Eddy School.
  - Due to the enrolment shift, believe we could accommodate a 4.5% increase.
  - Anything over a 4.5% increase would require an override.
- Cape Cod Tech
  - Projected a 2.5% operating increase, Brewster enrollment decreased by 3.5% relative to the total student population (6 students).
  - Currently proposed an operation increase of 4.4%, because of our decrease, the number will be lower.
  - \$30K debt decrease (20-year level principal debt, goes through 2039)
- Health Insurance
  - Projected 4% rate increase, however in the budget we have a proposed 5% increase based on current staffing.
  - Actual premium increase will be determined on Feb 7, 2024.
- Pension
  - Projected 11% increase.
  - Currently proposed 2.7% increase based on experience- may increase slightly.
- Expense Drivers: Town
  - Personnel- we have contracts settled through FY26; the budget reflects FY25 actual contracts. Projects a 2.5% COLA and a 3% step increase for most employees. Includes agreed upon adjustments that reflect the compensation and classification recommendations for Police and Fire.
  - General Expenses (exclusive of Health Insurance & Pension)- projected a 3% increase, however within the increases we did have larger increases particular for utilities. Actual Town expenses including health insurance, pension and utilities are currently at 3.6%.
  - Town Total Operating Expenses are at 4.9%, includes proposed targeted staffing increases. If you were to take these away it would be a 4.5% increase without the targeted staffing increases.

Mr. Lombardi commented that we have done our best to hold ourselves to the same standards to which we are holding the schools. On the right side of an enrollment shift, which gave us extra capacity. The baseline funding levels for our elementary schools and the region for FY25 are \$1M higher than what we had within the levy last year.



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- **Budget Initiatives** have been focused on the Sea Camps over the past couple of years, a priority has been both to provide public access and programming on the properties. Last year the major initiative was to open the Community Pool.
  - Community Pool- fully funding all expenses for the pool within the pool revolving fund, including personnel. For those positions that have been covered by American Rescue Plan Act at least a portion of them will be incorporated into the tail end of FY25 budget. Planning on opening an hour earlier each morning and extending the season by one week. Based on the fee structure, we effectively covered the costs of our operation, around \$110K in revenues and expenses, recognizing there were several one-time costs for the first year. Pool fees recommended to remain the same as 2023.
  - Select Board goal that has been on their Strategic Plan is to look to make targeted enhancements in staffing in different departments and being thoughtful and strategic about it.
    - Recreation – new 19-hour week Recreation Program Specialist, funded half in the General Fund and half from Recreation Revolving Fund (\$15K impact on the General Fund)
    - Facilities- new 40-hour week, 32-week/year Sea Camps Maintenance Worker (\$32K)
    - Public Works- new full-time laborer position (\$64K) & \$10K stipend for Town Engineer services (DPW Director)
    - Human Resources- increased hours of part-time HR Generalist by 3.5 hours to 22.5/week (\$5K)
    - Administration- \$10K stipend for Procurement Officer services (Assistant Town Manager)
  - Childcare Subsidy Pilot Program (Strategic Plan Goal CC-3)
    - The Select Board approved in January a pilot program to begin in September, subject to Town Meeting vote. The program will provide funding to children ages 3-4 and families will receive a \$3000 subsidy per family.
    - Funded out of the overlay with no tax impact on residents. Looking for an appropriation of \$250K, believe the funding is sustainable for at least 3 years. Be able to help approximately 75 children and hire an administrator for the program.
    - No restriction on income with this program.

Mr. Lombardi provided an FY25 Budget Summary:

- Estimated FY25 General Fund Revenue totals a little under \$58.2M
- Operating appropriations assuming 4.5% operating increases for the region and our elementary schools, we come just over \$51K in available levy capacity and \$58.14M in expenses.
- If the schools were to bring their budgets in at where they are today (Nauset Regional at 8% and Elementary schools at 12%) we would be looking at school operating override(s) of about \$1.1M.

Generally, the Town has done well with health insurance, the reason why we have seen savings is due to employee turnover, which is not sustainable or reliable. In building the budget we are incredibly specific on



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how we arrive at the numbers and account from some change of plan. Mr. Lombardi shared what comes next:

- The budget directive to the schools is in support of a 3% increase. The possibility of cutting \$1.1M on the Town side of the budget would be dramatic in terms of impacts to staff and services. We should know more in about a month, we will communicate where the Town is in the process and share that there would likely be an override if they come in even at 5+%.
- Continuing to pursue Regional School Agreement and explore the feasibility of regionalizing elementary schools, the application is to be submitted this week.

Mr. Lombardi noted that the goal is to provide more information so people can understand and so that it is accessible. The departmental pages will include a mission statement, their FY24 accomplishments, FY25 goals and initiatives and budget highlights with supplementary materials. Ms. Kalinick noted that the school department links will not be live as we only have preliminary information at this time.

## Questions from the Finance Committee:

Member Meehan inquired about the 7% increase in Golf indirects and the open position for a Golf Business Manager. Mr. Lombardi that each line on both the expense and revenue side is reviewed, there have been decreased assumptions about procurement time in FY25, if not for this the personnel increases would have been more as they are generally 5+%. The position remains vacant, when filled there will be a learning curve to get the new employee acclimated. This is something that the Golf Commission is paying attention to and will be revisited next year. Member Meehan stated that he is supportive of the stipend for the procurement officer.

Member Young inquired about the Special Education Stabilization Fund. Mr. Lombardi shared that this fund is meant to serve as an equivalent to the Finance Committees reserve fund for mid-year unanticipated expenses that can't otherwise be covered by the school department. There is currently a balance of just under \$40K and can't be used as a funding source to support operating expenses.

Member Bridges observed that in reviewing the budget-to-budget comparison between 2023 and 2024 (a three-budget cycle), our taxes are up \$3.5M or about 9.5%, our educational expenses are up \$6M or 27% without debt, operating budget is up 10%, employee benefits up just under 10% and school debt is five times what it was. We are getting up to 65% of our expense budget is in categorizes of educational school debt as a percentage of the budget. Mr. Bridges commented that we need to figure out how to turn it around or our override will be higher than last year, something the Town needs to be creative about.

Selectperson Bingham commented that this has been something that has bothered her for a long time, residents are just voting for the schools, but also to raise their taxes. Agrees that we need to educate the community about this.

Member Hopper asked how the \$10K stipends work? Mr. Lombardi noted that they are included as wage considerations in the department operating budgets. They will appear once in the FY25 budget and will





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remain in the budgets in future years. Adding that residents are voting on each individual budget each year, not a one-time payment, within the operating budget.

Chair Dahl commented that there is a struggle in being supportive of overrides as residents need to know what would happen if the Town had to pull \$1M from the budget to keep subsidizing the schools. He asked if a plan is in place if the override fails? Mr. Lombardi noted that this would depend on how the votes go, if Brewster is the only town that votes against the budgets or if other towns take a similar position. He believes it is incumbent on the schools to communicate to our residents what would happen if their overrides would fail as opposed to putting the Town in a position to go through an exercise that has cultural implications for our departments. Chair Dahl stated that the warrant should include whether the town will approve the alternative method or statute method in determining what our contributions should be.

### **Finance Committee Adjournment**

Finance Committee member Meehan moved to adjourn at 8:03pm. Member Hopper seconded the motion. A roll call vote was taken. Member Evans-yes, Member Young- yes, Member Tobias- yes, Member Meehan-yes, Member Buckley-yes, Member Hopper-yes, Member Bridges-yes, Chair Dahl-yes. The vote was 8-yes, 0-no,

### **Questions from the Media**

None

### **Select Board Adjournment**

Selectperson Bingham moved to adjourn at 8:04pm. Selectperson Chaffee seconded the motion. A roll call vote was taken. Selectperson Hoffmann-yes, Selectperson Chaffee-yes, Selectperson Bingham-yes, Selectperson Whitney-yes, Chair Chatelain-yes. The vote was 5-Yes, 0-No.

Respectfully submitted by Erika Mawn,  
Executive Assistant

Approved: \_\_\_\_\_ Signed: \_\_\_\_\_  
Date Selectperson Hoffmann, Clerk of the Select Board

Approved by Finance Committee on: \_\_\_\_\_

Accompanying Documents in Packet: Agenda, Consent agenda items, FY25 Budget Overview, Nauset Public Schools FY25 Budget Worksheets, Cape Cod Tech FY25 Budget information.



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## MINUTES OF THE JOINT MEETING WITH SELECT BOARD & FINANCE COMMITTEE

## REGULAR SESSION

**DATE:** February 07, 2024  
**TIME:** 7:45 AM  
**PLACE:** 2198 Main Street, Rooms A & B

**PARTICIPANTS:** Chair Chatelain, Selectperson Chaffee, Selectperson Hoffmann, Selectperson Bingham, Selectperson Whitney, Town Manager Peter Lombardi, Assistant Town Manager Donna Kalinick, Finance Director Mimi Bernardo, Finance Committee members: Chair Pete Dahl, Frank Bridges, Bill Meehan, Patrick Buckley, Robert Tobias

**REMOTE PARTICIPANTS:** Finance Committee member: Robert Young and Andrew Evans

**ABSENT:** Finance Committee Members: Bill Henchy and Alex Hopper

Chair Chatelain stated that the Select Board would be entering executive session for the purchase or exchange of real property.

Selectperson Hoffmann moved to enter executive session. Selectperson Chaffee seconded the motion. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Hoffman-yes, Selectperson Chaffee-yes, Selectperson Whitney-yes, Chair Chatelain-yes. The vote was 5-Yes, 0-No.

The Board returned to open session at 8:30am.

### **Call to Order & Declaration of a Quorum, Meeting Participation Statement and Recording Statement**

Chair Chatelain called the Select Board meeting to order at 8:10am and declared a quorum with all members present and in person. Chair Chatelaine read the meeting participation and recording statements.

### **Public Announcements and Comment:**

None

### **Next Meetings:**

February 9 (Joint with Finance Committee), February 12 & February 26, 2024

### **Call to Order & Declaration of a Quorum**

Finance Committee Chair Dahl called the meeting to order, declared a quorum present and announced the remote members.

### **FY25 Budget Presentations**

The Select Board and the Finance Committee reviewed and discussed department budgets with the respective department heads as follows:

- Police Department- Chief Eldredge
- Town Clerk- Colette Williams
- Facilities/Maintenance Department- Tom Thatcher



# Town of Brewster

2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
www.brewster-ma.gov

**Office of:**  
Select Board  
Town Manager

- Fire Department- Chief Moran
- Health Department – Amy von Hone
- Department of Public Works – Griffin Ryder
- Natural Resources Department – Chris Miller
- Planning Department - Jon Idman
- Brewster Ladies Library- Brittany Taylor

## **Adjournment**

Finance Committee member Meehan moved to adjourn at 12:10pm. Member Bridges second. A roll call vote was taken. Member Young- yes, Member Evans-yes, Member Bridges-yes, Member Meehan- yes, Member Buckley-yes, Member Tobias-yes, Chair Dahl-yes. The Finance Committee Board vote was 7-Yes, 0-No

Selectperson Hoffmann moved to adjourn at 12:11pm. Selectperson Bingham second. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Hoffman-yes, Selectperson Chaffee-yes, Selectperson Whitney-yes, Chair Chatelain-yes. The vote was 5-Yes, 0-No.

Respectfully submitted by Erika Mawn,  
Executive Assistant

Approved: \_\_\_\_\_ Signed: \_\_\_\_\_  
Date Selectperson Hoffmann, Clerk of the Select Board

Approved by the Finance Committee on: \_\_\_\_\_

As Brewster officials continue to work through the Fiscal Year 2025 budget development process, an [overview](#) of Town Management’s budget recommendations was presented to the Select Board and Finance Committee at their joint meeting on Monday February 5<sup>th</sup>.

The Town’s FY25 Operating Budget is available in an online format. [Click here](#) to access the FY25 budget materials. Residents can view detailed reports and charts on each department. Each page also includes the current year accomplishments, goals for next year, and proposed budget changes.



# Town of Brewster

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**Office of:**  
Select Board  
Town Manager

## MINUTES OF THE JOINT MEETING WITH SELECT BOARD & FINANCE COMMITTEE

## REGULAR SESSION

**DATE:** February 09, 2024  
**TIME:** 8:30 AM  
**PLACE:** 2198 Main Street, Rooms A & B

**PARTICIPANTS:** Chair Chatelain, Selectperson Chaffee, Selectperson Hoffmann, Selectperson Bingham, Selectperson Whitney, Town Manager Peter Lombardi, Assistant Town Manager Donna Kalinick, Finance Director Mimi Bernardo Finance Director Mimi Bernardo, Finance Committee members: Chair Pete Dahl, Frank Bridges, Bill Meehan, Patrick Buckley, Robert Tobias, Department Heads: Paul Anderson, Jay Packet, Elton Cutler, Mike Gradone, Susan Broderick, Kathy Lambert, James Gallagher, Lisa Vitale

**REMOTE PARTICIPANTS:** Finance Committee member: Robert Young

**ABSENT:** Finance Committee Members: Bill Henchy, Alex Hopper, and Andrew Evans

### Call to Order & Declaration of a Quorum, Meeting Participation Statement and Recording Statement

Chair Chatelain called the meeting to order at 8:30am and declared a quorum with all member present and in person. Finance Committee Chair Dahl called the meeting to order at 8:31am and announced members present. Chair Chatelain read the meeting participation and recording statements.

### Public Announcements and Comment

None

### Review and Vote on Grant Application for Elementary School Regionalization Feasibility Study- Select Board FY24-25 Strategic Plan Goal G-1

Mr. Lombardi reviewed that the four towns in the district had discussed and agreed to submitting a State Community Compact Grant for their efficiency and regionalization program. This originated with conversations with the Superintendent and Town Managers earlier this fall. Over the past couple of months Town Managers have communicated with the Select Boards and Elementary School committees in each of the four towns. The Nauset Regional School Committee was also approached to include the middle school within the scope. The grant application is ready to be submitted today and will be used to look at the facilities, enrollment, budget drivers, staffing levels, student to teacher ratios and capital investments. Mr. Lombardi noted that this is being framed as a pre-feasibility study to gather data so that we are positioned to be able to make decisions individually and collectively. The administration recognizes that there will potentially be school overrides again this year, not only in Brewster but in other towns as well. By submitting the grant, we are seeking up to \$200K to hire a consultant to help with this work. If we are awarded the grant, the project will take a little over a year to complete. Mr. Lombardi expects the results of the code compliance study to be completed before then and be incorporated into the findings of the report.

Selectperson Hoffmann commented that in the Elementary School budget there are a lot of increases especially in related services (OT, PT, Speech and Language services) and right now these resources cannot be shared from one town to another. Mr. Lombardi responded that this is stressed in the grant application, noting that this is also potential opportunities to gain efficiencies across the elementary school districts.



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Chair Dahl commented this is timely as the per pupil expenditures at the elementary schools on the outer cape are the most expensive districts in the Commonwealth all because of enrollment. Schools are trying to provide the same services, administrative and building support whether there are 50 or 250 people, we need to find another way to do it.

Selectperson Hoffmann moved to approve the grant application as submitted. Selectperson Chaffee seconded the motion. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Hoffmann- yes, Selectperson Chaffee-yes, Selectperson Whitney-yes, Chair Whitney-yes. The Board vote was 5-Yes, 0-No.

### **FY25 Budget Presentations**

The Select Board and the Finance Committee reviewed and discussed department budgets with the respective department heads as follows:

- Water Department – Paul Anderson
- Golf Department – Jay Packett
- Council on Aging – Elton Cutler
- Recreation Department – Mike Gradone
- Human Resources – Susan Broderick
- Finance Department: IT (Kathy Lambert), Assessors (Jim Gallagher), Finance (Mimi Bernardo), Treasurer/Collector (Lisa Vitale), Benefits & Debt
- Building Department – Peter Lombardi
- Administration, Town Hall Operations & All Others

### **Adjournment**

Finance Committee member Tobias moved to adjourn at 2:01pm. Member Buckley seconded. A roll call vote was taken. Member Young-yes, Member Bridges-yes, Member Meehan-yes, Member Buckley- yes, Member Tobias-yes, Chair Dahl-yes, The Finance Committee Board vote was 6-Yes, 0-No

Selectperson Chaffee moved to adjourn at 2:01pm. Selectperson Whitney seconded the motion. A roll call vote was taken. Selectperson Bingham-yes, Selectperson Hoffmann- yes, Selectperson Chaffee-yes, Selectperson Whitney-yes, Chair Chatelain-yes. The Board vote was 5-Yes, 0-No.

Respectfully submitted by Erika Mawn,  
Executive Assistant

Approved: \_\_\_\_\_ Signed: \_\_\_\_\_  
Date Selectperson Hoffmann, Clerk of the Select Board

Approved by the Finance Committee on: \_\_\_\_\_





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Town Manager

An [overview](#) of Town Management's budget recommendations for Fiscal Year 2025 was presented to the Select Board and Finance Committee at their joint meeting on Monday February 5<sup>th</sup>.

The Town's FY25 Operating Budget is available in an online format. [Click here](#) to access the FY25 budget materials. Residents can view detailed reports and charts on each department. Each page also includes current year accomplishments, goals for next year, and proposed budget changes.

## Appendix C

### SELECT BOARD COMMITTEE APPLICATION SCREENING FORM

**Applicant Name**

**Requested Committee**

#### 1. TOWN CLERK REVIEW

- a. Applicant is a registered Brewster voter:  Yes  No  
b. Date confirmed

#### 2. SELECT BOARD LIAISON RECOMMENDATION TO SELECT BOARD

**a. Select Board Liaison Applicant Interview:**

- i. Interviewer name (Select Board Liaison):  
ii. Interview date:

**b. Select Board Liaison Consultation with Committee Chair:**

- iii. Committee Chair name:  
iv. Consultation date:  
v. Did Committee Chair also interview applicant?  Yes  No

**c. Was at least 1 Brewster reference contacted:**  Yes  No  N/A

**d. Select Board Liaison Recommendation:**

- i.  Recommend appointment.  
ii.  Recommend appointment to other committee that is a better fit for applicant qualifications.  
iii.  Recommend holding application for future opening.  
iv.  Not recommended.

#### 3. SELECT BOARD ACTION

- a. At a Select Board meeting held \_\_\_\_\_, the Applicant was appointed to  
for a term ending \_\_\_\_\_ year term.

#### 4. NOTIFICATION OF APPOINTEE AND TOWN CLERK

- a. Date notification of appointment sent to appointee and Town Clerk:

## Appendix B

### Town of Brewster SELECT BOARD COMMITTEE APPOINTMENT APPLICATION

#### APPLICANT DIRECTIONS:

- Thank you for your interest in serving Brewster. The Town aims to match applicants with committee service best aligned to your skills and interests as well as the committee's needs.
- The Town may consider the information in this application, any supplemental information, and any other publicly available information. An appointment to any committee, board or commission is at the discretion of the Select Board.
- Please complete this form online, or on paper, and submit a résumé if desired to Erika Mawn, Town Administrator's Executive Assistant:
  - Email: [EMawn@Brewster-MA.gov](mailto:EMawn@Brewster-MA.gov)
  - Mail: Erika Mawn, 2198 Main St., Brewster, MA 02631, or
  - In person: Town Administrator's Office or drop-box outside Town Hall.
- After your application materials are received, you'll be contacted regarding next steps. Vacancies will be filled by applicants deemed best qualified to serve in a particular capacity, which discretion lies solely with the appointing authority. Submitting this form does not guarantee appointment.

- 
1. Applicant name:
  2. Address:
  3. Phone Numbers: Home:  Cell:
  4. Email:
  5. This is an application for:  Full member status  Alternate status
  6. Are you a full-time Brewster resident?  Yes  No
  7. Years you've lived in Brewster:
  8. Are you registered to vote in Brewster?  Yes  No
  9. Committees you are interested in serving on in order of preference:
    - a.
    - b.
    - c.

**NOTE: You may attach a résumé or CV instead of completing items 10-14.**

**10. EDUCATION. List schools attended, degrees/diplomas/certificates received, and date of completion.**

Name of School	Degree/Diplomas Certificates	Date of Completion

**11. OCCUPATION:** \_\_\_\_\_

Active

Retired

Not currently working

**12. EMPLOYMENT EXPERIENCE. List employers, job titles and dates of employment for at least previous 3 years.**

Name of Employer	Job Title	Dates of Employment

**13. GOVERNMENT POSITIONS. List any Town of Brewster or other government volunteer, elected, or appointed positions you now hold or have held.**

- 
- 
- 
- 

**14. COMMUNITY ACTIVITIES. List all civic, non-profit, or other organizations that you belong to or have belonged to in the previous 5 years:**

- a. Organizations and dates:

**15. GOALS:** Please explain why you'd like to serve on a particular committee.

**16. EXPERIENCE & SKILLS:** Please list any experience, achievements, skills, or interests you have that would assist you to serve effectively on the committee you wish to serve on.

**17. TOWN EMPLOYMENT:** Are you or any member of your immediate family employed by or receiving financial consideration from the Town of Brewster?

Yes     No

**18. CONFLICTS OF INTEREST.** Do any of your activities or relationships present the possibility or probability of a conflict of interest if you are appointed? (Does not automatically disqualify but may need to be disclosed)  Yes  No

**19. LOCAL REFERENCES:** Please provide the names and contact information for references (Brewster residents preferred):

a. Name:  
Address: [REDACTED]  
Phone: [REDACTED]  
Email: [REDACTED]  
Relationship to you:

b. Name:  
Address: [REDACTED]  
Phone: [REDACTED]  
Email: [REDACTED]  
Relationship to you:

**20. ADDITIONAL INFORMATION.** Please add any additional information you'd like.



**20. SIGNATURE. By signing below, you state that you understand and agree.**

- My completion of this form does not guarantee my appointment and my application will be kept on file for two (2) years.
- If appointed to a position, I will be considered a Municipal Employee under MGL Ch. 268A and will be subject to:
  - Massachusetts Conflict of Interest Law, MGL Ch. 268A;
  - Massachusetts Financial Disclosure Law, MGL Ch. 268B;
  - Massachusetts Open Meeting Law, MGL Ch. 30A, Sections 18-25, and the implementing regulations, 940 CMR 29.00;
  - Massachusetts Public Records Law, MGL Ch. 66, and the implementing regulations, 950 CMR 32.00;
  - Massachusetts Campaign Finance Law, MGL Ch. 55; and
  - Brewster Charter, when in force, and Town bylaws, and all other applicable federal, state, and local laws or regulations.
- If appointed, I must be sworn in by the Town Clerk before serving, and I will complete State Conflict of Interest training after appointment, as well as any other certifications required by law.
- When submitted, I understand that this form becomes a public document.

Signature:  Date:

## Anne L. Weirich

[REDACTED]  
Brewster, MA 02631

[REDACTED]  
cell [REDACTED]

### Formal Education

- 1998 Masters of Divinity, Princeton Theological Seminary (PTS)  
1980 B.A., Anthropology, Illinois State University, Normal, Illinois

### Work History:

- 2019 - present - supply preaching, weddings  
October 6, 2019 - Honorably Retired  
October 2013 - October 6 2019 - Pastor, Head of Staff, College Drive Presbyterian Church,  
New Concord, OH, 145 members, village/university  
July - September 2013 - Sabbatical - Cuba, New Zealand  
October 2011 - July 2013  
Interim Head of Staff - First Presbyterian Church, Lansing, MI, 400 members, urban/  
suburban  
September 2006 - September 2011  
Associate Pastor for Mission and Pastoral Care and Transitional Head of Staff -  
Westminster Presbyterian Church, Grand Rapids, MI, 1300 members, urban  
December 2001 - July 2006  
Associate Pastor and Transitional Head of Staff - Claremont Presbyterian Church,  
Claremont, CA, 500 members, suburban/college  
September 1998 - October 2001  
Associate Pastor - for Youth and Pastoral Care First Congregational Church of Harwich  
UCC, Harwich, MA, 400 members, village  
May 1993 - August 1995  
Food Pantry Director/Community Ministries - Westminster Presbyterian Church,  
Grand Rapids, Michigan, 1600 members, urban  
March 1991 - November 1993  
General Manager - Eastown Food Cooperative, Grand Rapids, Michigan  
September 1991 - August 1992  
Provided home care for terminally ill parent  
September 1989 - August 1991  
Self-employed, Los Angeles, California  
  
May 1983 - June 1989  
Branch Manager/Assistant Vice-president, Mid America Title Company,  
Arlington Heights, Illinois  
August 1980 - April 1983  
Administrative Assistant, Family Cancer Support Network, Evanston, Illinois

## **Other Service:**

April 2022 - present - Brewster Pond Property Commission - alternate  
August 2020 - present - President of Pilgrims of I'billin Board - Educational Institution  
June 2020 - present - Brewster Ladies Library Association Board- Secretary  
June 2019 - PCUSA Ecumenical delegate to the RCA General Synod, Holland, MI  
June 2018 - October 2019 - Council member, Synod of the Covenant, Trustee  
June 2017 - PCUSA delegate to the World Communion of Reformed Churches General Council meeting - Leipzig, Germany  
October 2017 - October 2019 - Convener - Ecumenical Addiction Coalition of New Concord, OH  
October 2017 - October 2019- New Concord Area Arts and Recreation Department Board, New Concord, OH.  
December 2016 - October 2019 - Convener -Ecumenical Interconnections Coalition of New Concord, OH  
January 2015 - December 2018 - Board Member and Secretary - Evergreen Senior Housing Board, New Concord, OH  
October 2013 - October 2019  
Member of the New Concord Ministerial Association and the  
Presbytery Clergy Parish of New Concord and Cambridge  
February 2014 - present - GACEIR - Executive Committee 2016-7 and 2020 - 21  
General Assembly Committee on Ecumenical and Interfaith Relations  
April 2014 - delegate to CANAAC - regional group for WCRC, Jamaica  
January 2006 -November 2012 - Member of the Presbytery of Lake MI Leadership Team  
Presbytery worship coordinator, member Staff Design Team  
June 2010 - February 2011 - Moderator of an ecumenical board supporting the creation of a Native American community center in Grand Rapids, MI.  
April 2009 - June 2010 - Member of the local (Grand Rapids) and national planning committee for the Uniting General Council of the World Communion of Reformed Churches.  
June 2008 - Delegate to General Assembly, San Jose, CA  
February 2006 - Synod work group with Cliff Kirkpatrick - a conference on the challenge from the World Alliance of Reformed Churches, Los Angeles, CA  
October 2005 - Synod work group for a Presbyterian Women's celebration of women's ordination with Jana Childers and Jane O'Dell, Claremont, CA  
March 2002 - August 2006  
Co-Moderator - Administration & Finance Committee, San Gabriel Presbytery  
Member of Presbytery Council, Vice-President of San Gabriel Presbytery Corporation  
Jan. 2002 - December 2004  
Worship Committee, San Gabriel Presbytery  
August 2004  
World Alliance of Reformed Churches General Council, Accra, Ghana - guest/observer  
July 2003  
Presbyterian Women's Triennial Conference, Louisville - PW Synod Reflector  
October 1998 - October 2001  
Chair, Stewardship and Mission Committee, Presbytery of Southern New England  
Member of Presbytery Council  
Mission: Mexican border, 1992,3, 2007, 8, 10. Scotland, 2000. PDA - Katrina 2006, 7, 8. Cuba 2009, 10, 11, 13. Detroit, 2008, 9. Israel/Palestine 2007, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22. Habitat 2011 and many community ministries.

**APPLICATION FOR FACILITY USE**

BREWSTER BOARD OF SELECTMEN  
2198 MAIN STREET, BREWSTER, MA 02631

All requests must be made **at least two (2) weeks in advance of the desired use date.** For more information please call the Selectmen's Office at 896-3701. Completed forms may be dropped-off or mailed to the address above, or **faxed back to 508-896-8089.**

ORGANIZATION OR GROUP: Brewster Conservation Trust

LOCAL SPONSORING ORGANIZATION: \_\_\_\_\_

AREA OR FACILITIES NEEDED: Punkhorn Parklands

DATE OR DATES REQUESTED: Thursday, April 30

TIME IN: 9:30 TIME OUT: 12:00 pr (INCLUDING PREPARATION & DISMANTLING)

PURPOSE OF FACILITY USE: Nature walk and learning about growing habits of fungi

NATURE OF ACTIVITY TO TAKE PLACE: Walking, picture-taking, plant identification,

WILL ADMISSION FEE BE CHARGED? YES  NO \_\_\_\_\_ AMOUNT \$20

NON-PROFIT ORGANIZATION: YES  NO \_\_\_\_\_

IRS # 04-2798931 TOTAL NUMBER OF PERSONS EXPECTED 20

MAXIMUM PEOPLE EXPECTED AT ONE TIME: 25

ANY SPECIAL EQUIPMENT NEEDED?:

NA

PERSON RESPONSIBLE FOR THE OBLIGATIONS OF THE GROUP WHO WILL PAY THE BILL - NAME:  
Brewster Conservation Trust (c/o Amy Henderson)

MAILING ADDRESS: 36 Red Top Road; Brewster, MA 02631

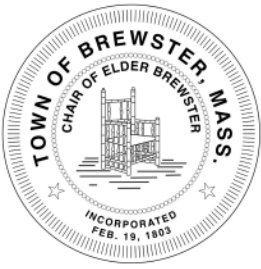
TELEPHONE NUMBER: 508-694-6720

I have read the regulations and understand them with the acknowledgement that any additional expenses incurred will be paid by my organization and that any violation may jeopardize continue use of the building.

Signature: Jeanie Yaroch  
Digitally signed by Jeanie Yaroch  
Date: 2024.02.12 12:14:25  
-05'00'

Telephone: 508-694-6720





**Town of Brewster**  
2198 Main Street  
Brewster, MA 02631  
(508) 896-3701  
[www.brewster-ma.gov](http://www.brewster-ma.gov)

Office of the:  
Select Board  
Town Manager

**Memo**

To: Brewster Select Board

From: Erika Mawn

Date: February 22, 2024

Re: Items to Declare as Surplus

The Brewster Police Department is requesting permission from the Select Board to declare old radios as surplus for disposal. The County Radio Team replaced the radios with new ones that were purchased a few months ago. They are willing to take the old radios, erase any information from them and dispose of them once approved.



2/6/2024

Select Board of Brewster, MA

Brewster Town Offices

2198 Main Street

Brewster, MA 02631

Dear Select Board,

This cover letter is to request permission for Comcast Communications Inc. to pull a new fiber optic service line to the Cell Tower behind the Fire Station at 1657 Main St., Brewster, MA. The path of the new fiber will be in the manhole system in the driveway. Comcast already occupies the manhole system and one of the conduits inside. We will use the same conduit for the new fiber optic cable. The complete fiber path is on the diagram attached.

The work performed will take no longer than a day to completed. Work hours would be 9am to 3pm, on Wednesday, February 28, 2024.

The Fire Department, Building Department, and Department of Public Works have been notified, and have expressed no concerns with the project. A police detail has been requested in order to assist with temporary disruptions to traffic.

Please contact me with any questions you may have.

Sincerely,

Todd Austin

Contract Fiber Coordinator

Comcast Cable, Inc.

115 Epping Rd., Exter, NH

C-603-337-5501

[Todd\\_Austin@cable.comcast.com](mailto:Todd_Austin@cable.comcast.com)



Dish has awarded Comcast to provide a new fiber circuit to the tower on the property. Comcast has a path to a flush mounted vault just outside the compound of the cell tower and Dish has trenched to the vault. The Comcast path will start on pole#20 Main St. We will over lash 362' to the riser pole in front of the building. It is the last of the three poles. From this pole we will pull a new fiber inside the Comcast occupied conduit to the vault location outside the compound. The work will take place in one day from 9am-3pm and a detail will be present during thw work.

- - - UG Path of Comcast Fiber
- Aerial Path of Comcast Fiber





MARINE & ENVIRONMENTAL SERVICES  
TOWN OF FALMOUTH  
180 SCRANTON AVENUE, FALMOUTH, MA 02540  
TEL: (508) 457-2550 • FAX: (508) 467-2525

To: Falmouth Select Board  
From: Chuck Martinsen,  
Deputy Director MES  
Date: March 9, 2023  
Re: Intermunicipal Agreement for Sale of Shellfish to Town of Brewster

Falmouth's unique oyster propagation methodology allows for more oysters to be grown than are needed to support the Town's fishery. This surplus of oysters can be made available for sale to other communities, with the sale monies continuing to support Falmouth's shellfish propagation by future purchase of shellfish seed.

In recent years, the Town of Falmouth has provided shellfish to other communities through a sealed bid process. Proceeds of shellfish sales in the past has gone into a revolving account which is used to purchase future shellfish seed. Because we are a municipal operation, the Massachusetts Division of Marine Fisheries only allows our shellfish to be sold to other government agencies.

This past fall Falmouth was approached by the Barnstable County Cooperative Extension about further developing the sales of shellfish to other communities, based on interest from other towns. The Cooperative Extension requested that Falmouth develop an intergovernmental document to manage the sales of shellfish in the future in place of the previously used sealed bid process.

I am including a draft of a proposed intermunicipal agreement with the Town of Brewster for the sale of surplus intermediate oysters, which has been reviewed and approved by Attorney O'Keefe. The Town of Brewster has reviewed and approved this intermunicipal agreement. MES seeks the Falmouth Select Board's approval for this agreement.

Thank you very much in advance for your time on this matter.



**Intermunicipal Agreement  
Shellfish Sales and Purchase  
Terms and Conditions by and between the following:**

**Marine & Environmental Services  
Town of Falmouth  
59 Town Hall Square  
Falmouth, MA 02360**

**Natural Resources  
Town of Brewster  
2198 Main Street  
Brewster, MA 02631**

THIS INTERMUNICIPAL AGREEMENT is made pursuant to General Laws Chapter 40 54A, this 13<sup>th</sup> day of March, 2023 by and between the Town of Falmouth ("Falmouth") and the Town of Brewster (the "Town"), collectively the "Parties".

The Intermunicipal Agreement ("Agreement") Terms and Conditions and any agreed upon changes thereto included in any Amendments shall take precedence over any additional or conflicting terms and conditions as may be included in any other document attached hereto.

NOW THEREFORE, Falmouth and the Town do mutually agree as follows:

**1. Employment of Falmouth.** Falmouth hereby agrees to perform the services hereinafter set forth in the Scope of Services and the Town agrees to pay for said services as set forth below.

**2. Scope of Services.** Falmouth shall perform the scope of services to the Town in the sale of intermediate oyster seed.

A. Falmouth will provide pathology reports and growing area history for sold oyster seed.

B. All oysters sold will have been grown in classified Approved areas, per Massachusetts Division of Marine Fisheries.

C. Falmouth will provide size data for sold oyster seed.

D. Falmouth bears no responsibility of mortality of oyster seed after delivery.

**3. Amendments.** Any amendment to this Agreement must be made and approved in writing by Falmouth and the TOWN.

**4. Time of Performance.**

\_\_\_\_\_  
Start Date

\_\_\_\_\_  
End Date

**5. Notification of availability.** Falmouth shall notify the Town of the availability of desired quantities of oyster seed by \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**6. Pickup of oyster seed.** Oyster seed will be picked up by the Town by the 24<sup>th</sup> day of March, 2023.

**7. Responsible Officials:** The Falmouth Official and Department exercising managerial control for this Contract shall be: Falmouth Marine & Environmental Services

**8. Payment:**

A. The Town shall compensate Falmouth for the services rendered at the rate of:

\$ 0.17 per oyster

B. In no event shall Falmouth be reimbursed for time other than that spent providing the described service(s).

C. Payment will be made to "Town of Falmouth - Shellfish Revolving Account" upon submittal and approval of Falmouth's Invoice(s).

Upon acceptance of Falmouth's invoice, payment will be made within thirty (30) days. If an invoice is not accepted by the Town within fifteen (15) days, it shall be returned to Falmouth with a written explanation for the rejection. At the end of each fiscal year, Falmouth must submit any outstanding invoices for services performed or delivered during the fiscal year (July 1-June 30) to the Town no later than July 31<sup>st</sup> of the year when the services were performed. Falmouth shall submit invoices within sixty (60) days of completing the work.

**9. Termination or Suspension of Agreement for Cause.** If through any sufficient cause, Falmouth shall fail to fulfill or perform its duties and obligations under this Agreement, or if either party shall violate or breach any of the provisions of this Agreement, either party shall thereupon have the right to terminate or suspend this Agreement, by giving written notice to the other party of such termination or suspension and specifying the effective date thereof. Such notice shall be given at least fifteen (15) calendar days before such effective date.

**10. Termination for Convenience of the Town.** The Town shall have the right to discontinue the work of Falmouth and cancel this Agreement by written notice to Falmouth of such termination and specifying the effective date of such termination. In the event of such termination or suspension of this Contract, Falmouth shall be entitled to just and equitable compensation for satisfactory work completed, for services performed and for reimbursable expenses necessarily incurred in the performance of this Contract up to and including the date of termination or suspension.

**11. Indemnification.** FALMOUTH and the Town agree that each shall be responsible for their own insurance and that neither party is entitled to indemnification or defense from the other.

**12. Employee liability.** The Parties agrees that employees of Falmouth shall not be held personally or contractually liable by or to the Town under any term or provision of this Contract because of any breach thereof.

**13. Choice of Law.** This Contract shall be construed under and governed by the laws of the Commonwealth of Massachusetts. The Town and the agents thereof, agree to bring any federal or state legal proceedings arising under this Contract, in which Falmouth are a party, in a court of competent jurisdiction within the Commonwealth of Massachusetts. This paragraph shall not be construed to limit any rights a party may have to intervene in any action, wherever pending, in which the other is a party. All parties to this contract and covenant agree that any disputes be litigated in the District or Superior courts in Barnstable County.

**14. Force Majeure.** Neither party shall be liable to the other nor be deemed to be in breach of this Contract for failure or delay in rendering performance arising out of causes factually beyond its control and without its fault or negligence. Such causes may include but are not limited to: acts of God or the public enemy, wars, fires, floods, epidemics, strikes, or unusually severe weather. Dates or times of performance shall be extended to the extent of delays excused by this section, provided that the party whose performance is affected notifies the other promptly of the existence and nature of such delay.

15. **Headings, Interpretation and Severability.** The headings used herein are for reference and convenience only and shall not be a factor in the interpretation of the Contract. If any provision of this Contract is declared or found to be illegal, unenforceable, or void, then both parties shall be relieved of all obligations under that provision. The remainder of the Contract shall be enforced to the fullest extent permitted by law.

16. **Amendments.** Falmouth may, from time to time, require changes in the Scope of Services to be performed hereunder. Such changes, including any increase or decrease in the amount of Falmouth costs, which are mutually agreed upon by Falmouth and the Town, shall be incorporated in written amendments to this Contract.

17. **Entire Agreement.** The Parties understand and agree that this Contract and its attachments or amendments (if any) constitute the entire understanding between the Parties and supersede all other verbal and written agreements and negotiations by the Parties relating to the services under this Contract.

18. **Notice.** Unless otherwise specified, any notice hereunder shall be in writing addressed to the persons and addresses indicated below (Name, postal address, phone, email address):

To Falmouth: \_\_\_\_\_  
\_\_\_\_\_

To the Town: \_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, Falmouth and the Town have executed this Agreement this date: \_\_\_\_\_

FOR Falmouth

Marine & Environmental Services  
Town of Falmouth

Peter Lombardi

Interim Town Manager

3/16/2023

FOR the Town :

Peter Lombardi

Peter Lombardi, Town Manager

3/23/23

Date

**Intermunicipal Agreement  
Shellfish Sales and Purchase  
Terms and Conditions by and between the following:**

**Marine & Environmental Services  
Town of Falmouth  
59 Town Hall Square  
Falmouth, MA 02360**

**Natural Resources  
Town of Brewster  
2198 Main Street  
Brewster, MA 02631**

THIS INTERMUNICIPAL AGREEMENT is made pursuant to General Laws Chapter 40 §4A, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the Town of Falmouth (“Falmouth”) and the Town of Brewster (the “Town”), collectively the “Parties”.

The Intermunicipal Agreement (“Agreement”) Terms and Conditions and any agreed upon changes thereto included in any Amendments shall take precedence over any additional or conflicting terms and conditions as may be included in any other document attached hereto.

NOW THEREFORE, Falmouth and the Town do mutually agree as follows:

1. **Employment of Falmouth.** Falmouth hereby agrees to perform the services hereinafter set forth in the Scope of Services and the Town agrees to pay for said services as set forth below.
2. **Scope of Services.** Falmouth shall perform the scope of services to the Town in the sale of intermediate oyster seed.
  - A. Falmouth will provide pathology reports and growing area history for sold oyster seed.
  - B. All oysters sold will have been grown in classified Approved areas, per Massachusetts Division of Marine Fisheries.
  - C. Falmouth will provide size data for sold oyster seed.
  - D. Falmouth bears no responsibility of mortality of oyster seed after delivery.
3. **Amendments.** Any amendment to this Agreement must be made and approved in writing by Falmouth and the TOWN.
4. **Time of Performance.**

\_\_\_\_\_  
**Start Date**

\_\_\_\_\_  
**End Date**

5. **Notification of availability.** Falmouth shall notify the Town of the availability of desired quantities of oyster seed by \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.
6. **Pickup of oyster seed.** Oyster seed will be picked up by the Town by the 24<sup>th</sup> day of March, 2024.
7. **Responsible Officials:** The Falmouth Official and Department exercising managerial control for this Contract shall be: Falmouth Marine & Environmental Services

**8. Payment:**

A. The Town shall compensate Falmouth for the services rendered at the rate of:

\$ 0.17 per oyster

B. In no event shall Falmouth be reimbursed for time other than that spent providing the described service(s).

C. Payment will be made to "Town of Falmouth - Shellfish Revolving Account" upon submittal and approval of Falmouth's Invoice(s).

Upon acceptance of Falmouth's invoice, payment will be made within thirty (30) days. If an invoice is not accepted by the Town within fifteen (15) days, it shall be returned to Falmouth with a written explanation for the rejection. At the end of each fiscal year, Falmouth must submit any outstanding invoices for services performed or delivered during the fiscal year (July 1-June 30) to the Town no later than July 31<sup>st</sup> of the year when the services were performed. Falmouth shall submit invoices within sixty (60) days of completing the work.

**9. Termination or Suspension of Agreement for Cause.** If through any sufficient cause, Falmouth shall fail to fulfill or perform its duties and obligations under this Agreement, or if either party shall violate or breach any of the provisions of this Agreement, either party shall thereupon have the right to terminate or suspend this Agreement, by giving written notice to the other party of such termination or suspension and specifying the effective date thereof. Such notice shall be given at least fifteen (15) calendar days before such effective date.

**10. Termination for Convenience of the Town.** The Town shall have the right to discontinue the work of Falmouth and cancel this Agreement by written notice to Falmouth of such termination and specifying the effective date of such termination. In the event of such termination or suspension of this Contract, Falmouth shall be entitled to just and equitable compensation for satisfactory work completed, for services performed and for reimbursable expenses necessarily incurred in the performance of this Contract up to and including the date of termination or suspension.

**11. Indemnification.** FALMOUTH and the Town agree that each shall be responsible for their own insurance and that neither party is entitled to indemnification or defense from the other.

**12. Employee liability.** The Parties agrees that employees of Falmouth shall not be held personally or contractually liable by or to the Town under any term or provision of this Contract because of any breach thereof.

**13. Choice of Law.** This Contract shall be construed under and governed by the laws of the Commonwealth of Massachusetts. The Town and the agents thereof, agree to bring any federal or state legal proceedings arising under this Contract, in which Falmouth are a party, in a court of competent jurisdiction within the Commonwealth of Massachusetts. This paragraph shall not be construed to limit any rights a party may have to intervene in any action, wherever pending, in which the other is a party. All parties to this contract and covenant agree that any disputes be litigated in the District or Superior courts in Barnstable County.

**14. Force Majeure.** Neither party shall be liable to the other nor be deemed to be in breach of this Contract for failure or delay in rendering performance arising out of causes factually beyond its control and without its fault or negligence. Such causes may include but are not limited to: acts of God or the public enemy, wars, fires, floods, epidemics, strikes, or unusually severe weather. Dates or times of performance shall be extended to the extent of delays excused by this section, provided that the party whose performance is affected notifies the other promptly of the existence and nature of such delay.

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**To Falmouth:** \_\_\_\_\_  
\_\_\_\_\_

**To the Town:** \_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, Falmouth and the Town have executed this Agreement this date: \_\_\_\_\_

FOR Falmouth

Marine & Environmental Services  
Town of Falmouth

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOR the Town :

\_\_\_\_\_

\_\_\_\_\_  
Date



**TO: Brewster Select Board**  
**Peter Lombardi, Town Manager**  
**Donna Kalinick, Assistant Town Manager**  
**FROM: Cassie Boyd Marsh, Grant Administrator**  
**DATE: February 22, 2024**  
**RE: Request for Certified Board Vote for Housing Rehab Mortgages**

The Town of Brewster's regional Housing Rehab program, funded through the competitive CDBG grant, requires that at 0% interest deferred payment forgivable loan be recorded at the Registry of Deeds. This document, signed by the homeowner and the housing rehab subgrantee, The Resource, Inc. (TRI), is recorded against the homeowner's mortgage.

To record the loan at the Barnstable County Registry of Deeds, the registry is now requiring that we provide documentation that the sub-grantee (TRI) is authorized by the Town to do so. This also relates to loan modifications (if there is a change order), subordinations, and discharges when a loan is repaid if a homeowner sells their property.

We are requesting that the Select Board move the following motion and have the vote certified by your Town Clerk. Alternatively, the Select Board or Town Manager would be required to sign and record all loan documents.

**MOTION:** Move to authorize The Resource, Inc. (TRI) to record mortgages on behalf of the Town of Brewster for participants of the CDBG housing rehabilitation program, and further authorize TRI to sign & record mortgage modifications, subordinations & discharges for said loans. Copies of all mortgages recorded, amended or discharged under the Brewster CDBG program will be provided to the Town.

**COMMONWEALTH OF MASSACHUSETTS**

*Barnstable County, ss.*

Executed as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, **2024**

The Town of Brewster, by its Select Board:

\_\_\_\_\_  
Ned Chatelain, Chair

\_\_\_\_\_  
Mary Chaffee, Vice-Chair

\_\_\_\_\_  
Kari Hoffmann, Clerk

\_\_\_\_\_  
Cynthia Bingham

\_\_\_\_\_  
David Whitney

**COMMONWEALTH OF MASSACHUSETTS**

*Barnstable County, ss.*

On this \_\_\_\_\_ day of \_\_\_\_\_ 2024, before me, the undersigned notary public, personally appeared Ned Chatelain, Mary Chaffee, Kari Hoffman, Cynthia Bingham and David Whitney, in their capacity as members of the Town of Brewster Select Board, and proved to me through satisfactory evidence of identification, which was personally known to me, to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose on behalf of the Town of Brewster.

\_\_\_\_\_  
**Notary Public**

\_\_\_\_\_  
**My Commission Expires**



John F. Meade  
Register of Deeds  
Massachusetts Land Court Dukes  
County Registry of Deeds  
3195 Main Street  
P.O. Box 368  
Barnstable, MA 02630

Dear Mr. Meade:

On \_\_\_(date)\_\_\_\_\_, at a duly posted meeting, the Brewster Select Board voted to authorize The Resource, Inc. for Community and Economic Development (TRI) to sign loan subordinations and discharges on behalf of the Town as part of the Town's Housing Rehabilitation Program funded through a Community Development Block Grant.

A certified vote is attached.

Sincerely,

Peter Lombardi  
Town Manager

To: Brewster Select Board & Finance Committee

From: Suzanne Kenney, Chairperson, Health and Human Services Committee

Date: January 4, 2024

RE: Health and Human Services Committee Funding Recommendations FY'25

The Health and Human Services Committee respectively submits the funding recommendations for 20 non-profit agencies that support Brewster citizens. The organizations offer a variety of services and range in scope from assisting individuals with housing, health concerns, to a lunch program for kids, food for our seniors, substance disorder support and this year we have three new agencies that have made requests. They include Housing Assistance Corporation, Pause A While, and Society of St. Vincent de Paul. Housing Assistance Corporation provides housing support in the form of rental units, counseling, and stabilization services. Pause A While provides a space for recovery meetings and support for individuals in Brewster and neighboring communities. The Society of St. Vincent de Paul is a Catholic Lay organization offering financial support around housing and food and collaborates with organizations we currently fund. Overall in Calendar Year 2023 over 3,000 Brewster residents received services from these non-profits.

AGENCY	FY'25 Recommend	FY'25 Request	FY'24 Award
Aids Support Group of Cape Cod	\$5,000	\$7,500	\$5,000
Alzheimer's Family Support	\$11,550	\$12,000	\$11,000
Cape Abilities	\$7,000	\$7,000	\$7,000
Cape Cod Children's Place	\$11,000	\$11,000	\$10,500
Food 4 Kids Church of the Holy Spirit	\$3,675	\$5,750	\$3,500
Consumer Assistance Council	\$630	\$1,175	\$600
Duffy Health Center	\$500	\$1,500	\$1,500
Elder Services	\$9,576	\$10,500	\$9,100
Family Pantry of Cape Cod	\$5,250	\$6,000	\$5,000
Homeless Prevention Council	\$15,750	\$18,000	\$15,000
Housing Assistance Corporation	\$5,000	\$10,000	0
Independence House	\$12,000	\$12,360	\$12,000
Lower Cape Outreach Council	\$12,600	\$15,000	\$12,000
Nauset Together We Can	\$1,500	\$3,000	\$1,500
Nauset Youth Alliance	\$16,000	\$16,000	\$16,000
Outer Cape Health Services	\$15,750	\$18,000	\$15,000
Pause A While	\$3,000	\$12,000	0
Sight Loss Services	\$2,000	\$2,000	\$2,000
Society of St. Vincent de Paul	\$2,050	\$15,000	0
South Coastal Counties Legal Services	\$4,350	\$4,350	\$4,350
<b>Total</b>	<b>\$144,181</b>	<b>\$188,135</b>	<b>\$131,050</b>

**With the addition of three new agencies requesting funds, and previous agencies requesting increases the Committee faced the challenge of meeting the 10% allotted increase of \$13,107 more than last year for the sum of \$144,181 for FY'25. As a result, the Health and Human Services Committee recommends a 2.34% for existing agencies requesting increases with the remaining \$10,050 used to support the new organizations.**

Following is but one highlight from each agency that applied for funding:

**Aids Support Group of Cape Cod**, in FY2023, provided services for medical case management and related support specifically harm reduction services to 45 unduplicated Brewster residents.  
**Recommended Funding: \$5,000**

**Alzheimer's Family Support**, in FY2023, served 210 Brewster residents with support groups, ongoing phone support, counseling, care consultation, memory screenings, education, outreach and social and cultural events with a conservatively estimated total cost of direct services at \$81,120 per year. **Recommended Funding: \$11,550**

**Cape Abilities**, in FY2023, served 23 Brewster residents with vocational training, supported employment, day habilitation, life skills, community-based day supports, residential services, adult family care and shared living. **Recommended Funding: \$7,000**

**Cape Cod Children's Place**, in FY2023, served 95 unduplicated Brewster parents and children with family support visits, play groups, and parenting education classes (634 Units of Service).  
**Recommended Funding: \$11,000**

**Food 4 Kids – Church of the Holy Spirit**, in Summer 2023, provides lunch and snacks to children and teens in summer months for a total combined meal of 8,944 at a cost of \$38,347.  
**Recommended Funding: \$3,675**

**Consumer Assistance Council**, in FY2023, served as consumer advocate for 29 Brewster cases (266 units of service) including dealing with time-share contracts, internet scams and promised Mass Save refunds. **Recommended Funding: \$630**

**Duffy Health Center**, through their In From The Streets Program in FY2023 served 1 Brewster clients by providing 1 nights of emergency safe shelter with a conservatively estimated total cost of \$295. **Recommended Funding: \$500**

**Elder Services**, in FY2023, provided 10,523 Meals on Wheels to 95 Brewster residents, 20% increase over previous year. **Recommended Funding: \$9,576**

**Family Pantry of Cape Cod**, in FY2023, provided food, clothing, healthy-eating education and a mobile pantry to 623 Brewster households, for an estimated total cost of \$67,841.  
**Recommended Funding: \$5,250**

**Homeless Prevention Council**, in FY2023, provided case managers for homeless assistance and personalized services to promote stability for 282 Brewster families with a conservatively estimated total cost of \$75,130. **Recommended Funding: \$15,750**

**Independence House**, in FY2023, provided an array of services including counseling, advocacy and basic needs to 237 Brewster children and adult survivors through various programs including crisis intervention, counseling and advocacy, the Child Witness to Violence Program and Child Sexual Assault Services, housing stabilization, education, and emergency shelter with an estimated total value of \$209,544. **Recommended Funding: \$12,000**

**Lower Cape Outreach Council**, in FY2023, served 268 Brewster households through cash assistance, food, clothing, Thanksgiving baskets and holiday toys with an estimated total cost of \$131,875. **Recommended Funding: \$12,600**

**Nauset Together We Can**, in FY2023, served 15 Brewster middle schoolers providing free Youth After School Program which provides a safe, healthy, social environment for students to do homework, play and relax with adult supervision and mentoring. **Recommended Funding: \$1,500**

**Nauset Youth Alliance**, in the School Year 2023, served 137 Brewster children by providing after-school care and summer programming serving 78% of Brewster's elementary students. **Recommended Funding: \$16,000**

**Outer Cape Health Services**, in CY2022, 1926 Brewster residents received 5,778 billable visits and 422 unbillable encounters (including uninsured patients and interactions with phone callers, web users, lab staff, pharmacy staff etc.). **Recommended Funding: \$15,750**

**Sight Loss Services**, in CY2020, provided 544 units of service (support groups, education, referrals, home independence, adaptive aids and advocacy) to 104 Brewster residents with an estimated total cost of \$14,726. **Recommended Funding: \$2,000**

**South Coastal Counties Legal Services**, in CY22, provided free legal services to 45 low-income and/or elderly Brewster residents with an estimated total cost of \$4,350. **Recommended Funding: \$4,350**

### **3 New Agencies Requesting Funding**

**Housing Assistance Corporation** mission is to provide affordable housing opportunities. In FY2023 provided 225 Brewster residents with rental assistance including vouchers and shallow subsidies along with counseling and energy audits. **Recommended Funding: \$5,000**

**Pause A While, Inc.** mission is to encourage the recovery from drugs and alcohol abuse by providing a permanent place for a variety of 12-step recovery meetings. There are no paid staff and funds are requested for operational needs. **Recommended Funding: \$3,000**

**Society of St. Vincent de Paul** mission is to grow in holiness and build a more just world through personal relationships and service to people in need. They provided \$34,835 in housing assistance to 116 Brewster residents. **Recommended Funding: \$2,050**

The members of the HHS Committee recognize the financial challenge many of the organizations faced in the last year due to inflationary issues, the cost of food and housing and the difficulty of recruiting staff to name a few. Despite these challenges the Committee remains

impressed over the work and diligence of the organization's commitment to Brewster residents. The Committee was also faced with budgetary concerns in meeting funding requests but feel we deliberated fairly and within the Town budget of an overall 10% from last year. We hope you will approve our recommendation.

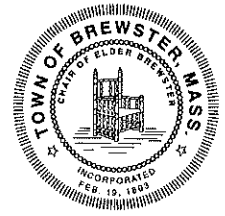
<b>HHS Grant Recommendation History</b>									
	<b>FY25</b>	<b>FY25</b>	<b>FY24</b>	<b>FY23</b>	<b>FY22</b>	<b>FY21</b>	<b>FY20</b>	<b>FY19</b>	<b>FY18</b>
<b>Agency</b>	<b>Request</b>	<b>Recommend</b>	<b>Recommend</b>	<b>Recommend</b>	<b>Recommend</b>	<b>Recommend</b>	<b>Recommend</b>	<b>Recommend</b>	<b>Recommend</b>
Aids Support Group of CC	\$7,500	\$5,000	\$5,000	\$5,000	\$4,000	\$3,000	\$2,500	\$2,500	\$2,500
Alzheimer's Family Support Center	\$12,000	\$11,550	\$11,000	\$11,000	\$10,000	\$10,000	\$10,000	\$9,000	\$9,000
Cape Abilities	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000
CC Children's Place	\$11,000	\$11,000	\$10,500	\$10,500	\$9,000	\$9,000	\$8,500	\$8,000	\$8,000
Food 4 Kids Church of the Holy Spirit	\$5,750	\$3,675	\$3,500						
Consumer Assistance Council	\$1,175	\$630	\$600	\$600	\$600	\$500	\$500	\$600	\$500
Duffy Health Center	\$1,500	\$500	\$1,500	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	
Elder Services	\$10,500	\$9,576	\$9,120	\$8,600	\$8,600	\$8,600	\$8,500	\$8,500	\$8,500
Family Pantry of Cape Cod	\$6,000	\$5,250	\$5,000	\$5,000	\$5,000	\$4,300			
Homeless Prevention Council	\$18,000	\$15,750	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$13,500
Independence House	\$12,360	\$12,000	\$12,000	\$10,000	\$9,000	\$7,300	\$6,000	\$6,000	\$5,500
Lower Cape Outreach Council	\$15,000	\$12,600	\$12,000	\$10,000	\$9,500	\$9,500	\$9,500	\$9,500	\$9,500
Nauset Together We Can	\$3,000	\$1,500	\$1,500	\$1,500	\$1,500	\$3,000	\$3,000	\$3,500	\$2,500
Nauset Youth Alliance	\$16,000	\$16,000	\$16,000	\$16,000	\$12,000	\$10,800	\$10,800	\$10,000	\$8,500
Outer Cape Health Services	\$18,000	\$15,750	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Sight Loss Services	\$2,000	\$2,000	\$2,000	\$1,500	\$1,500	\$1,500	\$1,200		\$1,200
South Coastal Counties Legal Svc	\$4,350	\$4,350	\$4,350	\$4,250	\$4,200	\$4,120	\$4,134	\$4,120	\$4,240
<b>Totals:</b>	<b>\$151,135</b>	<b>\$134,131</b>	<b>\$131,070</b>	<b>\$121,950</b>	<b>\$124,900</b>	<b>\$121,620</b>	<b>\$114,133.50</b>	<b>\$110,720.00</b>	<b>\$105,940.00</b>
Percentage Increase (Old Only)	15.31%	2.34%	2.38%	-2.36%	2.70%	6.56%	3.08%	4.51%	
<b>New Agency</b>									
Pause A While Inc.	\$12,000	\$3,000							
Society of St. Vincent de Paul	\$15,000	\$2,050							
Housing Assistance Corp	\$10,000	\$5,000							
New Agency Sum	\$37,000	\$10,050							
<b>Total Sum New and Historic</b>	<b>\$188,135</b>	<b>\$144,181</b>							
Total Percentage Increase From FY24		<b>10.00%</b>							
	To Meet 10%	\$144,177							
	Difference	-\$4							




# Brewster Fire Department

1671 Main Street  
Brewster, MA 02631

Phone 508-896-7018 Fax 508-896-4245



TO: Select Board  
FROM: Fire Chief Moran   
CC: Town Manager Peter Lombardi  
Assistant Town Manager Donna Kalinick  
Human Resource Director Susan Broderick  
Deputy Fire Chief Kevin Varley  
DATE: 2/23/24  
RE: Fire Department Staffing

On Monday, February 12<sup>th</sup>, The Brewster Select Board voted to rescind a previous vote to allow the Brewster Fire Department to apply for a Staffing for Adequate Fire and Emergency Response (SAFER) Grant for four firefighters and to seek permanent funding in future fiscal years. While viewing the meeting, it appeared to me that a major element of this decision was based on our current use of mutual aid resources to cover emergency responses within Town being consistent with the aid in which we provide to our surrounding communities. While this is an important data point to monitor, there are many other more critical factors contained in the report and recorded in annual fire department budget requests that strongly support the urgent need to move forward with the original staffing plan.

Highlighted below are several of these acute realities that negatively affect our staff and our operational effectiveness daily. In our opinion and that of the study team, the best approach to solving many of these barriers to service and operational excellence lies in following the prior staffing recommendations of my office and those presented in the study.

### **Recruitment, Retention, Morale, Health/Wellness, Employee Safety**

In recent years the Brewster Fire Department has experienced a problem recruiting and retaining employees. One of the most predominant reasons for this, as described through exit interviews and meetings with Brewster Select Board members, the Town Manager, Director of Human Resources, and Fire Department Administrators is a known lack of work/life balance and stress caused by mandatory overtime. This makes recruitment and retention extremely difficult since candidates either know they will be applying to a fire department that demands frequent holdovers and off-duty order-in of personnel or they have experienced it as probationary members and begin to look for employment in other better staffed departments that are void of this issue.

The safety of Brewster firefighters operating at emergency incidents is a central priority of this office. All too often this level of safety is compromised for multiple hours during emergency responses due to a documented insufficient number of on-duty staff, multiple simultaneous requests for fire department services, and limited availability of members for off-duty callback. During these instances' response times increase, patient care is delayed, fires can grow rapidly, and the safety of our members is adversely impacted.

As I have stated in the past, the major reason we are able to provide our current level of service to the community while maintaining acceptable usage of mutual aid is based on the dedication and sacrifice of our employees who live in this environment daily. However, this dedication and sacrifice comes at a cost

to employee morale, health/wellness, recruitment/retention, safety, and the ability of our management team to effectively lead these professionals. As described in Municipal Resources Inc.'s recent staffing study and numerous annual budget presentations, the current department staffing model is not sustainable and multiple new positions will be required to maintain and support the future success of our organization and the health, safety, and wellness of our employees.

- The department has struggled to retain personnel. Frequent vacancies and a constant staffing deployment model has resulted in a high level of mandatory holdover and order-in overtime which can have a significant impact on firefighter health and wellness, as well as morale within the Department. (MRI Report page. 115)
- The amount of mandatory overtime has been cited by personnel who have recently left Brewster for other fire departments. High levels of overtime, particularly mandatory or forced overtime can have implications both fiscally, as well as for firefighter safety and patient care outcomes. In addition to the financial implications to the municipality of the need for personnel to work numerous overtime shifts, there is growing evidence to suggest there are very real health and safety implications for firefighters as well, and which could end up having tragic consequences. (MRI Report page. 37)
- When looking at Brewster Fire Department staffing, it is very important to note that if the department experiences simultaneous or overlapping calls or calls that require two ambulances this will usually exhaust all on duty resources and leave no fire protection capabilities with the town itself. While Brewster does not have many fires, no one can predict when one may occur. Depleting all fire protection resources to cover ambulance calls does not appear to be a good risk assessment and management practice. (MRI Report page.70)

#### **Emergency Incident Staffing/Overlapping Calls**

While the staffing study identifies the need to maintain a shift staffing level of seven firefighters with a six-person minimum requirement, we currently have five firefighters assigned to each shift with a five-person minimum. This allows on-duty staff the ability to place two ambulances or a mix of fire and EMS response vehicles in service to respond to incidents. However, with five (5) firefighters assigned to each shift any request for time off requires overtime and the potential for holdovers and order-ins of off duty personnel.

As our call firefighter staff has declined the department has had to increase its minimum level of on duty staff from a two-person level more than twenty-five years ago to the current five person minimum. This has allowed us to continue to deliver a reasonable level of fire and emergency medical services to the community. While the study indicates reducing this level below five would be an adverse position for our residents, staff, and our mutual aid partners my office has had to reduce this level to a four-person minimum in the recent past due to the stress of mandatory overtime and the meaningful negative impact on our overtime budget. As the Fire Chief responsible for the services we deliver to our community and the safety of the firefighters under my command, this is an extremely difficult decision to make and one that should be eliminated as quickly as possible by following the hiring recommendations contained in the study.

- The data relative to the number of total incidents, number of EMS transports, and the time dedicated to EMS calls supports the need for the fire department to staff two (2) ambulances 24/7 while still maintaining a simultaneous fire response capability. The benefits of increasing staffing and the number of resources deployed include:



- Significantly reduce the number of times when the Town is without ambulance coverage due to simultaneous fire and/or EMS calls.
- Significantly reduce the number of times when the Town is without adequate fire coverage due to simultaneous fire and/or EMS calls.
- Provide additional fire staffing commensurate with the risk.
- Increase ambulance revenues by reducing the number of times that a mutual aid EMS service is called to provide ambulance transport services. (MRI Report page.59)
- The MRI study team's evaluation found that the number of simultaneous, or overlapping incidents handled by the Brewster Fire Department is increasing and becoming a significant operational concern. This has added a stress factor to the department as the occurrence of multiple overlapping calls over the five-year period analyzed stands at 18.8%, or just under one in every five incidents. This means that 18.8% of the time the department is asked to answer not only one, but two, and occasionally three or more incidents at the same time with their resource set, and the assistance of off duty personnel, automatic, and mutual aid. (MRI Report page.46)
- The number of simultaneous calls averages about 1.6 per day, and 48 per month over the five-year period. In three of the five years (2018, 2021, 2022), the number of simultaneous or overlapping calls exceeded 600 per year. This is a disturbing trend, particularly with Brewster currently staffed at a bare bones level. While it is not unusual – it is generally expected - to see total incident volume rise, the rate of simultaneous events indicates that the current resource set of the organization will be unable to maintain the current service level as this statistic expands toward 20% (in 2021 the number stood at 19.8% before decreasing slightly in 2022) and possibly beyond. (MRI Report page.46)
- As currently configured and staffed, the Brewster Fire Department is struggling to keep up with demand. Just two simultaneous or overlapping end up utilizing all the on-duty resources. This often effectively leaves the Town without any fire protection capabilities available except from mutual aid departments. (MRI Report page.114)

### **Overtime Use**

To reduce mutual aid usage, meet safety requirements, and respond to the service demands of the community, my office elected to staff the department with five-person minimum shift coverage in fiscal year 2022. As a result of this essential decision, overtime usage was approximately \$118,000 above our approved FY2023 budget. This overage occurred even with a reduction in shift staffing during nighttime hours of 6:00 p.m. to 8:00 a.m. throughout the winter and early spring months. As previously reported and included in the study, this practice is not advisable and comes with increased risk to our personnel, amplified use of mutual aid, and a potential delay in emergency incident response. While we are currently maintaining a five-person minimum that will create an overage in our overtime budget similar to FY2023 discussions on how to limit the financial impact of an overage are ongoing with the Town Manager and Finance Director.

The implementation of the first step in the proposed hiring plan would allow the department to schedule six employees per shift with a five-person minimum coverage requirement. Except for our busiest months when a six-person minimum would be sustained this staffing model allows one person to be off on each shift without the need to utilize overtime funding to backfill the position. Additionally, the fire prevention officer would no longer count towards the minimum daily shift staffing which would increase the FPO's ability to concentrate on their primary fire prevention duties.

It is important to recognize that a great number of variables exist when considering a fire department's overtime budget. Many of these are difficult or impossible to accurately predict and may be outside of the control of my office. Situations such as personnel turnover, medical leaves, injuries, military deployments, call volume, and mandatory certification training are just a few of these circumstances.

- The MRI study team was informed that the department does not generally have a sick or injury leave problem. It had \$444,700 budgeted for overtime in FY 2023 which is high for a department the size of Brewster. The department ended up spending \$562,956, which is 32.5% more than what was budgeted. This is due in large part to not only the Department's constant staffing model where every vacancy created by any type of leave must be filled by another member on overtime, but also to the department's difficulty retaining personnel. (MRI Report page.64)
- Calculate the "break-even" point where the establishment of additional firefighter-paramedic positions would make it possible to allow time-off without creating overtime replacements. (MRI Report page.117)

### **Housing Shortage Impact**

Due to increased costs of home ownership and lack of year-round rentals in the region the department has been forced to implement contractual agreements that allow staff the ability to live outside of Barnstable County which makes them unavailable for duty call-backs. This major factor, along with numerous other staffing and operational related struggles documented in the study represents and supports the need to increase the number of firefighters assigned to each shift. On a positive note, the recent recommendation and vote for the potential development of housing opportunities on the Sea Camps Bay property is a step in the right direction that would enhance the ability of firefighters, police officers, and other Town employees to live close to work and contribute to the community daily.

- Housing and rental costs in Brewster and surrounding communities, and Cape Cod in general, are extremely high and thus unaffordable for most public safety personnel, especially those who are just starting out. This results in many firefighters living on the other side of the Sagamore Bridge, more than 30 minutes from town and of limited to no value in a call back situation. (MRI Report page.114)

### **Fire Prevention Officer**

Currently the fire prevention officer (FPO) counts towards the five-person minimum staffing levels when working their regularly assigned shift Monday through Thursday 8:00 a.m. to 6:00 p.m. While this does assist in reducing the number of holdover and order-in overtime events during these daytime hours being in the minimum staffing count means the (FPO) is unable to effectively perform his daily fire inspection and prevention duties due to being constantly pulled from these essential responsibilities to assist with responses. During these instances which occur approximately four to six hours or 40% to 60% percent of his daily ten hour shift, scheduled inspections, meetings, office work, educational sessions, and appointments with other Town officials may be cancelled or rescheduled resulting in inadequate and reduced levels of customer service and a challenging additional workload for the (FPO) and/or the Fire Chief and Deputy Fire Chief who may be required to perform the rescheduled inspections. This is the principal and lead reason the staffing study recommends removing the (FPO) position from the minimum staffing count.

Additionally, when one or more ambulances or fire apparatus is on a call with a five-person minimum shift, the (FPO) who may be on the road conducting inspections and the one remaining member in

headquarters respond singly to additional requests for service which is counter to safety regulations contained in State adopted Occupational Safety and Health Administration (OSHA) policies, National Fire Protection Association (NFPA) Standards, and Massachusetts Department of Health (DPH) protocols requiring a minimum of two members on each responding ambulance. Arriving at a more critical incident such as a cardiac arrest or structure fire alone and attempting to begin medical treatment or fire suppression operations is dangerous and challenging and can lead to inadequate patient care and serious safety concerns for the FPO and responding shift staff.

- The Fire Prevention Officer is also utilized to provide additional daytime staffing. It is supposed to be primarily for the second or third ambulance, however, staffing shortages have caused them to frequently be used to maintain minimum shift staffing. (MRI Report page.31)
- While the Fire Prevention Officer can be utilized to assist with staffing the second or third ambulance, when necessary, during simultaneous or overlapping incidents, he/she should not normally be utilized to maintain minimum shift staffing as this takes him/her away from his/her primary CRR responsibilities. (MRI Report page.103)

### **Hiring Proposal**

Following the hiring proposal as documented in the staffing study below is strongly recommended by my office.

- The Town of Brewster and Brewster Fire Department should incrementally hire additional firefighters to enhance daily on duty staffing to an eventual level of seven (7) personnel assigned to each shift. (MRI Report page.92)
- It is also our recommendation that shift minimum staffing levels outside of peak season can be one person below optimal shift staffing level. So, when shift staffing is at six (6) minimum staffing can be five (5); when it is seven (7) it can be six (6). This allows the first vacancy on the shift caused by any type of leave to not be filled with overtime. During peak season the maximum staffing levels should be maintained through a combination of overtime and the use of the part-time seasonal personnel. (MRI Report page. 117)
- The Town of Brewster should authorize the Brewster Fire Department to apply annually over the next several application periods for a federal Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund the incremental hiring of a total of nine (9) additional personnel (two per shift plus a full-time EMS Officer) over the next several fiscal years, citing an increasing call volume, a high percentage of senior citizens, loss of the department's call force, and a desire to improve overall operational effectiveness, efficiency, and safety. (MRI Report page.117)

### **Department Comparisons**

We fully understand that each community is different from one another in their ability to finance their annual operating budgets and keep tax impacts to a minimum while providing high levels of fire and emergency medical services. However, we believe the comparison chart below factually highlights the critical personnel and operational disparities Brewster Fire maintains in the number of full-time staff, percentage of firefighters per 1,000 residents, minimum shift staffing, annual responses, and population among our contiguous and like communities. Except for Brewster, each one of these departments has recently (3-4 years) added between four to eight additional firefighters to bring their minimum and full-time staffing to a level that improved their internal operations, reduced requests for mutual aid resources, and provided adequate fire, emergency medical, and inspection services to their communities. Brewster's place in this comparison is an illuminating and indicative sign of the documented staffing needs of our organization.

## Fire Department Regional Staffing Comparison (Feb 2024)

DEPARTMENT	POPULATION	CY23 RUNS	FULL TIME STAFF (Including Chief Officers)	# OF FIREFIGHTERS PER 1000 RESIDENTS	#OF FIREFIGHTERS PER SHIFT	ADDITIONAL DAYSHIFT PERSONNEL	DUTIES OF DAYTIME PERSONNEL
Brewster	10318	3053	23	2.23	5	1	Fire Prevention Officer
Chatham	7000	3275	32	4.57	7	2	Fire Prevention Officer EMS Coordinator
Orleans	6422	2507	32	4.98	7	2	Fire Prevention Officer EMS Coordinator
Eastham	5752	2302	22	3.82	5	0	Chief's Office Responsible for Fire Prevention
Wellfleet	4000	1370	22	5.50	5	0	Chief's Office Responsible for Fire Prevention
Harwich	13600	4840	40	2.94	9	2	Fire Prevention Officer EMS Coordinator



## **FY25 BUDGET NARRATIVES**

**Department: Fire/Rescue**

### **Brewster Fire/Rescue FY 2025 Budget Proposal**

#### ***Mission Statement***

*The Brewster Fire Rescue Department is a professional emergency response organization that preserves life and property through Fire Prevention, Fire Suppression, Medical and Rescue services and promotes public safety through community outreach and education.*

#### ***Core Values & Beliefs***

*We will build an enduring department that:*

- *Provides consistent high-quality and compassionate services for the Brewster community.*
- *Builds relationships with each other and the community based upon honesty, respect, transparency, trust, approachability, integrity, and accountability.*
  - *Respects hard work, doing the job and taking the initiative.*
- *Unleashes, develops, and retains talent to achieve professionalism and excellence throughout the organization.*
- *Creates a growth oriented, cohesive, and effective performance environment that is ethical, direct, agile, adaptable, and engaging - that resists complacency.*
  - *Celebrates personal and group achievement and successes.*

#### ***Vision Statement***

*An accredited Fire Rescue Department with a deep and experienced team dedicated to a culture of developed tradition and earned excellence, that continuously improves its professional services, and is recognized as a valued community asset.*



## **FY25 Budget Proposal**

In a financially sensible effort to situate our organization in a position capable of meeting the current and future emergency medical and fire based service needs of the community, department executives have developed an FY 2025 budget proposal that focuses on the hiring of additional staff as identified in the recently completed Staffing and Organizational Study while at the same time attempting to maintain our established culture of restricting new operational requests to those that are capable of being funded through available grant programs, ambulance revenue, supplemental Town revenue, or existing budget funds. As in past years this budget submission includes several supporting documents such as charts, graphs, operational narratives, and statistical evidence that provides valuable substantiation relative to the requested funding. Residents wishing to view the completed Staffing and Organizational Study and the recommendations included within may do so by visiting our website at <https://www.brewster-ma.gov/fire>

Our entire community should be proud of the dedicated effort displayed by every member of our organization during a 2023 calendar year in which our total responses once again exceeded 3,000 requests for service. The commitment of our professional staff to ensure the continued delivery of high-level fire and emergency medical response services to our customers year after year under challenging and stressful situations has been nothing short of outstanding. All our members should be recognized for their exceptional work and the life-saving services they provide.

## **FY24 Projects & Accomplishments:**

- Initiated implementation of several goals and objectives included in our five-year strategic plan:
  - Completed Staffing and Organizational Study
  - Partnered with LEXIPOL to initiate advancement of standard operating guideline, policy, and procedure project.
  - Community Engagement Team continued participation in numerous community and fire safety education related events.
  - In partnership with Town official's introduced new website
  - Completed grant funded Fire Instructor I and Fire Officer I training.
- Filled full-time Fire Prevention Officer position.
- Assisted Town Manager with union contract negotiations.
- Hosted Health Department employee flu clinic
- Completed project to remove and replace all firefighting foam with non-PFAS material.
- Conducted free skin cancer screenings through the Massachusetts Fire Academy
- Developed specifications and ordered new ambulance.
- Applied for and received a \$91,000.00 Assistance to Firefighter (AFG) Grant to conduct engine and aerial operations and driver training.
- Conducted CPR and Stop the Bleed training for Town Hall and DPW employees.
- Applied for a \$18,000.00 State Fire Equipment Grant
- Applied for and received a \$5,858.00 SAFE/Senior SAFE Fire Safety Education Grant
- Applied for and received a \$3,500.00 Emergency Management Performance Grant
- Applied for \$93,000.00 in supplemental ambulance revenue through Medicaid Certified Public Expenditures (CPE) program.



- Assisted in the management of the Brewster, Orleans, Chatham, and Harwich (BOCH) Community Emergency Response Team
- Completed mandatory NERO’s Law training allowing members to treat and transport K9’s.

**FY25 Goals & Initiatives:**

- Continue to initiate and complete operational and administrative goals and objectives contained in the 2022-2026 Strategic Plan
- Implement hiring recommendations from the Staffing and Organizational Study. This recommended hiring of additional firefighters specifically complements Goal #3 in the Governance category of the Select Boards FY24-25 Strategic plan which states, “identify priority areas to increase organizational capacity to meet enhanced service needs and expanded project demands and develop long-term financing plan to fund necessary personnel”.
- Apply for Staffing for Adequate Fire and Emergency Response Grant (SAFER) to potentially fund the hiring of four (4) additional firefighter/paramedics.
- Apply for Assistance to Firefighters Grant (AFG)

**Grants/Medicaid Certified Public Expenditure (CPE) Program Awards**

The fire department has consistently worked to find alternative Federal and State sponsored funding sources to reduce tax related revenue required to subsidize our organization. In this year’s budget presentation, we are highlighting the fact that in Fiscal Year 2024 we received a total of \$113,872.00 in grant funds that resulted in direct financial savings to our residents. When combined with the past thirteen years we have successfully applied for and received 2.02 million dollars in Federal and State funding to hire full-time staff, conduct Fire Instructor and Fire Officer training, and purchase a variety of fire, EMS, communication, and Fire Prevention related equipment. In addition to the FY 24 grant awards, we applied for \$93,000.00 in supplemental ambulance revenue through the Medicaid CPE reimbursement program. These funds will be directed to the Ambulance Revenue account in CY2024. We are proud of our past achievements in these very competitive grant and reimbursement programs and look forward to continuing to search out, apply for, and obtain these alternate funding sources.

**Brewster Fire Federal and State Grant Fire/EMS Equipment Award Summary**

<b><u>Year</u></b>	<b><u>Equipment/Award</u></b>	<b><u>Amount</u></b>
AFG 2010	Communications Equipment (Radios, pagers, repeaters, Town 400 system)	\$355,000.00
AFG 2013	Personal Escape Devices/with training	\$43,000.00
AFG 2014	Personal Protective Equipment	\$55,000.00
AFG 2015	Communications Equipment (Portable and mobile radios)	\$353,000.00
SAFER 2016	Staffing (2 FF/Paramedics)	\$288,000.00
AFG 2017	Electric Stretchers/Loading Devices	\$190,000.00
AFG 2018	Cardiac Monitors	\$130,000.00
AFG 2018 Fire Prevention	Fire Safety Education Trailer	\$35,000.00
AFG 2019	Extrication Equipment	\$29,950.00
AFG 2019 COVID-S	COVID-19 Supplies/Reimbursement	\$53,115.00



2020 State Covid Grant	Mask Fit Test Machine/Facility Decontamination	\$23,150.00
2021 State Fire Equipment	Portable Radios	\$12,500.00
AFG 2020	Self-Contained Breathing Apparatus	\$178,000.00
AFG 2021	Fire Instructor and Fire Officer Training	\$152,674.00
2022 State Fire Equipment	Mobile Communication Equipment/Rescue Saws	\$18,460.00
AFG 2022	Pump/Ladder Operator/EVOC Training	\$91,579.00
2023 State Fire Equipment	Radio Software and Portable MIC Upgrades	\$12,943.00
<b>Total</b>		<b>\$2,021,871.00</b>

### **Strategic Planning Document**

Throughout FY 24 our members responsibly began to implement the goals and objectives contained in our five-year strategic plan. During the development of this plan all staff members invested an extensive amount of time creating a collaborative inventory of organizational strengths and weaknesses within a department that continues to evolve from a part-time combination type service to a full-time career organization. While we are currently working on several of these objectives the development and implementation has been slowed by staffing challenges, priority projects, and the loss of empowered personnel to other departments. We envision a continued application of several plan components in the coming fiscal year.

### **Staffing/Organizational Study**

During FY24 a Staffing and Organizational Study of the Brewster Fire/Rescue Department was conducted by Municipal Resources Inc, a Massachusetts based professional services company specializing in the review and study of public safety organizations. At the forefront of the thirty-nine recommendations in the study was the validation of our annual budget requests to increase staffing through the immediate hiring in FY25 of four additional full-time firefighters along with several additional hirings in subsequent years. This specific recommendation is centered on increased requests for service from an aging community, negative impacts to the health and wellness and morale of employees, reduced call members, a growing infrastructure, construction of new housing developments, high real estate costs, overlapping responses, and scarce year-round housing opportunities. The proposed hiring of additional firefighters also specifically complements Goal #3 in the Governance category of the Select Boards FY24-25 Strategic plan which states, "identify priority areas to increase organizational capacity to meet enhanced service needs and expanded project demands and develop long-term financing plan to fund necessary personnel". We look forward to partnering with the Select Board, Finance Committee, Administration, and our residents in a collaborative effort to implement the identified staffing increases, other short, medium, and long term structural and operational enhancements recommended by the consultant group, and the goals set by the Select Board in their FY24-25 strategic plan.

### **Estimated New Staffing Costs**

The following is an estimate of the funding required to hire, train, and outfit four new firefighter/paramedics in FY25 as recommended in the staffing study.

FY25 wage, pension, health, and Medicare cost \$109,651.12 x (4) \$438,604.48

PPE/Uniforms (\$6000 x 4 = \$24,000) physicals/background checks (\$2,000 x 4= \$8,000) Fire Academy training cost (\$7,000 x 4 =\$28,000). Total required funding \$60,000. Funding these ancillary obligations can be executed through the ambulance revenue account.





\*All wage/health/insurance/pension estimates received from Town Hall reflect FY25 known rates. Health care cost estimates are based on two (2) family and two (2) individual rate packages.

### **Alternate Funding Options**

We have discussed the application of the following alternate funding options with the Town Manager to finance the hiring of four (4) additional firefighters in FY25.

### **Staffing for Adequate Fire and Emergency Response (SAFER) Grant**

History has shown this organization to be economically considerate when presenting requests to hire additional full-time staff. Therefore, we support the current recommendation to hire full-time staff through this potential grant opportunity, new revenue streams, or the use of surplus budget funds. This upcoming FEMA SAFER Grant opportunity will be a three-year program that funds the salary, benefits, pension, and personal protective equipment costs for new employees. In direct connection with the outcome of the staffing study we are requesting approval to apply for four (4) new firefighter positions during the next grant cycle. Applying for a grant of this structure, scale, and significance is a valuable opportunity the Select Board and Town Manager should consider. An award of this grant would improve our current staffing deficiencies, meet the study's FY25 hiring recommendations, allow time to develop a financing plan to retain the employees in three years, and provide ample opportunity to plan for additional FY27 hirings as recommended in the study.

#### **SAFER Staffing Grant**

FEMA SAFER Grant opportunity is a three-year program that funds the salary, benefits, pension, and personal protective equipment costs for new employees for a three-year period. There is no Town match.

- FY 2025 -Estimated cost \$109,651.12 x (4) \$438,604.48
- FY 2026 -Estimated cost \$114,801.00 x (4) \$459,204.00
- FY 2027 -Estimated cost \$121,634.00 x (4) \$486,927.00

Potential three-year SAFER award in the amount of \$1,384,735.48 for four (4) new employees.

At the end of the three-year grant period the Town would be committed to fully funding the new employees. There are several options that may be used to acquire these funds including "banking" or setting aside a specific amount of excess funds in the wage budget over the three years of the grant, increased use of the ambulance revenue account, marijuana sales tax, override, or a mix of all three.

#### **Use of Marijuana Sales Tax/Ambulance Receipts**

The retail consumer and wholesale marijuana grow facilities permitted in Brewster are now operational. Use of this new revenue source to supplement the funding required to hire four (4) additional full-time staff members would be a valid and appropriate use of the proceeds. While it is understood that the income generated by the sales tax has not yet been determined



combining this revenue with ambulance revenue receipts and existing budget funds may put the Town in a position to supplement the hiring and/or retain the employees at the end of the three-year SAFER grant period with a reduced impact on annual taxes.

**Override**

Using the FY25 estimated cost of \$438,604.48 for four new employees, known FY2024 values, and the current median single-family home value of \$710,900.00 an override would equate to an approximate increase in the tax rate of almost 7 cents/\$1,000 or just under a \$50.00 increase to the median single family house annual tax bill. \*Information obtained from Assessors Office.

In this budget proposal we have included a comprehensive narrative encompassing a detailed summary of the department’s daily operations specifically designed to provide residents with an in-depth view of the daily tasks, responsibilities, schedule, training requirements, and response to EMS and fire emergencies performed by our personnel.

In closing, we would like to thank the Select Board, Finance Committee, and the residents of our great community for the unwavering and consistent support provided to our department over the past several years. It is this type of collaborative assistance that has allowed us to meet many of our identified operational goals and significantly enhance the level of emergency medical and fire services we deliver to our residents and visitors.

**Fire Department FY25 Requested Operating Budget**

**Line Item**

Uniforms/Clothing	\$34,000
Rep & Maint Apparatus/Amb	\$58,000
Admin/Office Supplies	\$13,000
Breathing Apparatus Maintenance	\$6,000
Hose Maintenance	\$6,000
Radio Maint	\$4,000
Tuition/Education/Promotional	\$23,000
Medical expense	\$4,000
Hardware	\$2,500
Dues/Subscriptions	\$2,000
Contracted services	\$23,850
EMS supplies	\$85,000 (\$5,000 increase)
Misc. Fire Equipment	\$7,000
General OPS	\$5,000
Computers	\$5,000
Building Maintenance	\$30,000
Lease Payments	\$205,000 (2 ambulances and rescue/pumper)
Utilities	\$50,000
Fire Academy Training	\$18,000 (\$12,000 increase)
B.C. Dispatch	\$92,000 (\$10,000 increase)
EMS Billing Services	<u>\$30,000</u>
Total	\$703,350.00



## **Line-Item Budget Narratives**

**Clothing Allowance/Uniforms** – This account is utilized to meet career firefighter contractual obligations for clothing allowances in the amount of \$23,000.00, the purchase of station uniforms and Class "A" uniforms, severe weather gear, and other miscellaneous clothing including boots, gloves, safety vests, and hats. It also includes costs associated with the purchase of cleaning solutions and maintenance of equipment (extractor/dryer) used to clean protective clothing (PPE) and station wear when clothing is contaminated during hazardous material, fire, and biological based incidents.

Total: \$34,000.00

**Repair & Maintain Ambulances/Apparatus/Equipment** - This account is utilized to perform all mandatory annual preventive maintenance and repairs on all extrication and specialized equipment, apparatus and auxiliary fire suppression vehicles including brush vehicles, boats, trailers, and Chief's vehicles. Annual mandatory ground and aerial ladder and pump tests and repairs are also funded herein. All parts, fluids, filters, and other ancillary items are funded through this account as are repairs to saws, generators, and hydraulic rescue tools. Emergency repairs and annual preventive maintenance to ambulances and other rescue equipment such as stretchers, defibrillators, suction units, pulse & blood pressure monitors and other portable EMS equipment is also funded through this line item.

Total: \$58,000.00

**Administrative/Licensing/Office Supplies & Equipment** – This account provides funding to purchase fire safety education material, fund annual ambulance inspection fees, drug licensing costs, preventive immunizations for all department personnel, costs associated with our sharp's disposal program and other miscellaneous EMS and fire-based support items.

Total: \$13,000.00

**Breathing Apparatus Maintenance** – This account is used to maintain and hydrostatically test (34) SCBA units and (68) spare bottles. Additionally, it funds all NFPA, and NIOSH mandated annual testing of the SCBA units, purchase and repair of individual face pieces and voice amplifiers and all other maintenance and repairs to our stock of SCBA units.

Total: \$6,000.00

**Hose Maintenance** – This account provides funding to conduct mandatory annual testing of all fire hose and minor repairs to same. The department owns approximately 15,000 feet of interior fire attack, brush, and water supply hose. The normal life span of all fire service hose is approximately 10 years dependent on use.

Total: \$6,000.00

**Radio Maintenance** – This account provides funding to maintain, repair, and replace all department radio and paging equipment as necessary. This equipment includes approximately (18) mobile radios, (6) mobile repeaters, (85) portable radios, (55) pagers, and the department base station. Also included in this line item is the maintenance and repair cost to maintain the department's repeater equipment and purchase intrinsically safe batteries for the individual portable radios.

Total: \$4,000.00



**Tuition/Education/Promotional Exams** – These funds are utilized to purchase fire department training materials, books, videos, and props for our probationary firefighter classes, in service fire training, technical rescue, dive, and water rescue training. They also provide the training committee with the ability to bring expert fire service instructors from outside the area into our facility to present classroom and hands-on training sessions to all department personnel. Included in this line item is funding for conference attendance, annual EMS training, mandatory Paramedic refresher, CPR, and mandated EMT-B refresher training and recertification expenses. Supplies for all in house monthly and special rescue training such as videos, books, and other training aids are also funded through this account.  
Total: \$23,000.00

**Medical Expense** – This account provides funding for background checks, physicals, and other testing required for new department personnel.  
Total: \$4,000.00

**Hardware** – This account provides funding for the purchase of general equipment and miscellaneous items such as nuts, bolts, mops, cleaning supplies, rope, and paint used for the daily repair and maintenance of equipment.  
Total: \$2,500.00

**Dues & Subscriptions** – The funding in this account is utilized to pay costs attributed to the purchase of books and publications and trade magazines that ensure department personnel remain cognizant of current fire service information, equipment requirements, training trends, and EMS based knowledge, skills, and abilities. This funding also covers the cost for department and Fire Prevention Officer and Chief Officer Affiliations with Cape, State, and National professional organizations.  
Total: \$2,000.00

**Contracted Professional/Technical Services** – Several annual contractual costs are included in this line item. These include a maintenance program for department paramedic monitors/defibrillators, stretchers, and automatic CPR devices. Contractual obligations for certifications, training documents, and annual fees to Cape & Islands EMS for medical services that include training certifications, EMS refresher programs, Paramedic refresher programs, regional assistance with State/Federal requirements, review of operational guidelines and procedures, quality control review of ems responses, and the mandated medical oversight of our ambulance service. Other contractual expenses within this line item include our annual maintenance and licensing fee for Image Trend, which is our computer reporting and software package, web-based fire and Ems training programs, Lexipol, and mobile software licenses.  
Total: \$23,850.00

**Medical Supplies** – The funding in this line item pays for all basic and advanced EMS equipment and supplies required to provide effective, State protocol-based ALS and BLS patient care and transport services. These items include but are not limited to; controlled narcotics, medications, IV equipment and supplies, oxygen, bandages, needles, backboards, splints, gloves, EKG monitor supplies, collars, straps, gauze, bandages, and a multitude of other items necessary for the delivery of EMS services. Due to continued escalating costs of medications and EMS supplies we are requesting an increase of \$5,000 in this year's budget. This increase will be funded through the ambulance revenue account.



Total: \$85,000.00

**Miscellaneous Fire Equipment** – This account provides funding to purchase new and replacement equipment such as brush fire tools, foam, nozzles, pike poles, ladders, PPE, and other miscellaneous fire suppression equipment not categorized as a Capital item.

Total: \$7,000.00

**General Operations** – This account provides support for general emergency medical and fire service equipment needs, incident rehabilitation equipment and supplies, mutual and automatic aid regional purchases, and funding support for regional county technical rescue and dive teams.

Total: \$5,000.00

**Computers** - Funding in this line item includes maintenance and annual updates to fire department incident reporting software, purchase of new computers, and other disposable items.

Total: \$5,000.00

**Station Maintenance** – This account funds all annual maintenance and testing mandates for fire detection and suppression systems, HVAC systems, diesel exhaust systems, wastewater removal and any repairs to fire headquarters infrastructure such as furnaces, hot water heaters, electrical components, plumbing, apparatus floor and doors, and all other required repairs and/or renovations.

Total: \$30,000.00

**Utilities** – In this budget we are allocating \$50,000 to cover our utility costs.

Total: \$50,000.00

**Fire Department Dispatch Services** -Barnstable County Sheriff's Communication Center FY2025 dispatch fee will be 91,574.41. This is a 9,238.53 increase over FY24. Per Director Tom Ashe this is due to an 11.3% increase in the Sheriff's cost to operate the center and the loss of Mashpee Wampanoag Tribe revenue. This fee is set at a per capita rate for all communities served by the regional center. It includes 911 PSAP services, dispatch and monitoring of all fire department communications, management of all fire department automatic and mutual aid requests, technical assistance, and install and repair of portable and mobile radios. Funding for this expense is provided through the Ambulance Revenue Fund.

Total: \$92,000.00

**Fire Academy Training**- These funds pay for hotel, mileage, meals and other miscellaneous expenses required to reimburse and/or compensate employees who attend the State Fire Academy in Stow or Bridgewater to obtain their Firefighter I/II certification.

Total: \$18,000.00

**EMS Billing Services**-This expenditure is utilized to pay the fees for the fire department's third-party ambulance billing service. The current request is for \$30,000 which will provide funding for the contractual payment of 2.50% of the projected total to be collected in FY25. Funding will be provided through the Ambulance Revenue Account.

Total: 30,000



**Squad 241 (Rescue/Pumper)**

This \$72,000 in funding will be used to support the eighth year of a ten-year annual lease payment for the purchase of the new rescue/pumper that has been certified as a Class V BLS medical services response unit. Funding will be provided through the Ambulance Revenue Account. The last payment on this lease is scheduled for FY27.

Total: \$72,000.00

**Ambulance Lease Payments**

Ambulance 244 was purchased in FY2020. Ambulance 243 was replaced in FY2022. Ambulance 242 was replaced in FY24. The requested 133,000 in funding will support FY25 ambulance lease payments. Financing is provided through the Ambulance Revenue Account. Here is a breakdown of the current schedule:

Ambulance	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>
242 (FY2024)	75,000	75,000	75,000	75,000	0
243 (FY2022)	58,000	58,000	0	95,000	95,000
244 (FY2020)	0	85,000	85,000	85,000	85,000

**FY25 Capital/Special Article Requests**

**Personal Protective Equipment**

Purchase new and/or replacement personal protective equipment and gear for fire, special operations, hazardous material, EMS, and rescue responses. Additionally, due to the extended age and condition of our water/ice rescue suits and recent repairs to this essential rescue equipment the capital article request includes funding in the amount of \$10,000 to replace our current suits. Based on recent experience, we are requesting the transfer from the current line-item PPE based account back into a multi-year article account due to the frequency, timing, and cost of purchasing and/or renting personal protective equipment. Being tied to mandatorily using allotted line-item funds during a specific fiscal budget year disrupts our ability to immediately outfit firefighters in this equipment. Funding will be provided by the ambulance account.

Total: \$50,000.00

**Ambulance Revenue Account Funding Request**

Capital	50,000.00
Overtime Supplement	155,000.00
Full-Time Employees (2)	219,302.00
Operating Budget	<u>703,350.00</u>
	1,127,652.00



## **Summary of Fire Department Daily Operations**

All members of the Brewster Fire Department have diverse emergency medical and fire suppression related responsibilities and duties that vary not only day-to-day, but sometimes minute-by-minute. This group of dedicated employees consists of a career staff divided as follows; 1 Chief of Department, 1 Deputy Fire Chief, 4 Shift/Group Captains, 16 shift firefighters, and 1 Fire Prevention Captain. The department is now a full-time "all hazards" response organization that prides itself on its ability to effectively prepare for and efficiently respond to a diverse variety of emergency medical and requests for assistance from the community.

In the calendar year 2023 the department responded to 3053 requests for service. In using our most current fiscal year (2023) response data to match annual budget timelines the Brewster Fire Department responded to (2,930) total incidents in FY23 which included (2284) emergency medical responses resulting in (1,523) transports to Cape Cod Hospital and (646) fire related responses. To provide an inside view of our daily operations and the various tasks required to be completed by our career staff we offer the following.

### **Daily Operations**

In addition to the emergency incident responses, the Brewster Fire Department serves the citizens of Brewster with numerous other services that require a significant use of career personnel daily. Examples of these services include, but are not limited to:

- Inspection services for renovations and sales of homes
- Consultation with developers and plan reviews of new homes, fire suppression and detection systems, and site plan reviews of proposed construction projects
- Emergency management operations
- Management of the regional Community Emergency Response Team (CERT)
- Management of the Towns Office of Emergency Management (OEM)
- State mandated quarterly inspections of schools and nursing homes.
- State mandated annual inspections.
- State mandated fire drills at all schools
- Walk-in blood pressure analysis
- Lock box installation and maintenance
- Conducting emergency preparedness training events for the community such as CPR classes, Citizen's Fire Academy, school fire safety education, and fire department open houses
- Managing sharps disposal program in partnership with Barnstable County
- Management of the Massachusetts Open Brush Burning Season Program
- Management and maintenance of Town owned Automated External Defibrillators
- Public relations requests, such as fire station tours

When personnel are not actively engaged in community support services or responding to emergency incidents, they are expected to be taking actions to prepare themselves and the organization for future responses. It is vitally important to recognize that most, if not all the daily activities and operations of the department described herein are accomplished by on-duty or recalled to duty career staff.





The Town of Brewster currently owns millions of dollars' worth of sophisticated emergency equipment including three advanced life support ambulances, numerous fire apparatus, all-terrain vehicles, boats, automatic CPR devices, cardiac monitors, and self-contained breathing apparatus. Since the organization is called upon over three thousand times per year to respond to emergency incidents that could potentially jeopardize the lives and well-being of the citizens of Brewster, this equipment must be maintained daily to ensure its readiness.

Vehicle maintenance is an important aspect of the daily routine and a critical component of maintaining a high level of response capability. Each of our vehicles is checked regularly for operational readiness. This regular check includes checking vehicle fluids such as oil and transmission fluid, checking that all lights are in working order, the air brake function test, and ensuring proper general operation of the vehicle. For example, a general operations check involves running the pump on an engine, or the aerial ladder on the ladder truck to make certain they will function in an emergency. Ambulances and the equipment within are systematically disinfected, function checks completed, and medication inventories undertaken daily. Because of the high potential for simultaneous or overlapping calls all vehicles must be thoroughly checked and readily available. Any found deficiencies and/or maintenance issues are logged and submitted to the Deputy Chiefs office for repair.

Aside from training in and maintaining the equipment and vehicles, the members of the Brewster Fire Department also maintain the station itself. This involves cleaning and maintaining all areas of the building. Cleaning, which occurs daily, involves vacuuming, scrubbing toilets, mopping floors, washing windows and mirrors, taking out garbage, washing dishes, laundry, and dusting. In fact, the fire department is the only department that cleans their own building. Small maintenance issues are sometimes handled by on-duty staff as well, such as minor plumbing and electrical repairs such as changing light bulbs.

### **Response to Fire Based Incidents**

Of the (646) fire related incidents the department responded to in FY23 (47) were for actual fires including (17) building fires. Total property loss from these building fires was \$345,000.00 Strong fire prevention programs nationwide continue to reduce the risk of building fires. This proactive approach has been extremely successful in saving lives and property. Because of this proactive approach the role of not only the Brewster Fire Department, but the fire service is changing. Today, the Brewster Fire Department is responding to less building fires but more false alarms, carbon monoxide alarms, water rescues, service calls, heating and cooking appliance problems, and mechanical and electrical problems than in years past. The fact that the number of building fires has decreased is a testament to the hard work of the fire department's Fire Prevention Office. However, despite this reduction in structure fires the risk remains. Brewster Fire Department's members must consistently maintain their state of readiness to ensure a rapid and effective response to any type of emergency incident. The department is truly a "multi-Hazard" public safety agency.

In addition to fire related events, the Brewster Fire Department responds to other rescue related emergencies, many of which require extensive staffing to mitigate such an event. These types of situations can become extremely complex and require a significant number of personnel to mitigate effectively and safely. For example, in the event of a motor vehicle crash (44 in FY2023), there are often multiple patients to be treated and transported to the hospital. Rescue tools commonly known as the "jaws of life" may be required to extricate patients from





vehicles. Hazardous materials may be present as well as power lines from broken poles, and other safety factors such as potential fires are a constant threat.

Other incident types that require intensive staffing include, but are not limited to:

- Ice and water rescues
- Missing persons searches
- Elevator entrapments
- Activated alarms/suppression system activations.
- Hazardous materials incidents
- Brush fires
- Fuel spills
- Propane and natural gas leaks
- Severe weather/storm related incidents

### **Training**

To ensure competency and to meet National and State fire service training standards our full-time members are contractually obligated to conduct daily training sessions covering a wide range of specific operational skill sets. During the recent COVID epidemic we purchased a web-based training program providing our employees the ability to maintain their emergency medical certifications and obtain fire-based training from work or while off-duty. The system has also given department administrators the ability to assign specific monthly training evolutions to individual firefighters or to any one of the four full-time shifts. In addition to the above we have partnered with our neighboring fire departments to bring nationally recognized fire experts to the region for classroom-based instruction. During calendar year 2023 we sent firefighters to Firehouse Expo in Ohio, New England Fire Chiefs Conference, hosted forcible entry training, completed in-house pump operator training for seven new members, sent new hires through the State Fire Academy ten-week career firefighter training program, conducted hands-on fire suppression training in partnership with the Barnstable County Fire Academy, administered fireground decision making and leadership programs, and completed nationally certified Fire Instructor and Fire Officer training for department members.

### **Incident Reporting**

Every incident we respond to regardless of type must be documented in Image Trend, the department's computer reporting software. This information is then processed through the National Fire Incident Reporting System, where each response is evaluated, and statistics gathered to identify current trends across our Nations fire service. Firefighters and officers alike are equally responsible for the thorough and accurate documentation of these incidents. The collection of this data is also mandated by the Commonwealth of Massachusetts, and it is a vital component of the numerous grant awards that we have successfully secured over the past several years.

### **Emergency Medical Services**

The bulk of the fire department's responses involve requests for emergency medical services. These runs vary in nature and urgency and range from non-life-threatening calls for first aid to patients that are critically ill that involve trauma, difficulty breathing, chest pain, and cardiac arrest. Because EMS requirements and regulations are continually evolving to meet the demands of society, the dual trained emergency medical technicians (EMTs) and paramedics of



the Brewster Fire Department are continually training to learn new life saving techniques and procedures while simultaneously remaining competent in the use of the equipment that is currently carried on the ambulances.

Every year the Massachusetts Department of Public Health reviews and makes changes in the regulations governing emergency medical providers. These regulations dictate the types of procedures that can and will be performed and under which circumstances they can be performed by EMTs and paramedics in the pre-hospital environment. In the last several years, an emphasis has been placed on greater autonomy of providers which results in additional training requirements. In the past, every procedure performed would be under the direction of a physician in the emergency center. Today, paramedics are responsible to perform the following interventions prior to seeking guidance from emergency center physicians:

- Intravenous access and administration of IV fluids
- Intraosseous (needle inserted into a leg or arm bone) access and administration of fluids and medications.
- Advanced cardiac monitoring (ECG)
- Electrical cardiac therapies such as defibrillation, cardioversion, pacing
- Administration of over thirty types of medication including Schedule II type narcotics such as morphine and fentanyl
- Oxygen administration
- Advanced airway procedures such as endotracheal intubation and needle cricothyrotomy (tubes placed in throat or neck to assist with breathing)
- Needle chest decompression (needle placed into chest to relieve trapped air)
- Continuous positive airway pressure (CPAP) to assist breathing.
- Nebulizer or updraft breathing treatments.
- Blood glucose analysis
- Assess and treat injured K9's.

Because of the frequent updates to EMS protocols, the EMTs and paramedics must continuously train to stay proficient in these skills. Every two years, both EMTs and paramedics are required by state and national regulations to recertify as an emergency medical service provider. Recertification requires that an EMT or paramedic obtain a minimum number of continuing education hours (48 for a paramedic, 40 for an EMT). These hours are completed through monthly EMS training, which is held at the Brewster Fire Department, Cape and Islands EMS, and via state sanctioned refresher courses. Cape and Islands paramedics are also required to complete several hours per recertification period of morbidity and mortality (M & M) rounds at a nearby hospital or via zoom to maintain their authorization to practice. Ultimately, a paramedic or EMT will participate in hundreds of hours of continuing education during a two-year certification period. To ensure all required training is completed, State protocols followed, medical supplies maintained, and ambulance and medication licenses kept current one of our full-time paramedics serves as the department's Emergency Medical Officer. This individual is assigned to one of the four groups or shifts of full-time career staff and completes the required duties during work hours and other regulated overtime hours. This is a position that requires a significant amount of work to ensure our main area of operational response is functioning as required. Future requests for additional staff will include making this position a full-time day assignment to allow the individual to assist with daytime responses and complete the numerous tasks essential to the position.



An example of an EMS incident is as follows; a patient calls 911 because they are having chest pain. The dispatcher receives the call and dispatches an ambulance to the incident address. The Brewster Fire Department will send three EMS providers on the ambulance to mitigate the incident. They arrive and immediately begin to assess the patient. This includes obtaining vital signs, lung sounds, and cardiac monitor tracings. Another EMT or paramedic on scene will speak to family to get pertinent information such as name, birthday, medications the patient is taking, and past medical history, which is all pertinent to the treatment of the patient. This treatment usually begins at the patient's side, which could possibly include the administration of oxygen or other medications. The patient is then extricated, or removed, from the residence by a stretcher or special chair (called a "stair chair") that allows EMS providers to safely carry a patient down a set of stairs or through the small hallways and rooms within many of Brewster's residences.

During transport to the hospital, the ambulance staff will begin advanced care as necessary and may request specialized teams such as cardiac specialists, surgeons, and neurology consultation. They may also receive further online direction from the hospital concerning patient care. This process ensures the patient promptly receives the required pre-hospital life-saving care as ordered by a doctor. In the case of a patient with chest pain, who may be having a heart attack, the paramedic might request a "Cath lab activation," which allows the hospital to proactively prepare the staff and equipment required to open any blocked artery a patient may have in a surgical environment immediately upon arrival at the hospital. Upon delivery, patient care is transferred to the nurses and doctors in the emergency department. While at the hospital the EMS crew is tasked with putting the ambulance back into service as best as possible including the decontamination of the interior, disposal of medical waste, and restocking of equipment while the paramedic in charge completes the required patient documentation and transfer to the nursing staff.

In addition to the fire-based documentation required for each incident a patient care report (PCR) is also required for each medical response. This report must be completed prior to leaving the hospital where it is printed and given to hospital staff upon transfer of care. This PCR serves as a legal account of patient care and remains with the patient's medical records. The PCR also serves as a means for the department to bill the patient or the patient's insurance company, which helps recoup some of the cost of providing emergency medical services. The Brewster Fire Department employs Comstar as its third-party EMS billing service. Through the fire department's Image Trend and Nemsis software programs, the bills are automatically submitted for fast, efficient billing and collection of revenues.

After the ambulance leaves the hospital, the crew returns to the fire station to restock whatever equipment might have been used during the response. They also wash and refuel the ambulance in preparation for the next request for service. The entire process of responding to, assessing, packaging, and transporting a patient can take upwards of two hours, sometimes more depending on circumstances. It also causes the ambulance crew of three or more personnel to be unavailable for additional responses during this period which in turn results in the recall of personnel for station coverage.

Often, without the well-trained and highly skilled staff of the Brewster Fire Department, many patients would not survive a medical emergency of this type. In fact, several times per year the



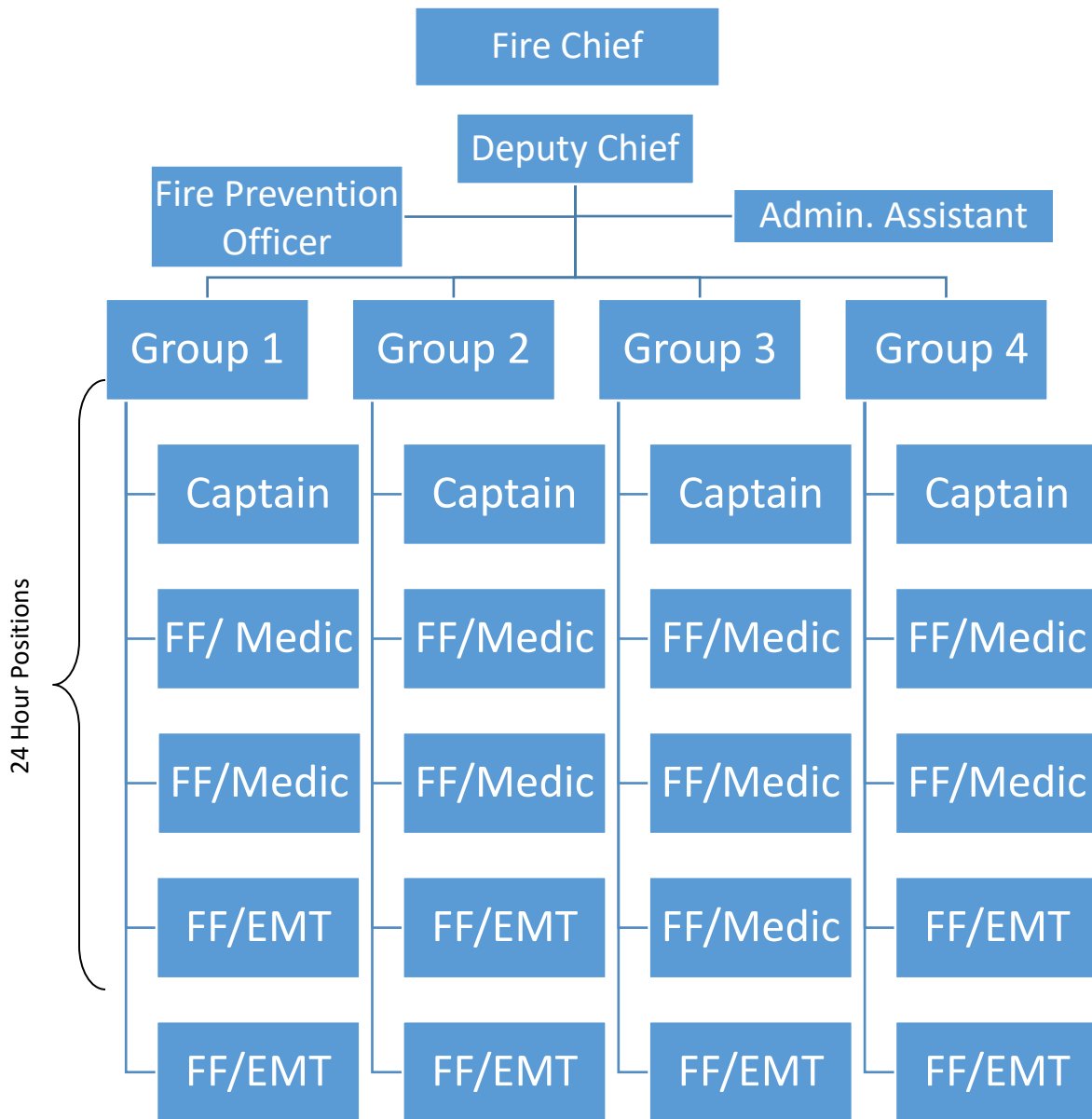
department is dispatched to a cardiac arrest where a patient has died, and the staff members are able to “restart” the individual’s heart using a variety of equipment and medications and deliver the patient to the hospital breathing and with a pulse.

### **Conclusion**

The Brewster Fire Department is a multi-functional all hazards emergency service organization that utilizes our dual certified and trained fire and EMS staff members in an efficient and effective manner to provide high quality, professional service to our residents. We stand as the community’s first line of defense against fires, emergency medical incidents, natural disasters, terrorism, hazardous material, and technical rescue responses. Over the years we have built a relationship with our community that focuses on the valued delivery of exceptional fire related services, superior public interaction, outstanding patient care, and definitive efficiency. With the continued support of our residents our staff members pledge to continue to maintain the highest levels of operational readiness and service delivery to our community.

# Brewster Fire Department

## Organizational Chart (January 2024)



- Three Captains are certified paramedics and one is an EMT.

## Incident Type Report (Summary)

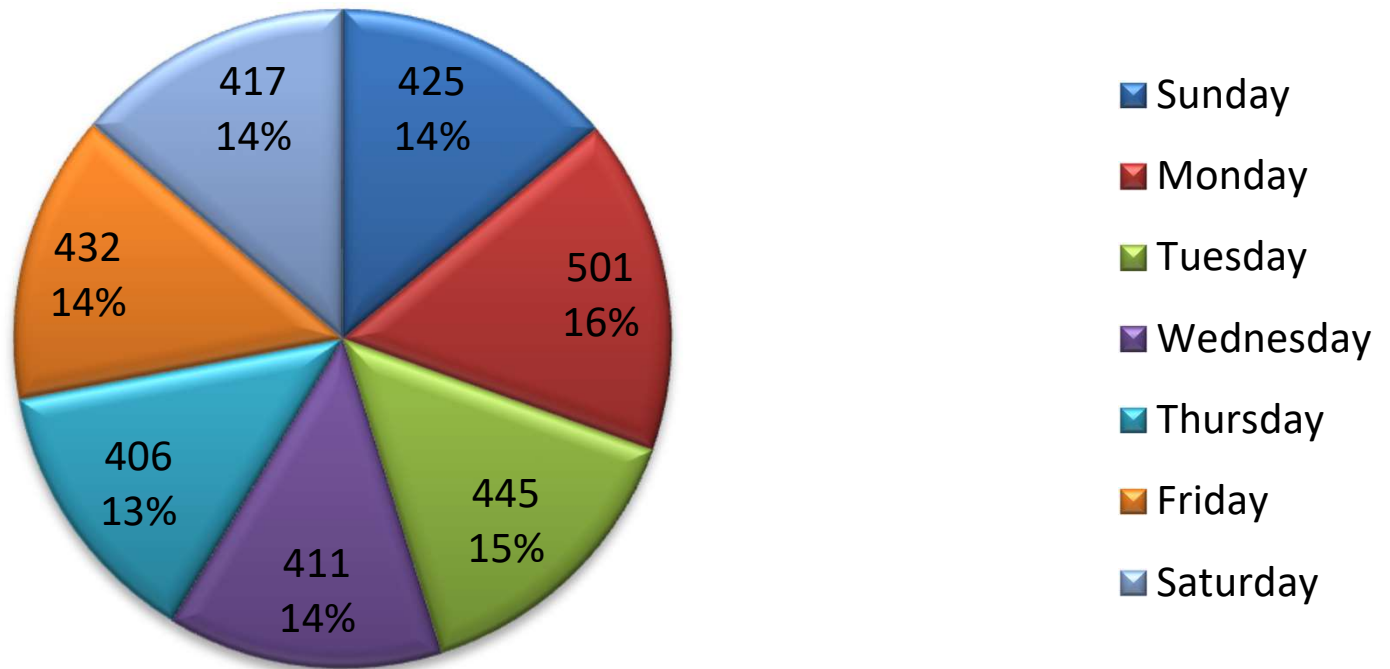
Basic Incident Type Code And Description (FD1.21)	Total Incidents	Total Incidents Percent of Incidents	Total Property Loss	Total Content Loss	Total Loss	Total Loss Percent of Total
<b>Incident Type Category (FD1.21): 1 - Fire</b>						
100 - Fire, other	7	0.24%	5000.00		5000.00	1.27%
111 - Building fire	17	0.58%	205000.00	140000.00	345000.00	87.45%
112 - Fires in structure other than in a building	1	0.03%				
113 - Cooking fire, confined to container	3	0.10%	0.00	500.00	500.00	0.13%
114 - Chimney or flue fire, confined to chimney or flue	3	0.10%				
116 - Fuel burner/boiler malfunction, fire confined	2	0.07%				
118 - Trash or rubbish fire, contained	1	0.03%				
122 - Fire in motor home, camper, recreational vehicle	1	0.03%	2000.00	0.00	2000.00	0.51%
131 - Passenger vehicle fire	4	0.14%	21000.00	21000.00	42000.00	10.65%
141 - Forest, woods or wildland fire	1	0.03%	0.00	0.00	0.00	0.00%
142 - Brush or brush-and-grass mixture fire	3	0.10%	0.00	0.00	0.00	0.00%
150 - Outside rubbish fire, other	1	0.03%	0.00	0.00	0.00	0.00%
151 - Outside rubbish, trash or waste fire	1	0.03%				
153 - Construction or demolition landfill fire	1	0.03%				
154 - Dumpster or other outside trash receptacle fire	1	0.03%				
	<b>Total: 47</b>	<b>Total: 1.60%</b>	<b>Total: 233000.00</b>	<b>Total: 161500.00</b>	<b>Total: 394500.00</b>	<b>Total: 100.00%</b>
<b>Incident Type Category (FD1.21): 3 - Rescue &amp; Emergency Medical Service Incident</b>						
300 - Rescue, EMS incident, other	173	5.90%				
311 - Medical assist, assist EMS crew	14	0.48%				
320 - Emergency medical service, other	236	8.05%				
321 - EMS call, excluding vehicle accident with injury	1,800	61.43%				
322 - Motor vehicle accident with injuries	23	0.78%				
323 - Motor vehicle/pedestrian accident (MV Ped)	2	0.07%				
324 - Motor vehicle accident with no injuries.	17	0.58%				
331 - Lock-in (if lock out , use 511 )	1	0.03%				
340 - Search for lost person, other	1	0.03%				
341 - Search for person on land	3	0.10%				
342 - Search for person in water	3	0.10%				
353 - Removal of victim(s) from stalled elevator	2	0.07%				
360 - Water & ice-related rescue, other	3	0.10%				
364 - Surf rescue	1	0.03%				
365 - Watercraft rescue	2	0.07%				
381 - Rescue or EMS standby	3	0.10%				
	<b>Total: 2,284</b>	<b>Total: 77.95%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
<b>Incident Type Category (FD1.21): 4 - Hazardous Condition (No Fire)</b>						
400 - Hazardous condition, other	6	0.20%				
410 - Combustible/flammable gas/liquid condition, other	1	0.03%				
411 - Gasoline or other flammable liquid spill	2	0.07%				
412 - Gas leak (natural gas or LPG)	9	0.31%				
422 - Chemical spill or leak	1	0.03%				
424 - Carbon monoxide incident	6	0.20%				

Basic Incident Type Code And Description (FD1.21)	Total Incidents	Total Incidents Percent of Incidents	Total Property Loss	Total Content Loss	Total Loss	Total Loss Percent of Total
440 - Electrical wiring/equipment problem, other	8	0.27%				
444 - Power line down	20	0.68%				
445 - Arcing, shorted electrical equipment	3	0.10%				
460 - Accident, potential accident, other	1	0.03%				
463 - Vehicle accident, general cleanup	1	0.03%				
<b>Total: 58</b>		<b>Total: 1.98%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
<b>Incident Type Category (FD1.21): 5 - Service Call</b>						
500 - Service call, other	46	1.57%				
511 - Lock-out	7	0.24%				
512 - Ring or jewelry removal	3	0.10%				
520 - Water problem, other	5	0.17%				
522 - Water or steam leak	7	0.24%				
531 - Smoke or odor removal	9	0.31%				
542 - Animal rescue	1	0.03%				
550 - Public service assistance, other	15	0.51%				
551 - Assist police or other governmental agency	5	0.17%				
552 - Police matter	1	0.03%				
553 - Public service	15	0.51%				
554 - Assist invalid	2	0.07%				
561 - Unauthorized burning	4	0.14%				
571 - Cover assignment, standby, moveup	10	0.34%				
<b>Total: 130</b>		<b>Total: 4.44%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
<b>Incident Type Category (FD1.21): 6 - Good Intent Call</b>						
600 - Good intent call, other	28	0.96%				
611 - Dispatched and cancelled en route	31	1.06%				
631 - Authorized controlled burning	3	0.10%				
650 - Steam, other gas mistaken for smoke, other	1	0.03%				
651 - Smoke scare, odor of smoke	7	0.24%				
652 - Steam, vapor, fog or dust thought to be smoke	1	0.03%				
653 - Smoke from barbecue, tar kettle	1	0.03%				
661 - EMS call, party transported by non-fire agency	1	0.03%				
<b>Total: 73</b>		<b>Total: 2.49%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
<b>Incident Type Category (FD1.21): 7 - False Alarm &amp; False Call</b>						
700 - False alarm or false call, other	26	0.89%				
710 - Malicious, mischievous false call, other	3	0.10%				
714 - Central station, malicious false alarm	39	1.33%				
715 - Local alarm system, malicious false alarm	41	1.40%				
730 - System malfunction, other	12	0.41%				
733 - Smoke detector activation due to malfunction	31	1.06%				
734 - Heat detector activation due to malfunction	1	0.03%				
735 - Alarm system sounded due to malfunction	31	1.06%				
736 - CO detector activation due to malfunction	14	0.48%				
740 - Unintentional transmission of alarm, other	13	0.44%				
743 - Smoke detector activation, no fire -	13	0.44%				

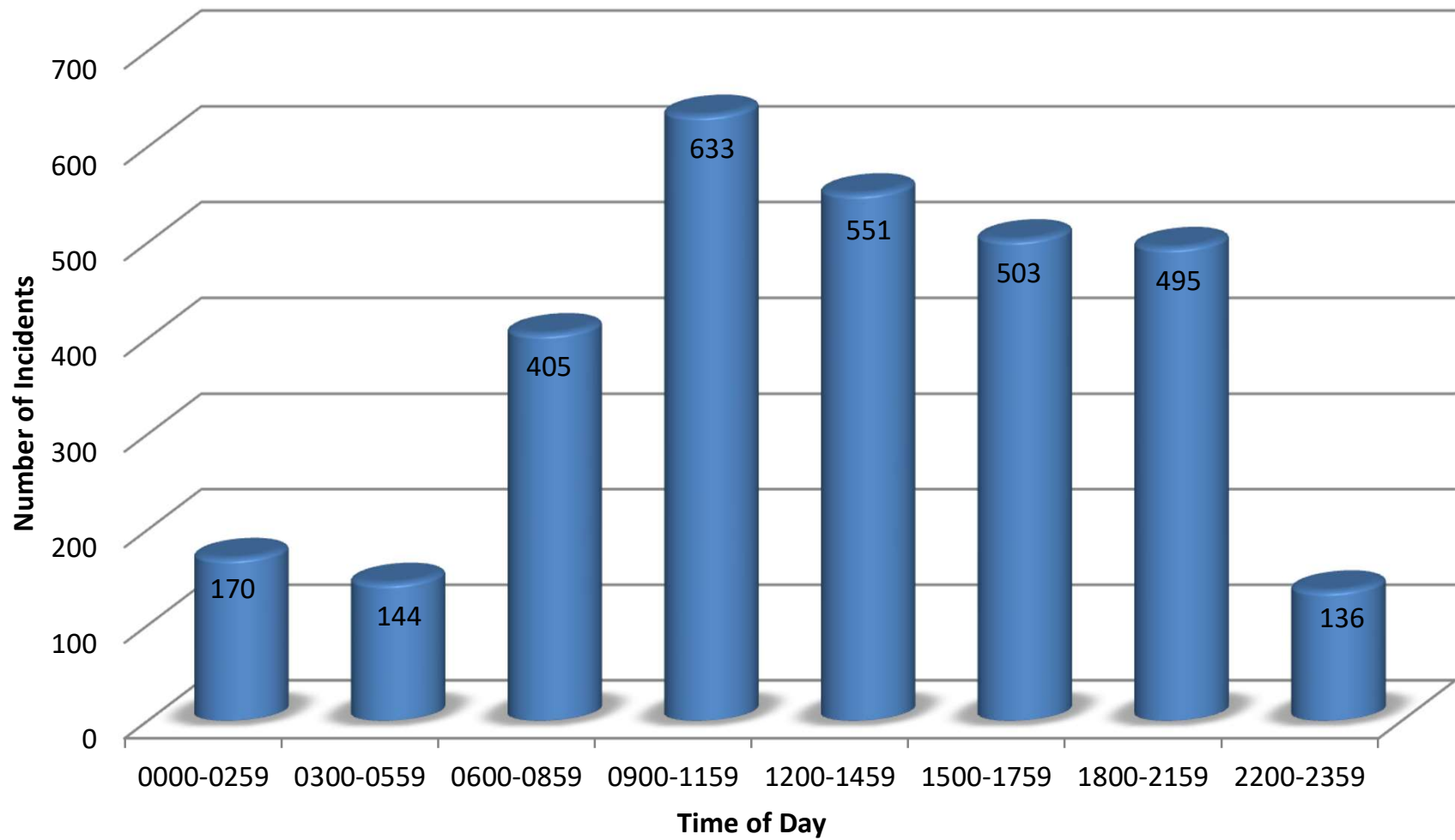
Basic Incident Type Code And Description (FD1.21)	Total Incidents	Total Incidents Percent of Incidents	Total Property Loss	Total Content Loss	Total Loss	Total Loss Percent of Total
unintentional						
744 - Detector activation, no fire - unintentional	4	0.14%				
745 - Alarm system activation, no fire - unintentional	93	3.17%				
746 - Carbon monoxide detector activation, no CO	7	0.24%				
	<b>Total: 328</b>	<b>Total: 11.19%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
<b>Incident Type Category (FD1.21): 8 - Severe Weather &amp; Natural Disaster</b>						
812 - Flood assessment	2	0.07%				
	<b>Total: 2</b>	<b>Total: 0.07%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
<b>Incident Type Category (FD1.21): 9 - Special Incident Type</b>						
900 - Special type of incident, other	4	0.14%				
911 - Citizen complaint	4	0.14%				
	<b>Total: 8</b>	<b>Total: 0.27%</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00</b>	<b>Total: 0.00%</b>
	<b>Total: 2,930</b>	<b>Total: 100.00%</b>	<b>Total: 233000.00</b>	<b>Total: 161500.00</b>	<b>Total: 394500.00</b>	<b>Total: 100.00%</b>



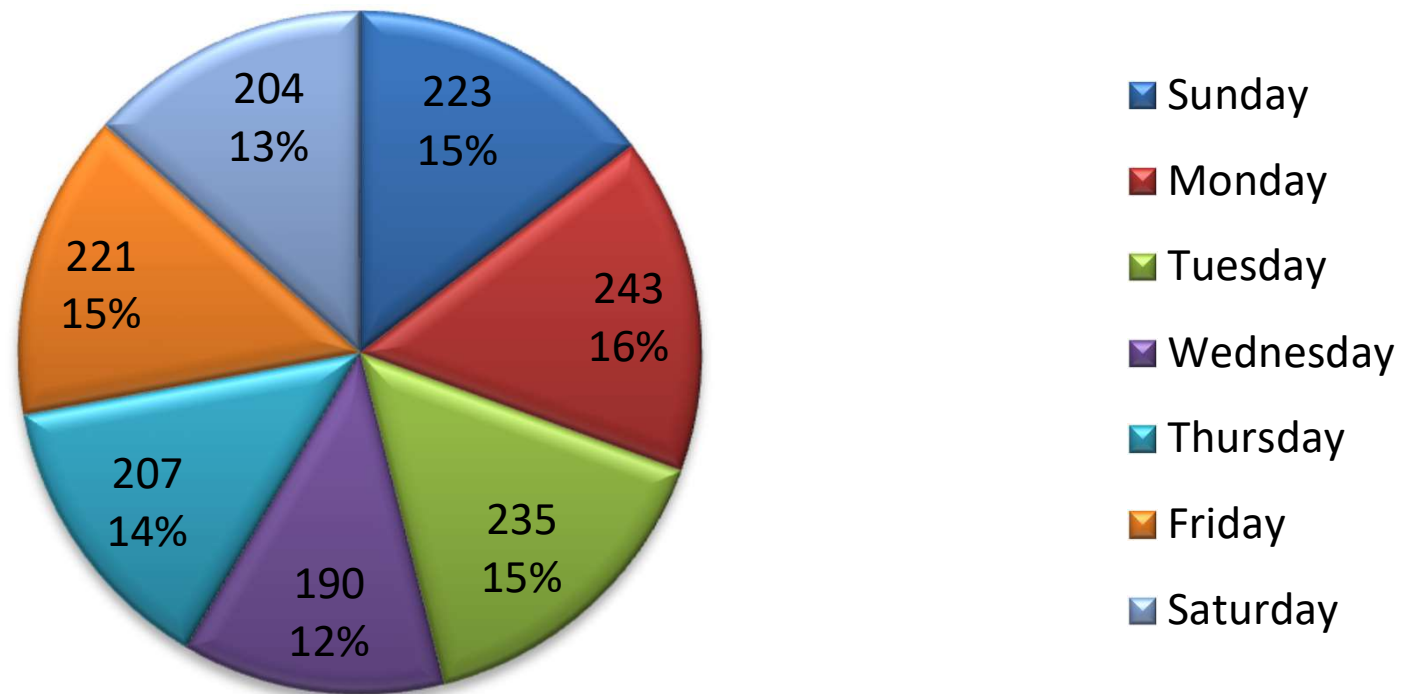
# FY2023 Total Incident Occurrence by Day of the Week



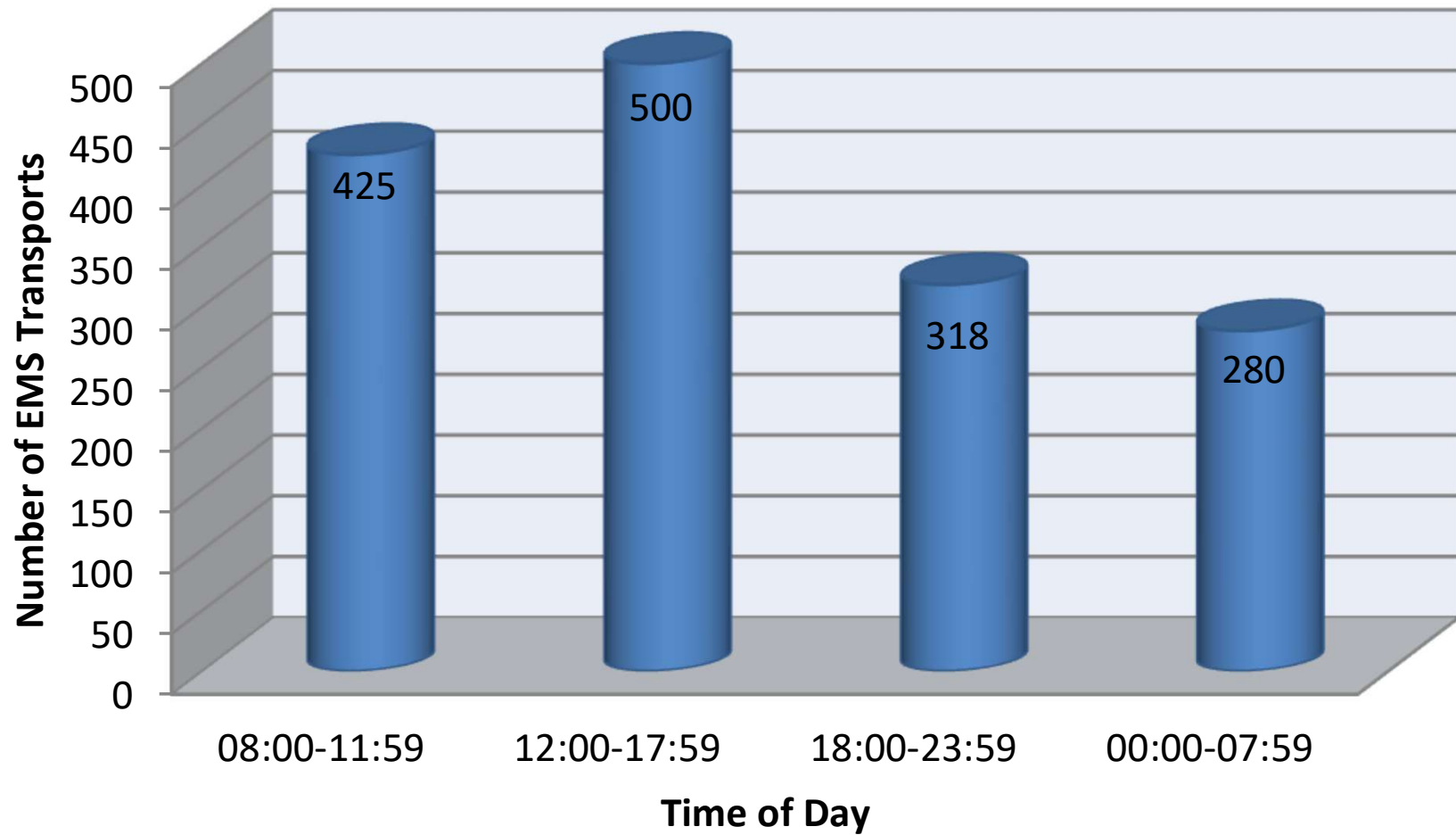
## FY2023 Total Incident Occurrence by Time of Day



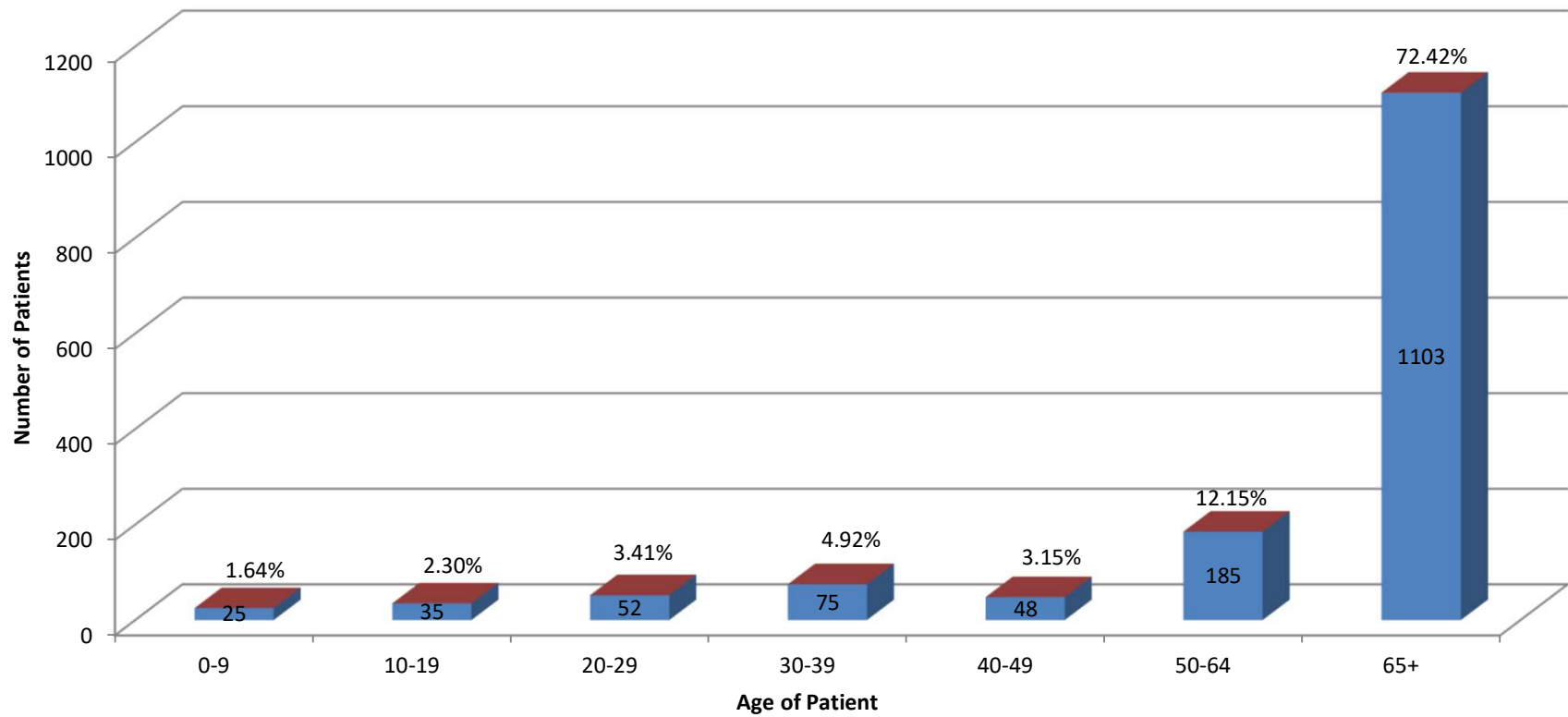
# FY2023 Distribution of EMS Transports by Day of the Week



# FY2023 Distribution of EMS Transports by Time of the Day



## Age of Patients Transported by the Brewster Fire Department in FY2023





Ambulance Billing & Collection Service

## Monthly Statistics For Brewster

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	FY 2023 - YTD	
	# Trips	% of Ttl
<b>Transports:</b>		
Residents (02631)	1,274	84%
Non-Residents	249	16%
Total	1,523	100%
<b>Level of Service:</b>		
ALS 1	1,137	75%
ALS 2	20	1%
NT/RA	33	2%
BLS	333	22%
Total	1,523	100%
<b>Hospitals Used:</b>		
Cape Cod	1,519	100%
Falmouth	0	0%
Tobey	0	0%
Jordan	0	0%
Other	4	0%
Total	1,523	100%
<b>Type of Call:</b>		
Medical	1,500	98%
Motor Vehicle	21	1%
Other Trauma	2	0%
Total	1,523	100%
<b>Trips by Day of Week:</b>		
Sunday	223	15%
Monday	243	16%
Tuesday	235	15%
Wednesday	190	12%
Thursday	207	14%
Friday	221	15%
Saturday	204	13%
Total	1,523	100%
<b>Gender</b>		
Male	629	41%
Female	894	59%
Unknown	0	0%
Total	1,523	100%
<b>Age Group</b>		
0-9	25	2%
10-19	35	2%
20-29	52	3%
30-39	75	5%
40-49	48	3%
50-64	185	12%
65+	1,103	72%
Total	1,523	100%
<b>Time of Day</b>		
08:00-11:59	425	28%
12:00-17:59	500	33%
18:00-23:59	318	21%
00:00-07:59	280	18%
Total	1,523	100%

**ACTIVITY TRACKING REPORT**  
**BY PAYOR GROUPS**

Company IS TOWN OF BREWSTER; AND Trip Date IS BETWEEN 07/01/2022 AND 06/30/2023; AND Show All

1/3/2024

1

**TOWN OF BREWSTER**

	Total Transports	Total Charges	Total Allowable	Total Collected	Percent Collected	% of Revenue
<b>Blue Cross</b>	82	\$188,647.99	\$81,592.46	\$81,226.91	99.55%	7.98%
<b>Medicaid</b>	169	\$376,780.97	\$73,017.23	\$72,036.23	98.66%	7.08%
<b>Medicare</b>	1,100	\$2,535,246.47	\$675,183.29	\$662,815.64	98.17%	65.14%
<b>Other Insurance</b>	107	\$251,841.59	\$230,450.77	\$173,155.17	75.14%	17.02%
<b>Sub Total &gt;</b>	<b>1,458</b>	<b>3,352,517.02</b>	<b>\$1,060,243.75</b>	<b>\$989,233.95</b>	<b>93.30%</b>	<b>97.22%</b>
<b>Veterans Administration</b>	4	\$9,263.00	\$9,263.00	\$9,263.00	100.00%	0.91%
<b>Sub Total &gt;</b>	<b>4</b>	<b>\$9,263.00</b>	<b>\$9,263.00</b>	<b>\$9,263.00</b>	<b>100.00%</b>	<b>0.91%</b>
<b>100% Self Pay - Insured</b>	32	\$74,442.00	\$68,746.19	\$18,240.95	26.53%	1.79%
<b>100% Self Pay - Uninsured</b>	28	\$61,906.98	\$61,906.98	\$800.00	1.29%	0.08%
<b>Sub Total &gt;</b>	<b>60</b>	<b>\$136,348.98</b>	<b>\$130,653.17</b>	<b>\$19,040.95</b>	<b>14.57%</b>	<b>1.87%</b>
<b>Grand Total &gt;</b>	<b>1,522</b>	<b>\$3,498,129.00</b>	<b>\$1,200,159.92</b>	<b>\$1,017,537.90</b>	<b>84.78%</b>	

**Brewster Fire Dept**

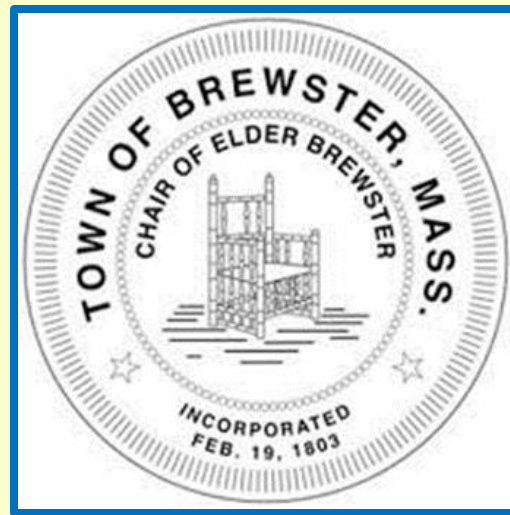
Ambulance Billing Account Reconciliation Report  
FY 2023

Prepared By: Comstar

7/17/2023

Month Ended:	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	YTD
<b>Beginning Balance</b>	<b>\$313,945.42</b>	<b>\$461,867.86</b>	<b>\$408,953.91</b>	<b>\$443,035.85</b>	<b>\$391,451.86</b>	<b>\$358,284.16</b>	<b>\$402,026.26</b>	<b>\$308,229.78</b>	<b>\$235,269.43</b>	<b>\$255,788.81</b>	<b>\$240,221.31</b>	<b>\$242,728.78</b>	<b>\$313,945.42</b>
Gross Commitments	\$459,599.54	\$287,216.00	\$395,822.39	\$254,030.20	\$261,893.99	\$347,551.00	\$229,609.58	\$197,270.99	\$296,717.55	\$247,374.19	\$252,296.17	\$263,899.60	\$3,493,281.20
Contractual Allowances	\$191,234.84	\$247,890.17	\$241,163.28	\$214,016.34	\$186,714.28	\$189,838.03	\$219,816.91	\$144,251.71	\$161,802.63	\$184,905.60	\$157,497.93	\$154,525.40	\$2,293,657.12
<b>Net Commitments</b>	<b>\$268,364.70</b>	<b>\$39,325.83</b>	<b>\$154,659.11</b>	<b>\$40,013.86</b>	<b>\$75,179.71</b>	<b>\$157,712.97</b>	<b>\$9,792.67</b>	<b>\$53,019.28</b>	<b>\$134,914.92</b>	<b>\$62,468.59</b>	<b>\$94,798.24</b>	<b>\$109,374.20</b>	<b>\$1,199,624.08</b>
Payments Rcvd By Comstar	\$25,209.59	\$15,643.87	\$19,994.73	\$16,690.59	\$20,264.63	\$29,179.00	\$13,759.67	\$19,581.54	\$15,830.20	\$12,133.58	\$11,955.35	\$9,750.21	\$209,992.96
Payments Rcvd By Client	\$80,917.45	\$76,716.25	\$99,628.54	\$73,055.31	\$57,431.94	\$68,545.46	\$70,374.58	\$62,629.64	\$64,963.93	\$47,711.19	\$70,786.42	\$30,654.06	\$803,414.77
Reimbursements / Retractions	\$713.45	\$120.34	\$1,647.49	\$610.05	\$604.01	\$732.57	\$177.02	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,604.93
<b>Net PMT Applied</b>	<b>\$105,413.59</b>	<b>\$92,239.78</b>	<b>\$117,975.78</b>	<b>\$89,135.85</b>	<b>\$77,092.56</b>	<b>\$96,991.89</b>	<b>\$83,957.23</b>	<b>\$82,211.18</b>	<b>\$80,794.13</b>	<b>\$59,844.77</b>	<b>\$82,741.77</b>	<b>\$40,404.27</b>	<b>\$1,008,802.80</b>
Write-Offs	\$15,028.67	\$0.00	\$2,601.39	\$2,462.00	\$31,254.85	\$16,978.98	\$19,631.92	\$43,768.45	\$33,601.41	\$18,191.32	\$9,549.00	\$8,418.31	\$201,486.30
<b>Ending Balance</b>	<b>\$461,867.86</b>	<b>\$408,953.91</b>	<b>\$443,035.85</b>	<b>\$391,451.86</b>	<b>\$358,284.16</b>	<b>\$402,026.26</b>	<b>\$308,229.78</b>	<b>\$235,269.43</b>	<b>\$255,788.81</b>	<b>\$240,221.31</b>	<b>\$242,728.78</b>	<b>\$303,280.40</b>	<b>\$303,280.40</b>





# BREWSTER MASSACHUSETTS FIRE DEPARTMENT STAFFING ANALYSIS



# MUNICIPAL RESOURCES, INC. (MRI)

Engaged to:

- Review the manner in which fire department and emergency medical services are provided and evaluate overall operations.
- Evaluate the fire department's organizational structure, administration, and management.
- Evaluate the department's staffing.
- Provide recommendations for improvement.





## **Our Goal:**

*To create a report that becomes a useful guide and a resource that shapes a vision for the success of the organization as it approaches the challenges and transitions of the future.*



# Dust Collector or Useful Tool? What are the Outcomes?

This analysis provides the organization and the community with 39 recommendations.

A plan to guide you moving forward.



**In reality the outcome is up to you.**

# METHODOLOGY

- Interviews with numerous stakeholders.
- Review and analysis of data and documents.
- Review and evaluation of fire department operations and management.
- Evaluating on-site operations, facilities, and resources.
- 13 major project elements involved.



# METHODOLOGY

- All recommendations for improvements are based on various administrative regulations promulgated at the federal and state levels, and nationally accepted consensus standards developed by:
  - ❖ ISO (Insurance Services Office)
  - ❖ NFPA (National Fire Protection Association)
  - ❖ CFAI (Commission on Fire Accreditation International)
  - ❖ CAAS (Commission on Accreditation of Ambulance Services)
  - ❖ Industry best practices and procedures



# BREWSTER FIRE DEPARTMENT

- Well equipped, with a beautiful state of the art fire station.
- High functioning leadership team.
- Dedicated core group of members who are trying to make their organization one that provides dependable, high quality, emergency services to the Town of Brewster.

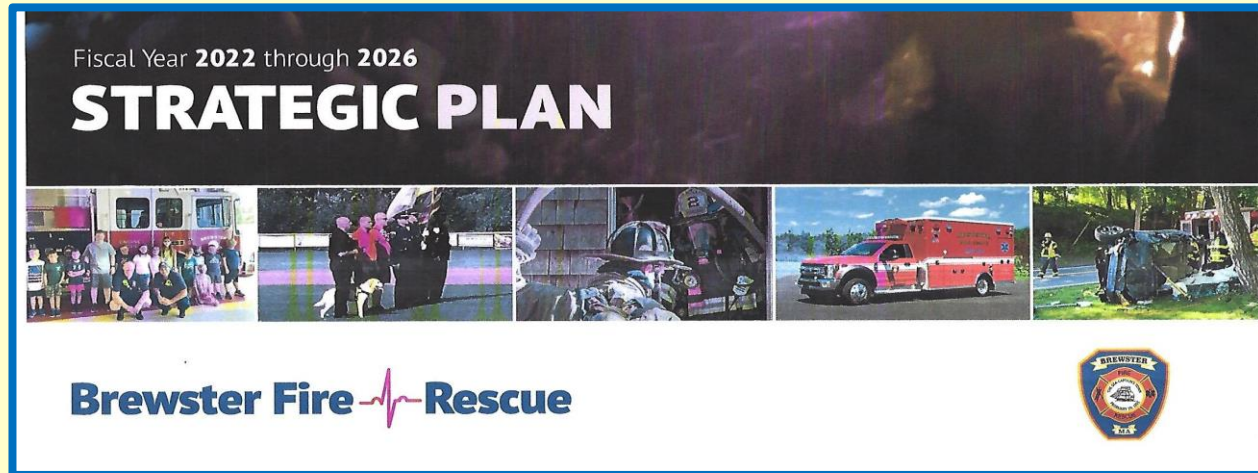
# BREWSTER FIRE DEPARTMENT

- Perform their duties competently, and, can be counted upon to complete assignments given to them.
- Appears to have a positive public image, and, is respected for its long-standing service to the community.





# BREWSTER FIRE DEPARTMENT



- The strategy currently in place in the Brewster Fire Department is a progressive and forward thinking one. The Brewster Fire Department has an excellent five-year strategic plan that covers the period of 2022 through 2026.

# MRI's Key Areas of Concern

- The potential for a diminished level of service based on a shortage of available resources, primarily from a career staffing perspective and the annual requests for service continue to increase.
  - ❖ The loss of the call component of the Department over the past 10 years. This results in the only emergency response personnel immediately available (not counting mutual aid) being the on-duty personnel. There are no longer call personnel who respond to provide coverage or assist with multiple incidents.



# MRI's Key Areas of Concern

- **High turnover rate among career staff.**
  - ❖ **The department has struggled to retain personnel. Frequent vacancies and a constant staffing deployment model has resulted in a high level of mandatory holdover and order-in overtime which can have a significant impact on firefighter health and wellness, as well as morale within the Department.**

# MRI's Key Areas of Concern

- Housing and rental costs in Brewster and surrounding communities, and to a larger extent Cape Cod in general, are extremely high and thus unaffordable for most public safety personnel especially those who are just starting out. This results in many firefighters living on the other side of the Sagamore Bridge, more than 30 minutes from town and of limited to no value in a call back situation.
- ❖ Challenges recruiting qualified personnel.



# MRI's Key Areas of Concern

- A need to continue the widespread use of automatic aid at the time of dispatch to reported structure fires to attempt to assemble an effective response force within the benchmark time frames.
- Two simultaneous EMS calls can strip the Town of all fire and EMS protection.
- Potentially increasing response times based on a growing number of overlapping calls (approaching 20% of annual responses).





# MRI's Key Areas of Concern

- An aging resident population (35.1% of population is age 65 or over) will most likely result in increased requests for services further straining the system.



# Key Recommendations

*Many risks are also opportunities. This report can be an idle source of conversation or a means to engage the organization to plan for a vibrant future.*



# REVISED EMS RESPONSE PROCEDURES

## ➤ When staffing is at five personnel:

- ❖ Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. The three personnel remaining are now available for fire duty, or can handle a second ambulance call, if necessary. If they require additional assistance, they can request the engine to respond.
- ❖ Two personnel respond on the ambulance and three personnel respond on the engine to Charlie, Delta, and Echo, or Priority 1 and 2 calls. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew.



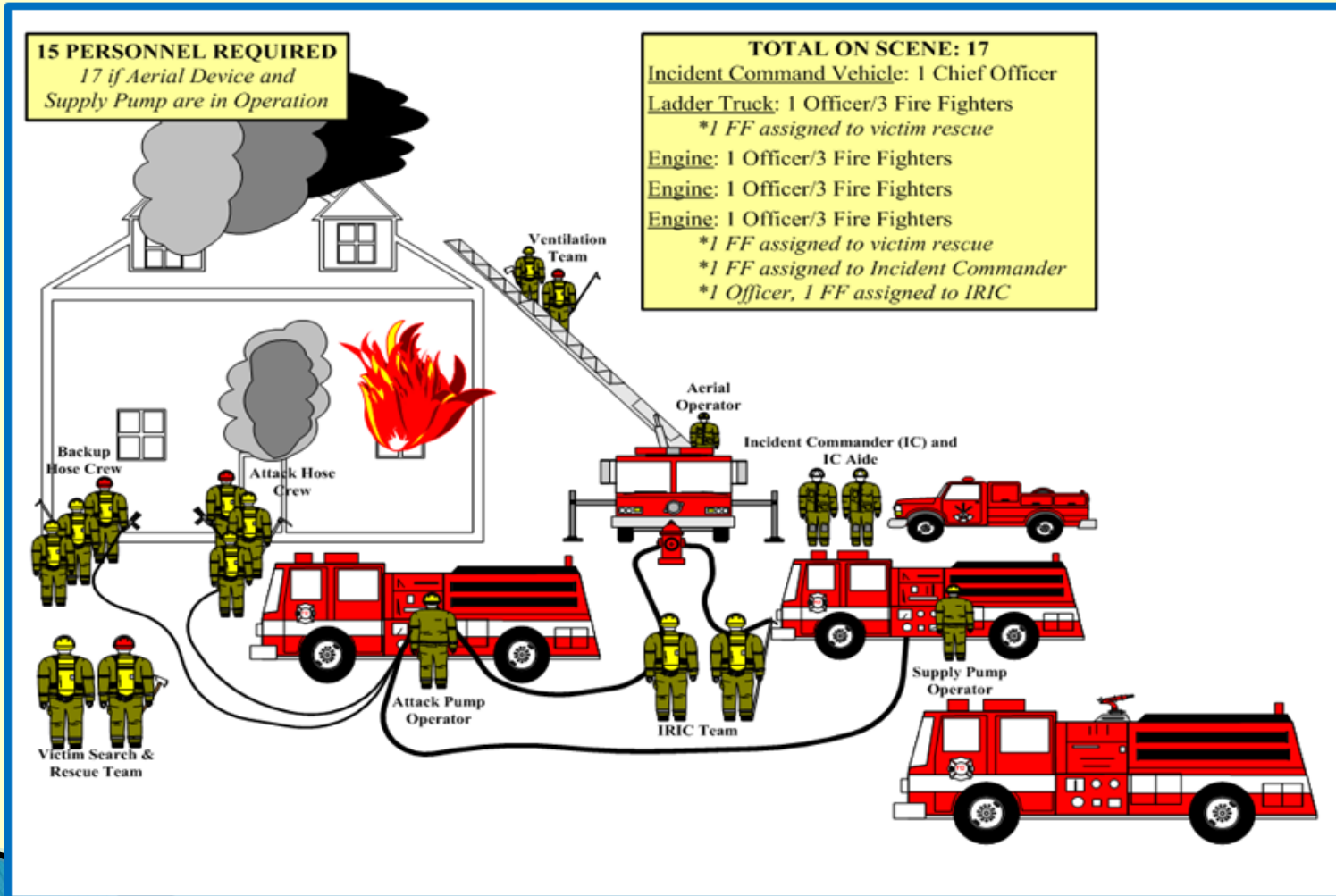


# EFFECTIVE FIRE RESPONSE FORCE

- The Brewster Fire Department should strive to have a minimum of 16/17 firefighting personnel on the scene of every single-family residential structure fire within 8 minutes of the time that units are responding.
- For fires in multi-family residential buildings and commercial occupancies, a minimum of 27/28 personnel should be on scene within 8 minutes of the time that units are responding in order to be able to establish a full effective response force.



# EFFECTIVE FIRE RESPONSE FORCE



# STAFFING

DEPARTMENT	POPULATION	CY22 RUNS	*FULL TIME STAFF	# OF FIREFIGHTERS PER 1,000 RESIDENTS	# OF FIREFIGHTERS PER SHIFT	*ADDITIONAL DAYSHIFT PERSONNEL	DUTIES OF DAYTIME PERSONNEL
Brewster	10,318	3,236	23	2.23	5	1	Fire Prevention Officer
Chatham	6,600	3,240	32	4.85	7	2	Fire Prevention Officer EMS Coordinator
Orleans	6,307	2,683	36	3.8	8	2	Fire Prevention Officer EMS Coordinator
Eastham	5,752	2,236	24	4.17	5	2	2 Firefighters
Wellfleet	3,500	1,311	22	5.71	5	1	Captain – Fire Prevention
Harwich	13,441	4,850	40	2.68	9	2	Fire Prevention Officer EMS Coordinator



# STAFFING

- The Town of Brewster and Brewster Fire Department should incrementally hire additional firefighters to enhance daily on duty staffing to an eventual level of seven (7) personnel assigned to each shift.
- The Town of Brewster should authorize the Brewster Fire Department to apply annually over the next several application periods for a federal Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund the incremental hiring of a total of nine (9) additional personnel (two per shift plus a full-time EMS Officer) over the next several fiscal years.



# STAFFING

- **FY 2025** – Hire four (4) additional personnel to increase shift staffing to six (6) personnel with a minimum of five (5) on duty (off season only).
- **FY 2026** – Hire one (1) additional person to allow for the creation of the full-time EMS officer position and the possible implementation of a MICU/CIP program. Promote four (4) firefighters to the rank of Lieutenant.
- **FY 2028** – Hire four (4) additional personnel to increase shift staffing to seven (7) personnel with a minimum of six (6) on duty (off season only).



# STAFFING

- In FY 2026, the Town of Brewster should consider creation of the position of Lieutenant on each shift in the Brewster Fire Department to allow for a continued appropriate span of control as recommended under the Incident Management System (IMS).
- At all staffing levels, the Brewster Fire Department should continue to utilize part-time personnel to supplement staffing level and maintain maximum shift staffing during peak season between Memorial Day and the end of September.



# STAFFING

FY 2025 Phase 1  
Hire 4 additional  
Firefighters, 1 per shift.  
Shift Staffing = 6

FY 2027

FY 2026 - Phase 2  
Hire 1 additional  
Firefighter.  
Promote 1 FT EMS Officer.  
Promote 4 Lieutenants  
Shift Staffing = 6

FY 2028 - Phase 3  
Hire 4 additional  
Firefighters, 1 per shift.  
Shift Staffing = 7

FY 2029/2030\*\*  
Evaluate impact of  
increased staffing of  
fire/EMS operations and  
potential need for  
addition staff.

# STAFFING





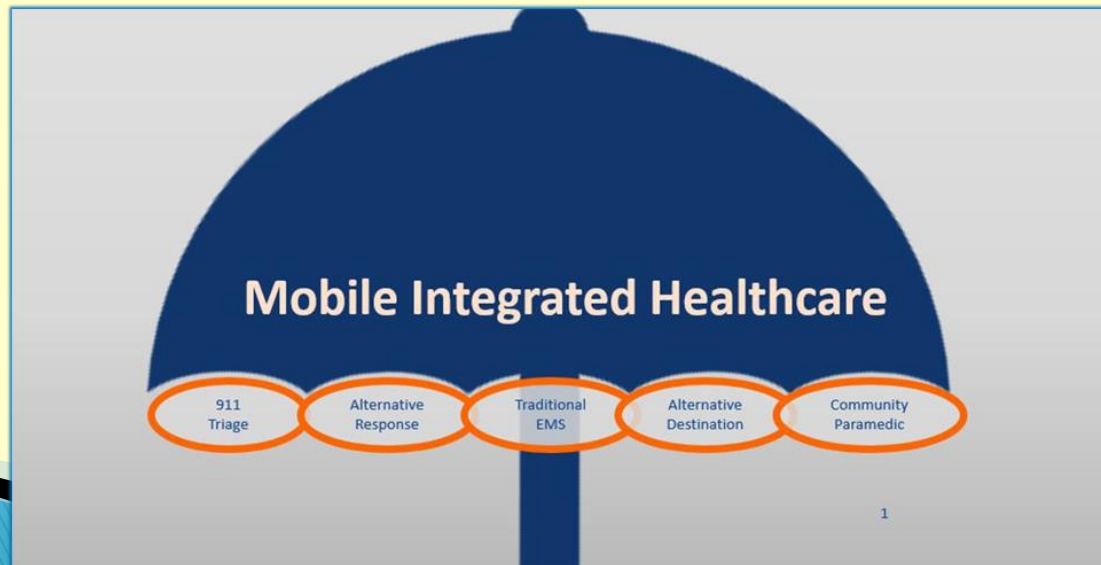
# STAFFING

- Once a staffing level of seven (7) is achieved the Brewster Fire Department will be able to staff:
  - ❖ Two ambulances with two (2) personnel each.
  - ❖ If a third ambulance is needed during the day, it can be staffed with administrative personnel if they are available.
  - ❖ One engine with three personnel.



# COMMUNITY PARAMEDICINE

- The Town of Brewster and Brewster Fire Department should actively explore the feasibility of implementing some type of community based mobile integrated health care (Community Paramedicine) in an attempt to provide better service to the community, and possibly increase their EMS revenue.



# THE FUTURE

- **Planned growth of the Brewster Fire Department is essential to provide a consistent service level to the community, while keeping pace with increased demands for service.**
- **There is no “right” amount of fire protection or EMS delivery. It is a constantly changing level based upon the expressed needs of the community.**



# THE CHALLENGE AHEAD

- **Defining the acceptable level of service.**
- **Long term development of the Brewster Fire Department, its officers and personnel.**
- **The goal of this study is to assist the Town of Brewster and the Brewster Fire Department in moving forward in a planned or intended strategic manner and to reinforce the existing strategic plan.**

# FINAL THOUGHTS

- Each of the 39 recommendations should be given careful consideration.
- View each recommendation as a goal.
- Approach the recommendations strategically & systematically to develop short & long term goals.
- Follow the Strategic Plan.
- Recognize each accomplishment.



# Thank You



**Website:**

**[www.mrigov.com](http://www.mrigov.com)**





# Brewster Fire Department

1671 Main Street  
Brewster, MA 02631

Phone 508-896-7018 Fax 508-896-4245



TO: Select Board  
FROM: Fire Chief Moran  
CC: Town Manager Peter Lombardi  
Finance Committee  
Deputy Fire Chief Kevin Varley  
DATE: 11/30/23  
RE: Fire Department Staffing Analysis

In April 2022 members of Brewster Fire/Rescue launched the implementation of their 2022-2026 five-year strategic plan. One of the major proposals emerging from the plan included the hiring of a professional Public Safety group to conduct a Staffing and Operational analysis of the Brewster Fire Department. In March of 2023 Municipal Resources, Inc. was chosen as the vendor to review the current position of the department and make recommendations regarding future staffing needs and sustainable operational advances.

After leading the transformation of the department from a combination to full-time organization over the past thirteen years, my office is well versed and acquainted with the validated staffing and operational recommendations contained in the study and we are pleased to see a final document that mirrors the progressive philosophies of our department. Through proactive forecasting, partnership with the Town Managers office, and the continued application of our strategic plan we have previously embraced a number of these recommendations and initiated active processes that will lead to future implementation.

Some of these initiatives currently being worked on or completed include:

- Contractual agreements including wage increases comparable to contiguous communities and stipend programs designed to enhance recruitment and retention of personnel.
- Secured funding for the purchase of mobile computer hardware and software to improve data collection, meet proposed enhancements to Barnstable County Dispatch systems, enhance pre-incident planning capabilities, and enrich efforts to assess and reduce community risk.
- Completed AFG Grant funded Fire Instructor I and Fire Officer I programs. Excess funds are being used to schedule additional programs including Surface Water Rescue, Surface Ice Rescue, Rope Rescue, Fire Officer Strategy and Tactics, Vehicle Extrication, Control of Gas Emergencies, and Decision Making for the Initial Company Officer. These programs will assist efforts to maintain our current ISO rating during the next review cycle.
- Secured funding for policy and procedure software titled Lexipol. Currently working with Lexipol representatives and internal review group to advance the approval and adoption of multiple administrative and operational policies into one cohesive and consistent document.
- Received approximately \$270,000 in Federal and State Grant programs for fire safety education, equipment, and training.
- Revised automatic aid response policies to increase the number of initial arriving personnel.
- Maintained consistent and direct annual budget requests for additional full-time staff.
- Continued best practice use of seasonal employees to supplement full-time staff.

The recommendations identified in the study come as no surprise to my office. Most are based on State and National Laws, Standards, Regulations, and best practices that we have been working to initiate for several years. We welcome the conclusions and look forward to developing a priority list of short, medium, and long-term goals that will allow us to continue to meet the proposals including the major challenge of increasing staff to a level justifiable to the sustained safety, health, and wellness of staff and the continued delivery of exceptional life safety services to the community.



**TOWN OF BREWSTER, MASSACHUSETTS  
FIRE DEPARTMENT STAFFING ANALYSIS**

**NOVEMBER 2023**

**Prepared by:**



**Municipal Resources, Inc.  
66 Main Street, Suite B  
Plymouth, New Hampshire 03264  
[mrigov.com](http://mrigov.com)  
Phone 603-279-0352**

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# REPORT



## CHAPTER I PROJECT OVERVIEW, SCOPE, AND METHODOLOGY



Municipal Resources, Inc. (MRI) was engaged by the Town of Brewster, Massachusetts, to undertake an organizational and operational assessment including an analysis of the effectiveness, and overall efficiency study of the Town's fire, rescue, and emergency medical services (EMS) delivery systems, to identify any gaps or deficiencies, and to make recommendations for improvement. Projected growth in area services due to increases in population and increased service levels were also included to provide recommendations on the Department's long-range planning needs. The primary intent and goal of this project was to determine whether the existing organizational structure and operations of the Brewster Fire Department including levels of staffing, facilities, equipment, funding, management practices, and deployment of resources are adequate to provide a level of service within Brewster, that is in line with generally accepted standards and benchmarks utilized by comparable fire departments in similar communities; and based on standards and best practices for modern-day fire services currently in practice in Massachusetts and the United States.

To these ends, MRI looked to provide information relative to:

1. Short-term opportunities for improvement of the Department's service delivery capabilities.
2. Present short and long-term organizational and operational adjustments that seek to improve service delivery to the Town.

These activities are part of the Town of Brewster's ongoing fire and emergency services oversight and planning responsibilities. They are focused on identifying the risks that residents, visitors, and firefighters are currently exposed to, as well as the potential future risks, and the development of an appropriate set of responses to those threats in a fiducially responsible manner. Through the strategic planning aspect, the project team makes recommendations for long-term success, viability, and stability, together with improved efficiency, operations, and safety for firefighters and citizens today, as well as projecting future needs for the provision of fire and emergency medical services throughout the community. The MRI project team has attempted to produce a report containing recommendations, focused primarily on long-range strategic planning, that will assist the Brewster Fire Department, and the Town of Brewster, to set a clear course of action for future service improvements and delivery.



## ABOUT MRI

MRI was founded in 1989 by six former municipal and state government managers, with both public and private, professional experience. MRI provides professional, technical, and management support services to municipalities, schools, and non-profit organizations throughout the Northeast. MRI provides technical knowledge and practical experience that others cannot offer because it hires the best in the municipal consulting industry. This is evidenced by a high level of implementation of MRI's recommendations by its clients. MRI's clients have come to expect the organization to provide whatever they need, and it fulfills their expectations.

MRI's dynamic management staff adapts services to specific client needs. Clients realize that MRI has been in their shoes and has the experience, sensitivity, and desire that it takes to develop and deliver services that specifically meets their needs. The depth of MRI's experience is reflected not only in the experiences of its associates, but in the scope of services it provides its clients, from professional recruitment to organizational and operational assessments of individual municipal departments and school districts; or ongoing contracted services for various municipal government and school business support activities. Municipal Resources has a particularly strong public safety group with nationally recognized expertise in fire and emergency medical services.

MRI's professional staff is always focused on helping its clients solve problems and provide solutions for their future success. We simply work to gain an understanding of past events to build a framework for future success. We do not put forth idealistic, unachievable, or narrowly focused solutions.

## MRI'S PHILOSOPHY

Municipal Resources, Inc. is committed to providing innovative and creative solutions to the problems and issues facing local governments and the agencies that serve them.

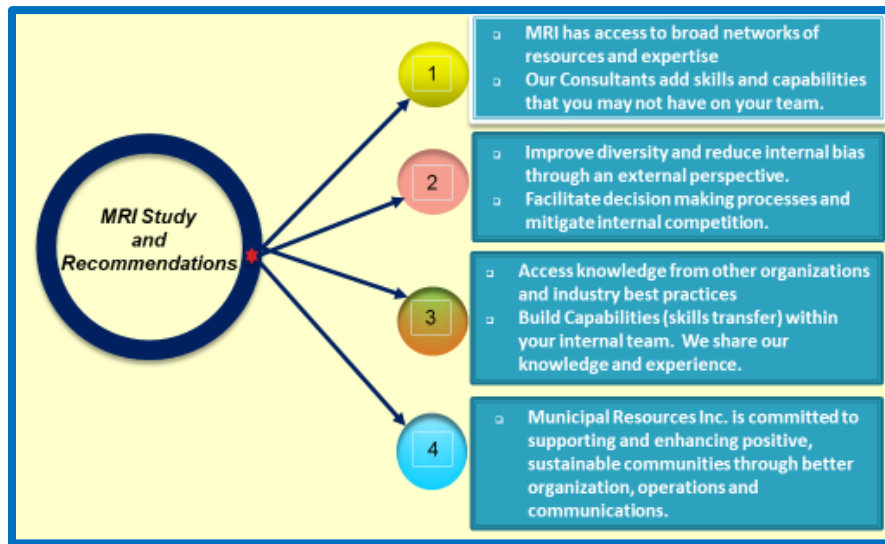
The purpose of MRI's approach is to supplement the efforts of municipal employees and other personnel and enable them to do their jobs well. MRI is committed to supporting and enhancing positive, sustainable communities through better organization, operations, and communication. This is achieved by:

- Supporting towns, cities, counties, school districts and other community service agencies with management and technical services to facilitate constructive change within client organizations.
- Conducting studies and analyses designed to assist clients in achieving organizational improvement.

- Advocating and advancing cooperation, coordination, and collaboration between government organizations and related community support agencies.
- Maintaining a staff of highly qualified professional, experienced and open-minded life-long learners to serve as consultants and advisors to clients.
- Maintaining awareness and understanding of advances in “best practices” for delivery of all levels of core community services and related professional management.
- Developing and refining techniques for effective community engagement, information dissemination, and constructive change.

**OBJECTIVES**

1. To help municipalities and agencies obtain maximum value for limited tax dollars.
2. To identify and help communities manage the risks associated with public safety functions.
3. To raise public awareness of the value and professionalism of their municipal resources.
4. To help local leaders develop and execute plans that best meet their community’s needs, given available resources.



**FIGURE I-1: MRI PROJECT IMPLEMENTATION PLAN**



## SCOPE OF WORK

To be effective, a project of this type requires a thorough assessment to determine a baseline of current operations. Projections for community population growth that can translate into increased requests for service, the need for expanded levels of service, and evolving community expectations were necessary to develop recommendations for the department's long-range plans. A thorough review of existing staffing, funding, management practices, and regulatory environment was undertaken to determine whether the department can provide a level of service that is in line with generally accepted standards and benchmarks for a community of like character. An evaluation of the following information and topics were all components of this review:

An evaluation of the following information and topics were all components of this review:

1. A review of background information that impacts the Brewster Fire Department including:
  - a. Fire service data and information provided by the fire department and the Town;
  - b. Community population and demographics;
  - c. Residential, commercial, industrial, and municipal features of the community including a community tour;
  - d. Review of incident response statistics volume and trends;
  - e. Review of response times;
  - f. Policies and agreements that may determine staffing levels and practices;
  - g. Evaluation of the provision and use of fiscal resources including the amount of overtime;
  - h. Assess and evaluate the department's current scheduling, staffing, organizational structure and delivery of services;
  - i. Assess service demand trends, including demographic and service demand increases; including those attributed to societal adjustment due to the Covid19 pandemic;
  - j. Municipal ordinances related to fire and EMS delivery;
  - k. Mutual aid agreements and resources;
  - l. Standard Operating Guidelines (SOGs) for the Fire Department;
  - m. Vehicles and staffing/run assignments;
  - n. Fire department operational plans;
  - o. Adequacy of the department's training and fire prevention functions;
  - p. Current deployment of resources along with a future needs assessment;
  - q. Identification of the level of service provided to, and expected by, the Town,
  - r. The Brewster Fire Department's current Strategic Plan 2022 – 2026, and;

- s. Developed a report that will address short- and long-term staffing needs, organizational structure, service and demand trends, over the next decade.

2. Input was solicited from a range of stakeholders through personal interviews, including:

- Chairman of the Select Board
- Town Manager
- Fire Chief
- Deputy Fire Chief
- Fire Department Career Captains
- Town Human Resources Director
- Town Finance Director
- Police Chief
- International Association of Fire Firefighters Local 3763 E-Board
- Mutual Aid Fire Chiefs
- Open Session for Fire Department Members

In performing this study MRI focused on the following aspects of the fire and emergency medical services and their operations:

- Organizational structure and governance;
- Organizational, managerial, and operational practices including policies, rules and regulations, and standard operating procedures/guidelines (SOPs/SOGs);
- Fire department staffing practices and personnel scheduling;
- Lack of viability of the department's call component;
- Community profile and characteristics, risks, vulnerabilities, and concerns;
- Fire and EMS operations, including response times, NFPA 1710 and OSHA Two-in/Two-out compliance, standards of cover, incident and response time analysis, designation of operational responsibilities, and deployment of resources;
- Training and professional development;
- Fire prevention and code enforcement;
- Budgeting;

- External stakeholders' perceptions concerning the fire department and relationships with various officials; and,
- Sense of common vision among internal stakeholders.

At the completion of each key component of the Department's operations, the project team has attempted to provide a status and/or "gap" statement which indicates the current status of that activity, any gaps between that activity and expected performance (as defined by regulations, standards, industry best practices, or organizational policy), and recommendations that should be implemented to close the "gaps" or correct the deficiency.

## METHODOLOGY/PROJECT APPROACH

MRI's project methodology and approach was targeted to fulfill the scope of work in a thorough and comprehensive manner. MRI consultants performed several days of on-site work, interviews, and observations in Brewster. The assessment employed the following methodologies:

- On-site visit to Brewster that included in-person meetings, tour of fire department facilities, and tour of Brewster to observe target hazards, community risks, and building density and type,
- Review of the fire department's facilities, apparatus, and equipment,
- Analysis of fire department staffing, including current operations, scheduling, use of overtime, organizational structure and future needs based on risk, current operational experience, and projected community growth and development,
- Analysis of community demographics and projected growth and development,
- Interviews with fire chief and deputy fire chief,
- Interviews with the town manager,
- Interview with Chairman of the Select Board,
- Interviews with other key fire department personnel including members of the Brewster Fire Department command/supervisory staff, EMS coordinator, administrative assistant, union leadership and other department members having direct knowledge and understanding of the subject areas,

- Interviews with other key town officials including the finance director and human resources director,
- Interviews with fire chiefs of neighboring mutual aid fire departments,
- Review of mutual aid and regional operations,
- Review of existing department incident statistics, standard operating procedures/guidelines, budget, and other records,
- Review of the applicability of various national standards and best practices for municipal fire and EMS services, such as NFPA 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments, NFPA 1500, Standard on Fire Department Occupational Safety, Health, and Wellness Program, and NFPA 1300, Standard on Community Risk Assessment and Community Risk Reduction Plan Development.

These discussions focused on the current fire and EMS delivery system and structure to identify any concerns or areas requiring special focus, and to gather thoughts and ideas about areas of potential improvement and long-range visions, needs, goals, and objectives. The team spent significant time with the fire chief and deputy fire chief to gain an understanding of the organizational, operational, and management systems and approaches currently in place, and then compared the current structures against contemporary practice and convention. There were also reviews of relevant statistics, and operational data that was furnished by the Department.

MRI's project team utilized a seven-phase process to conduct the assessment of the Brewster Fire Department and to develop the planning recommendations. The seven phases include:

1. Development of an action plan.
2. Orientation, stakeholder input, data gathering, and identification of significant issues facing the Town of Brewster and the Brewster Fire Department.
3. Information review, inventory, and assessment of the emergency risks and target hazards located within the Town, and effectiveness and current operational readiness of the Brewster Fire Department.
4. Development of an assessment and inventory of current fire department operations including the adequacy of current staffing/deployment models and organizational structure.

5. Evaluation of the overall effectiveness, efficiency, and quality of service of the fire protection and EMS delivery systems within the Town of Brewster.
6. Preparation of a final evaluation report including planning recommendations for the Town of Brewster and the Brewster Fire Department.
7. Presentation of a final project report to the Brewster Town Manager and other selected stakeholders.

During this study, the MRI team investigated areas such as the organizational and command structures of the fire department, chain of command, budgeting, staffing, service demands, deployment of personnel, standards of cover, perceptions within the community, working relationships with other persons and agencies, responsiveness, internal policies and procedures, and compliance with various state and federal regulations.

Following the on-site visits, the data and documentation collected, and observations made, were subjected to analysis by the project team, both individually and collectively. The information was then compared with contemporary fire service and public safety standards, recommendations, and best practices, to formulate the recommendations contained in this report, and utilized for the development of this document.

Using this review as a basis, the project team made recommendations for improvements that take into consideration the current and future financial ability of the Town, appropriate modifications to the delivery systems to provide optimum service to the entire community, efficient use of resources, and whether the current organizational structure is appropriate or should be modified.

We have produced a comprehensive report containing recommendations that will assist the Town of Brewster and its fire department, to set a clear course of action for future service improvements and delivery. All recommendations for improvement are based on various administrative regulations promulgated at the federal and state levels, nationally accepted consensus standards developed by the Insurance Services Office (ISO), National Fire Protection Association (NFPA), Commission on Fire Accreditation International (CFAI), Commission on Accreditation of Ambulance Services (CAAS), and industry best practices and procedures. However, since every community has unique characteristics, challenges, and resource limitations, our recommendations are specifically designed to address the immediate and long-term needs of the Town of Brewster.

When appropriate, MRI's evaluation and recommendations include multiple options, identify potential implications of options, and suggest what is believed to be the most appropriate option. The project team has attempted to provide a series of recommendations for an organizational

structure that can provide a high level of service today, and five to ten years into the future; constrained by anticipated fiscal and economic projections; expand and contract with future needs; and be able to navigate any fiscal constraints of reimbursements from public and private sources, particularly with the unknown long-term implications of the COVID-19 pandemic. To these ends, MRI looked to provide information relative to:

1. Short-term opportunities for improvement of the Department's service delivery capabilities.
2. Present short and long-term organizational and deployment adjustments that seek to improve service delivery to the Town.
3. Develop a report that will address operations, staffing, organizational structure, and service demand trends, needs over the next decade.

The resulting recommendations are also based upon an acknowledgement that fire departments are living and constantly evolving organizations. They must constantly change and adapt to current, and anticipated, conditions and realities. A municipal fire department, while steadfastly holding onto traditions, is an organization that must be progressive and proactive, and requires a perpetual commitment to improvement. The modern fire and emergency service is constantly besieged with ever increasing demands from the public and must readily adapt to changes in technology, constantly evolving risks and hazards, and new generations of men and women entering this highly rewarding and challenging public service avocation. The delivery of high-quality fire and emergency medical services requires energetic, enlightened, progressive, and proactive leadership at all levels of the fire and rescue services delivery system. Every day must include an effort to improve and move forward.

## ACKNOWLEDGEMENTS

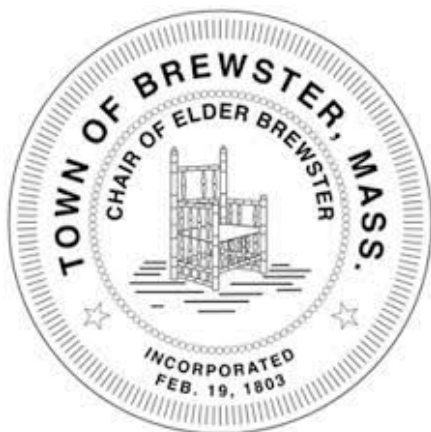
The MRI project team would like to thank Brewster Town Manager Peter Lombardi, Select Board Chair David Whitney, Fire Chief Robert Moran, Deputy Fire Chief Kevin Varley, Police Chief Heath Eldredge, Finance Director Mimi Bernardo, Human Resources Director Susan Broderick, the officers and firefighters of the Brewster Fire Department, and the Orleans and Harwich fire chiefs who took the time to speak with us, and for their cooperation and assistance in preparing this report. Brewster is a proud and vibrant community with high expectations for the performance and professionalism of its public servants. It is MRI's goal to provide the town and fire department with a road map and template for strengthening the level of fire and emergency medical services available to the community. As with any public safety organization, there is always room for improvement, but **the citizens of the Town of Brewster should be proud of the high quality and**

**exemplary performance of the members of the Brewster Fire Department who provide round-the-clock fire protection and emergency medical care.**



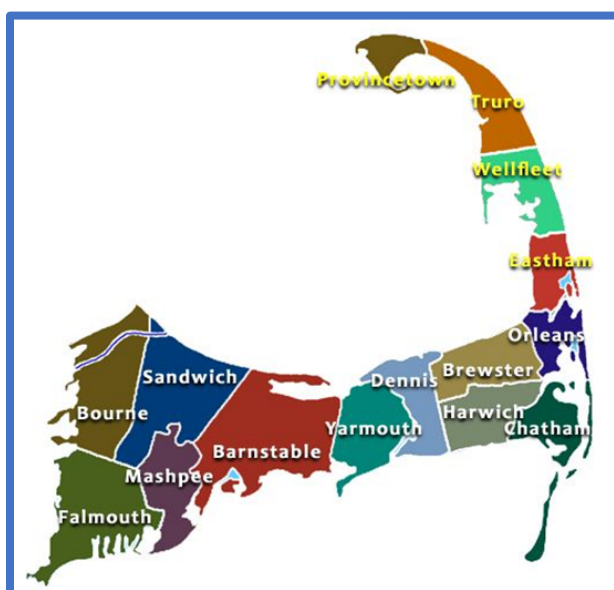
## CHAPTER II COMMUNITY OVERVIEW

### TOWN OF BREWSTER



The Town of Brewster is located in Brewster County, on Cape Cod (Figure II-1), approximately 85 miles southeast of Boston. It is located in what is referred to as the mid Cape area, just prior to the “elbow”. According to the United States Census Bureau, the Town had a 2020 population of 10,318, an increase of 5.1% from the 2010 United States Census Bureau population of 9,826<sup>1</sup>. The town covers an area of 25.4 square miles, of which 22.9 square miles is land and 2.5 square miles, or 10.07%, is water. With a permanent population density of 450 people per square mile, the town is still classified as a rural community. In reality, with the seasonal influx of tourists,

longer tourist seasons, and people spending more time at what have traditionally been vacation homes on Cape Cod, the town is much more suburban in nature.



**FIGURE II-1: LOCATION OF BREWSTER ON CAPE COD**

Brewster is bordered on the north by Cape Cod Bay, on the west by Dennis, on the south by Harwich, and on the east by Orleans. The town is separated into two villages, West and East

<sup>1</sup> <https://www.census.gov/quickfacts/fact/table/brewstertownBrewstercountymassachusetts/BZA010221>



Brewster, both of which comprise the Brewster census-designated place. Brewster is 31 miles south of Provincetown, 14 miles east of Hyannis, and 31 miles east of the Sagamore Bridge.

U.S. Route 6 passes through the southeast corner of Brewster from southwest to northeast, as a two-lane expressway; however, there are no exits within the town borders. Massachusetts Route 6A passes through the town from east to west as Main Street through the town center. Routes 124 and 137 both have a northern terminus along Route 6A in town; short portions of Routes 28 and 39 also pass through the southeastern corner of town.

As with all communities on Cape Cod, Brewster's population increases significantly – estimated to approximately 30,000 - during the warm weather months when large numbers of people vacation in the area.

### BREWSTER FIRE DEPARTMENT



The Brewster Fire Department is still technically a combination (career/call) department. In reality it has evolved into a fully career emergency services organization that delivers fire, rescue, and emergency medical services (EMS) to the Town of Brewster. The Department is currently authorized for a total of twenty-three full-time, career firefighters, who perform firefighting, rescue, and emergency medical care duties, and fire prevention functions. The uniformed personnel are assisted by one civilian support person.

The department operates out of a single, state of the art station located at 1671 Main Street, protecting a year-round population of 10,318 in an area of 25.4 square miles. With a population density of about 450 people per square mile the district would be considered rural in nature. However, as already noted, based upon the continued residential growth that is occurring in the town, along with the significant population increase during the warm weather months (population swelling to 30,000), the district's character is more suburban in nature. This dramatic seasonal increase in population significantly impacts the department as the number of fire and EMS runs also increase significantly during the months of June, July, and August.

The fire headquarters houses all the administrative offices, training areas, living quarters for the on-duty personnel assigned there, and all equipment and apparatus. The Brewster Fire Department operates three engines (one equipped as a rescue pumper and referred to as a Squad and one reserve), one - 109' aerial ladder, three Advanced Life Support (ALS) ambulances,

one brush/forestry truck, one UTV for off road use, two rescue boats, and several other command/staff/utility vehicles.

During the five-year period from March 27, 2018, through March 27, 2023, the Brewster Fire Department responded to a total of 15,250 calls for emergency service, an average of 3,050 per year, or 8.4 per day. In 2022, the department responded to 3,236 incidents, an average of 8.9 per day, which is about 6.1% higher than the five-year average. As with most departments that provide the primary EMS service for their community, the majority of these incidents (11,133/73%) are emergency medical related. This includes 280 mutual aid ambulance responses. The department's Fiscal Year 2023 annual operating budget is \$3,123,820.

The department provides EMS treatment and transport services to the community at the Advanced Life Support (ALS) level. All Brewster Fire Department personnel are required to possess a minimum of Emergency Medical Technician (EMT) training and certification. Eleven of the department's personnel are certified to provide ALS (paramedic) level care with one additional member in medic school.

The Brewster Fire Department is an all-hazards response agency that responds to a wide range of emergency incidents and requests for assistance each year from within its primary protection area. It also provides automatic and mutual aid to (and receives from) all surrounding municipalities. Department personnel are trained to operate at the hazardous materials operations level, and to mitigate a wide range of specialized types of technical emergencies including various water rescue incidents.

## COMMUNITY GROWTH AND DEVELOPMENT

The Town of Brewster, like many on Cape Cod, remains a growing community which continues to experience growth, albeit slowly. It also remains a vacation destination during the warm weather months. However, like many other communities located on Cape Cod, it is experiencing an increase in formerly seasonal residents who are now making their vacation homes their primary domicile.

During the site visit to Brewster and tour of the fire department's response area, the MRI team was made aware of several large residential projects that have been completed or are still in development within the Brewster Fire Department's first due response area. These include several communities targeting the growing over 55 population along with multiple affordable housing developments that are projected to bring approximately 200 additional housing units to the Town. In addition, in late 2021, the citizens of Brewster gave permission to purchase the two Cape Cod Sea Camp properties which cumulatively total about 121 acres. Among multiple goals for the town was to protect the properties from commercial development. Subsequently, the Select Board created two new advisory committees to, among other charges, develop

comprehensive long-term plans for Town Meeting consideration. They also hired a landscape architect to provide expert support and design guidance to the committees as the Town plans future uses of the properties. It is unknown what impact this project will have on the fire department, but the department should remain engaged in the process as an important stakeholder.

## CHAPTER III

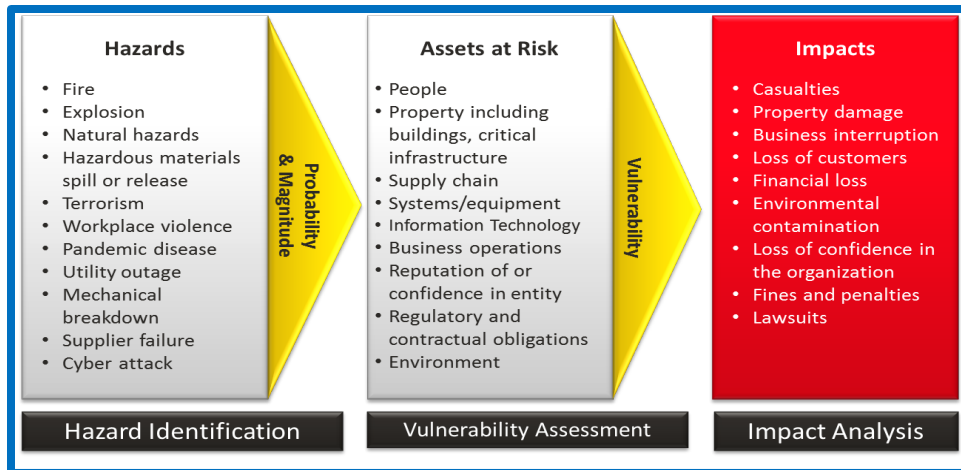
### BREWSTER COMMUNITY RISK AND HAZARD PROFILE

Fire and rescue services protecting all communities generally have a common overall mission, the protection of life and property; but different community profiles in which they operate. These dissimilarities create vastly different fire and rescue services operational needs based on a unique community risk profile, service demands, and stakeholder expectations.

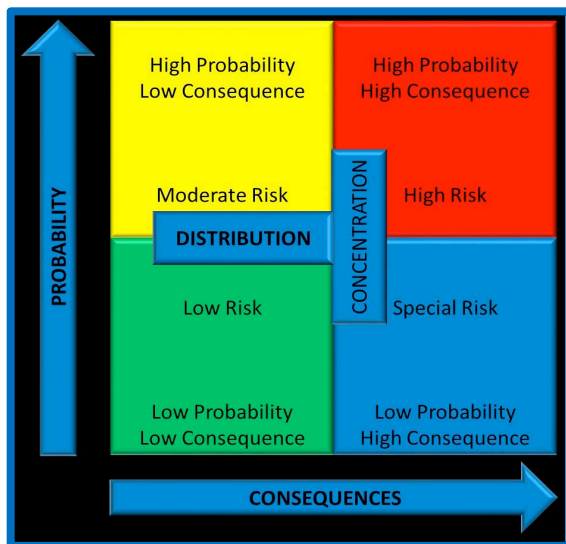
A community risk assessment is a comprehensive process to identify the hazards, risks, fire, and life safety problems, and the demographic characteristics of those at risk in a community. In each community, there are numerous hazards and risks to consider. For each hazard, there are many possible scenarios and potential incidents that could be encountered depending on timing, magnitude, and location of the hazard or incident. A thorough risk analysis provides insight into the worst fire and life safety problems and the people who are affected. The analysis results create the foundation for developing risk-reduction and community education programs.

Conducting a community risk analysis is the first step toward deciding which potential fire or injury problem needs to be addressed. Risk analysis is a planned process that must be ongoing, as communities and people are constantly changing. Too often, an objective and systematic community risk analysis is a step that is overlooked in the community education process. Many emergency service organizations address risks based on a perceived need for service that is not there. This approach can be costly (i.e., misdirected resources, continued property loss, injuries, or deaths). In short, a good community risk assessment will produce a realistic picture of what the hazards and potentials for incidents are, identify who is at risk, and attempt to quantify the expected impacts (Figure III-1).

Understanding the definition of hazards and risks is critical to the risk assessment process. Hazards are physical sources of danger that can create emergency events. Hazards can be items such as buildings, roadways, weather events, fires. Risk relates to the probability of a loss due to exposure to a hazard. People and property can be at risk. Consequences for the community are also factors to consider. Each of these factors are assessed during the community risk process (Figure III-2).



**FIGURE III-1: RISK ASSESSMENT PROCESS**



**FIGURE III-2: FIRE PROBABILITY AND CONSEQUENCES MATRIX**

Image credit: Commission on Fire Accreditation

In performing a risk assessment, a community determines which hazard may occur, how often it is likely to occur, and the potential impact of that hazard. Most municipalities’ hazard mitigation plans address numerous natural hazards, including but not limited to, floods, hurricanes, tornadoes, and winter storms. They also usually cover a wide variety of human-caused hazards such as fire, hazardous materials releases, and transportation incidents. Almost any of the comprehensive list of potential hazards identified in these plans will involve the community’s fire and EMS responders, at least during the initial stages.

A more focused community fire risk assessment is performed by assessing such factors as the needed fire flow, probability of an incident, consequences of an incident, and occupancy risk. The “score” established is then utilized to categorize the area, or even individual properties, as one of low, moderate, or high/maximum risk. This categorization can assist a fire department in establishing fire risk/demand areas or zones. Having this information readily available provides the community and the fire department with a better understanding of how fire stations, response run cards, and staffing patterns can be used to provide a higher concentration of resources for higher-risk scenarios or, conversely, fewer resources for lower levels of risk.<sup>2</sup> The community fire risk assessment may also include

<sup>2</sup> *Fire and Emergency Service Self-Assessment Manual*, Eighth Edition, (Commission on Fire Accreditation International, 2009)

determining and defining the differences in fire risk between a detached single-family dwelling, a multi-family dwelling, an industrial building, and a high-rise building by placing each in a separate category.

According to the NFPA *Fire Protection Handbook*, these hazards are defined as:

**High-hazard occupancies:** Schools, hospitals, nursing homes, high-rise buildings, and other high life-hazard or large fire-potential occupancies.

**Medium-hazard occupancies:** Apartments, offices, mercantile, and industrial occupancies not normally requiring extensive rescue by firefighting forces.

**Low-hazard occupancies:** One-, two-, or three-family dwellings and scattered small business and industrial occupancies<sup>3</sup>.

The NFPA also identifies a key element of assessing community vulnerability as fire department operational performance, which is comprised of three elements: resource availability/ reliability, department capability, and operational effectiveness<sup>4</sup>.

**Resource availability/reliability:** The degree to which the resources are ready and available to respond.

**Department capability:** The ability of the resources deployed to manage an incident.

**Operational effectiveness:** The product of availability and capability. It is the outcome achieved by the deployed resources or a measure of the ability to match resources deployed to the risk level to which they are responding.<sup>5</sup>

The Town of Brewster is a rural coastal community with a land area of 22.94 square miles. The town is known for its natural beauty, relaxed lifestyle, and outdoor recreational opportunities. Brewster is a community with a rich history and excellent community services and amenities that contribute to a high quality of life. The town is home to Nickerson State Park, which is the second largest State Park in Massachusetts, over 15 miles of the popular Cape Cod Bike Trail, eight miles of beaches facing Cape Cod Bay, and one of the top three rated vacation resorts in Massachusetts.

Brewster has a year-round permanent population of approximately 10,444 residents (2022 U.S. Census). It is estimated that the population almost triples to over 30,000 people between the

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<sup>3</sup> Cote, Grant, Hall & Solomon, eds., *Fire Protection Handbook* (Quincy, MA: National Fire Protection Association, 2008), p. 12.

<sup>4</sup> <http://www.nfpa.org/assets/files/pdf/urbanfirevulnerability.pdf>

<sup>5</sup> National Fire Service Data Summit Proceedings, U.S. Department of Commerce, NIST Tech Note 1698, May 2011.

months of May through September. More than one third (35.1%) of Brewster’s population is 65 years of age or older as compared to the statewide average of 18.1%.

The town has drafted a Local Comprehensive Plan (LCP) that establishes the community’s vision for future growth and development. The LCP focuses on the preservation of open space, the current and future impact of climate change, a desire to maintain the rural, small-town feel of Brewster, and a recognition that growth should be managed appropriately. The vision statement in the LCP states, in part, that:

*Within our fiscal capabilities, we strive to provide the infrastructure necessary to ensure public health and safety and to support the ability of our entire community, from older people to families with children, to live, work, learn, recreate, and gather in the town.<sup>6</sup>*

Provided that the town adheres to the vision, goals, and objectives laid out in the LCP, it is not anticipated that the town will experience major industrial and commercial growth or allow high-rise buildings or mega-warehouse type facilities in the foreseeable future. The most significant development project currently underway is the revitalization of the former Sea Camps property that was recently acquired by the town.

**As with most communities, the greatest fire safety concern in Brewster is the potential life loss in fires that occur in non-sprinklered, single, and multi-family residential dwellings during sleeping hours, which is consistent with national trends.** These fires are fueled by new “lightweight” construction and more flammable home contents. The time to escape a house fire has dwindled from about 17 minutes, 20 years ago, to three to five minutes today. This poses a severe risk not only to occupants but also to firefighters as they now have less time to do their job and save residents’ lives and property.

Automatic sprinklers are highly effective elements of total system designs for fire protection in buildings. They save lives and property, producing large reductions in the number of deaths per thousand fires, in average direct property damage per fire, and especially in the likelihood of a fire with a large loss of life or large property loss. They do so much quicker, often more effectively, and with less damage than firefighters do. No fire safety improvement strategy has as much documented life safety effectiveness as fire sprinklers because they extinguish the fire, or, at a minimum hold it in check and prevent flashover, until the arrival of the fire department.

Current Massachusetts codes prohibit municipalities from requiring residential sprinkler systems in all new occupancies. However, the fire department can approach the developer/builder/owner to discuss the pros and cons of residential sprinkler systems during the

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<sup>6</sup> 2022 Brewster Local Comprehensive Plan (draft), p.9

approval process for subdivisions and large single-family residences and encourage them to consider the installation of these life safety systems regardless of where they are located. There are several publications that the fire department can use as resources to market the benefits of residential fire suppression systems including NFPA, which has developed the standards for their design and installation.

Newer multi-family residential/apartment complexes are generally fully protected by fire suppression and detection systems. However, these systems have limitations as they may not protect all areas of the building or are not always properly maintained.

According to Data USA, the economy of Brewster employs 503 people. The largest industries are professional, scientific, and technical services (146 people); construction (125 people); and health and social assistance (81 people).

The Town's Hazard Mitigation Plan (HMP) identifies and ranks the natural hazards that pose a threat to the community (Figure III-3). The HMP provides and identifies the steps that the town can take to lessen the seriousness of these hazards before a disaster strikes. It also provides guidance to the town's public safety services as they identify their needs for staffing, equipment, training, and planning.



Natural Hazard	Frequency (i.e. Very Low, Low, Medium, High)	Location (i.e. small/local, medium/regional, large/multiple communities)	Severity (i.e. minor, serious, extensive, catastrophic)	Hazrd Index (i.e. ranked by combining frequency and severity; 10 - high, 1 - low)
<b>Flood-Related Hazards</b>				
- Riverine/Flash Flooding	High	Medium/Regional	Serious	6
- Inland/Urban Flooding/Heavy Rain	High	Medium/Regional	Serious	6
- Climate Change	Medium	Large/Multiple	Serious	6
- Dam Failures <sup>1</sup>	N/A	N/A	N/A	5
- Coastal Flooding	High	Medium/Regional	Extensive	7
- Sea Level Rise	High	Large/Multiple	Serious	6
- Storm Surge	High	Medium/Regional	Serious	6
- Coastal Erosion/Shoreline Change	High	Medium/Regional	Extensive	7
<b>Winter-Related Hazards</b>				
- Blizzards/Snow/Nor' easter	High	Large/Multiple	Serious	6
- Extreme Cold	Low	Small/Local	Minor	2
<b>Wind-Related Hazards</b>				
- Hurricanes	High	Large/Multiple	Extensive	8
- Tornadoes <sup>2</sup> /High Winds	High	Medium/Regional	Extensive	7
- Lightning/Thunderstorms	High	Small/Local	Serious	6
- Hail	High	Small/Local	Serious	6
- Tropical Storm	High	Large/Multiple	Serious	7
<b>Geologic-Related Hazards</b>				
- Earthquakes	Very Low	Small/Local	Serious	3
- Landslides	Very Low	Small/Local	Minor	2
<b>Drought</b>				
- Drought	High	Medium/Regional	Minor	5
- Extreme Heat	High	Small/Local	Minor	5
<b>Urban Fire/Wildfire</b>				
- Urban Fire/Wildfire <sup>3</sup>	N/A	N/A	N/A	7
<b>Invasive Species</b>				
- Multiple	Low	Small/Local	Minor	2

1: Hazard Index ranking taken from Massachusetts Hazard Index and Risk Assessment (Feb. 2019).

2: Tornadoes not a major issue for Brewster.

3: Hazard Index ranking taken from Barnstable County Wildfire Preparedness Plan.

**FIGURE III-3: NATURAL HAZARDS RANKING MATRIX, TOWN OF BREWSTER HAZARD MITIGATION PLAN**

Other hazards that the public safety services in Brewster are likely to encounter include the following:

- Structure fires
  - ✓ Single- and two-family homes
  - ✓ Multi-family occupancies (apartments, condominiums)
  - ✓ Health care (including senior living/assisted living)
  - ✓ Educational occupancies (public school, day care)
  - ✓ Commercial buildings
  - ✓ Storage, agricultural
- Vehicle fires (including the unique challenges of alternative fuel vehicle fires)
- Motor vehicle crashes



- Mass casualty incidents<sup>7</sup>
- Hazardous materials incidents (highway and fixed facility)
- Open water incidents (drownings, boat fires, petroleum spills)
- Ice rescue
- Technical rescue (high-angle, below grade, building collapse)
- Search and rescue
- Active shooter and hostile events

Although many of the hazards identified above occur infrequently in Brewster, there is still a need for the fire and EMS services to be equipped and trained to handle a wide variety of incidents. Fortunately, responsibility for unique events that require specialized training and equipment is shared with specialized regional teams as discussed in later sections of this report.

The following factors will impact the number and type of fire incidents in Brewster:

- *New commercial development.* New commercial buildings that are built to the latest fire and building codes and are equipped with fire detection or fire sprinkler systems, will have a lower risk for a catastrophic fire. However, unintentional, or false alarms involving the fire protection systems could increase the number of calls for fire department response. Manufacturing processes and hazardous materials transportation, use, and storage increase fire risk.
- *Lightweight construction.* While efficient and economical, modern lightweight construction methods pose serious risks to firefighters because of the probability of building collapse during the early stages of a fire.
- *Interior building contents.* Today's furnishings, mattresses, and other interior contents that are made of petroleum-based materials (plastics, foams, etc.) burn more quickly, with higher heat release and more toxic smoke than pre-1960s materials. Flashover<sup>8</sup> can occur in a bedroom or living room before the arrival of the fire department or during

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<sup>7</sup> A mass casualty incident (MCI) is an event which generates more patients at one time than locally available resources can manage using routine procedures.

<sup>8</sup> A flashover is the near-simultaneous ignition of most of the directly exposed combustible material in an enclosed area.

initial fire attack, thus creating an extremely lethal environment for building occupants and firefighters.

- *Aging building stock.* The fire risk in existing commercial and residential buildings increases unless heating systems and electrical systems are properly maintained and updated.
- *Aging population.* Older people are at a higher risk from fires due to mobility issues, cooking fires, smoking, and improper use of oxygen systems.
- *Increased traffic.* Increased traffic in the community can result in more frequent and more serious vehicle crashes and fires.
- *Alternative fuel vehicle fires.* Alternative fuel vehicles, such as electric, hydrogen, and compressed natural gas, present unique and dangerous firefighting challenges.

The following factors will impact the number and type of EMS incidents in Brewster:

- *Aging population.* Brewster's population is considerably older than the statewide average. As the population continues to age, there will be an increased demand on EMS.
- *Increased traffic.* Increased traffic in the community can result in more frequent and more serious vehicle crashes and fires.
- *Increased seasonal population.* Increases in the seasonal population will result in additional EMS calls due to increases in motor vehicle crashes and incidents involving outdoor recreation (hiking, boating, swimming), intoxication, overdoses, and health-related medical emergencies.

All communities on Cape Cod are faced with the geographic challenge of having a limited number of communities to share emergency services resources through automatic and mutual aid. In addition, fire and EMS services in Massachusetts and across the U.S. are facing serious difficulties in recruiting and retaining qualified personnel. The problem is particularly acute on Cape Cod due to housing costs and recruitment competition between municipalities. A recent article in the Boston Globe highlights the fact that many firefighters now live off-Cape, which reduces their availability for callbacks for station coverage during routine incidents or to respond to major fires.<sup>9</sup>

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<sup>9</sup> [https://www.bostonglobe.com/2023/07/11/business/cape-cod-housing-costs/?p1=BGSearch\\_Advanced\\_Results](https://www.bostonglobe.com/2023/07/11/business/cape-cod-housing-costs/?p1=BGSearch_Advanced_Results)

Looking ahead, the Town of Brewster will continue to experience some limited growth and development. While this development will have a definitive impact on the Brewster Fire Department, the exact amount is difficult to quantitatively and accurately predict. Increased development of any type will mean an increase in the number of people living, working, and traveling within the area. Each of these will reasonably be expected to result in an increased number of requests for services from the fire department. They can also impact response times through increased traffic and congestion.

It is likely the most significant increase in requests for emergency services will be EMS related. More people simply increase the number of medical emergencies that occur. It would not be unreasonable to expect that the increase in EMS incidents would be proportional to the increase in population; however, that is not always the case. Although a number of factors can ultimately impact the requests for service, such as ages or socio-economic status of new residents, or an aging population, it could reasonably be anticipated that an increase in population, along with potential increases in employment from any significant commercial development, would translate into an increase in emergency medical incidents.

Persons over the age of 65 are considered in a higher risk group both from the perspective of fire and medical emergencies. An aging population group, along with the potential for the number of senior citizens in the age 65 and over group to increase with new developments, or with people who turn what was a vacation home into their permanent retirement residence, also suggests that the number of responses will continue to increase.

The above information is intended to provide a community “snapshot” of the Town of Brewster. It is not intended to be all-inclusive or comprehensive. For the Town’s governing body and first responders it serves to put the community, and its associated hazards and risks, into some context as the Town and the fire department work to carry out the recommendations of this study and implement their long-range plans. Looking ahead, as it develops a more in-depth risk management plan, that assessment should include:

- clearly identify and classify the Town’s current risks,
- place the risks in context with the fire department’s current operational capabilities and procedures,
- reflect what the Select Board feels is an acceptable level of risk for the Town of Brewster,
- implement short- and long-range plans based upon a desire to reduce those risks and/or improve service delivery levels.

## RECOMMENDATIONS

- III-1:** *The Brewster Fire Department should make it a priority to complete a comprehensive fire and rescue community risk assessment. This assessment should be done in conjunction with a fire and EMS calls for service demand analysis, including the development of a wide-ranging pre-incident planning program for target and high hazard locations in the Town, and take into consideration the fire department's operational capabilities and preparedness.*
- III-2:** *The Brewster Fire Department should develop a compelling public education program that includes discussing the benefits of installing residential fire sprinklers in new one- and two-family dwellings. Although Massachusetts's construction codes do not allow residential fire sprinkler systems to be mandated, there is no prohibition for property owners to install them if they determine that it is in their best interest.*

## CHAPTER IV BREWSTER FIRE DEPARTMENT ORGANIZATION, MANAGEMENT, AND OPERATIONS

### BREWSTER FIRE DEPARTMENT OVERVIEW



The organizational structure of any organization or entity, whether public or private, establishes and illustrates the important hierarchical relationships between various personnel, supervisors/subordinates, levels, divisions, and bureaus within the organization that allow it to function properly, and operate effectively and efficiently in its daily operations or the pursuit of its mission. It also helps to clearly define the organizational chain of command from top to bottom, an especially important consideration in a quasi-military public safety organization such as a fire department where everyone from the highest rank to the lowest is subject to receiving orders, and with the exception of the lowest rank, also issues them. Effective communications in any organization, but especially public safety agencies, are essential. A cohesive chain of command allows everyone to know exactly who they report to and/or who reports to them.

The Brewster Fire Department was established in 1928. The department remained staffed primarily by on-call firefighters until recent years. As recently as about 2011, the department was still primarily on-call with 37 call personnel supplemented by 12 career firefighters. The department continues to nominally function as a combination fire department utilizing a mix of both career and on-call firefighters; however, as of Spring 2023 when MRI was conducting this staffing analysis, the call force had declined to just two members. One of those two was most

likely going to be hired as the Department's Fire Prevention/Community Risk Reduction Officer, while the other no longer possessed the minimal requisite requirements to remain a member.

At the time of this assessment, the Brewster Fire Department is authorized a total staffing complement of twenty-three full-time, career personnel, plus one civilian administrative assistant.

These personnel include:

- One (1) Chief of Department
- One (1) Deputy Fire Chief
- Four (4) Captains are each assigned to supervise an on-duty group and serve in the dual role of engine company officer.
- One (1) Fire Prevention Officer
- Sixteen (16) Career Firefighters
- Two (2) Call Firefighters
- One (1) Administrative Assistant (civilian)

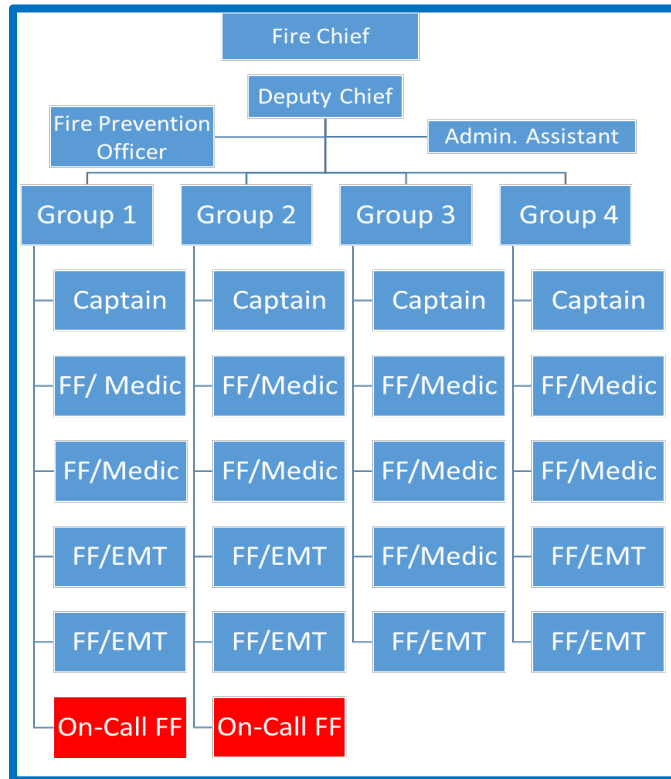
MRI was informed that unlike many departments on Cape Cod that the Brewster Fire Department does have two authorized part time seasonal positions for the summer vacation season. These personnel are normally utilized from Memorial Day to Columbus Day to supplement staffing during the busy vacation season. However, this year, due to multiple staffing challenges related to recruitment and filling vacant positions, in 2023 these personnel were not slated to start until around July 4<sup>th</sup>.

Being a tourist and vacation destination, the incident statistics illustrate the Brewster Fire Department's call volume increases between May and October each year, so the use of these seasonal personnel is an excellent way to increase staffing during the busiest months but do so in a more fiscally prudent manner. The Brewster Fire Department should be commended for this procedure which MRI considers to be **Best Practice**. Similar communities along the New Jersey shore such as Wildwood, North Wildwood, and Cape May have used a similar practice to bolster their seasonal on duty staffing with part time or per diem personnel. They often move into full-time positions when they become available.

The Fire Prevention Officer is also utilized to provide additional daytime staffing. It is supposed to be primarily for the second or third ambulance, however, staffing shortages had caused them to frequently be used to maintain minimum shift staffing. At the time of MRI's field visit to Brewster this position was vacant as the previous incumbent had resigned. We were informed that although the person in this position is compensated as a Captain, traditionally the position has been difficult to fill. The department was hoping that one of the two remaining on call firefighters was going to accept the position.



Figure IV-1 illustrates the Brewster Fire District’s organizational structure that was in effect in 2023.



**FIGURE IV-1: CURRENT BREWSTER FIRE DEPARTMENT ORGANIZATIONAL CHART**

The department and its personnel are not a part of the Massachusetts civil service system. As such, the town must establish its own specific requirements for recruiting, hiring, promoting, disciplining, and terminating fire department employees. It should also be noted that at the time of this assessment, the Department was four personnel short. This caused the department to temporarily drop the minimum staffing at night to four personnel.

Fire Chief Robert Moran is the department’s highest-ranking officer and serves as the administrative and operational head of the department. Chief Moran possesses a basic Emergency Medical Technician (EMT) certification and also serves as the Town’s Director of Emergency Management as assigned by the Town Manager. The Fire Chief is appointed by, and reports to, the Town Manager under MGL Chapter 48, Section 42, also known as the “strong chief” law. Under this statute the chief “..shall have full and absolute authority in the administration of the department, shall make all rules and regulations for its operation, shall report to the Town Manager/Select Board from time to time as they may require, and shall annually report to the town the condition of the department with his recommendations



**thereon...**” The chief is a highly experienced and regarded chief officer who appears to be an effective advocate for the organization, who is trying to bring the department to a higher level of service and effectiveness. Chief Moran works a straight day work schedule, Monday through Friday.

The Deputy Fire Chief, who is a licensed advanced life support (ALS) provider (paramedic), also work straight daywork and serves as the second in command of the Department. This position was created as a full-time position in 2016. The Deputy Chief handles the department’s day-to-day emergency operations and assumes the chief’s duties in his/her absence.

Both the Chief and the Deputy Chief are considered to be management and are not a part of the collective bargaining unit. As a management team, they share responsibilities for confidential personnel matters, supervision, handling grievances or potential grievances, administering the collective bargaining agreement, overseeing budgetary expenditures, assisting with the development of policies and procedures, and the myriad of administrative and management tasks that are associated with running a significant sized, modern, full-service emergency services provider. They also appear to form a capable, well respected, and effective command team. They frequently respond to emergency incidents when appropriate, particularly when staffing is insufficient. Overall, the department appears to work diligently to meet the needs of the community. The chiefs are assisted by a civilian administrative assistant who provides a wide range of administrative and support functions.

The department is authorized to have a total of four (4) captains who are assigned as supervisors on each of the four (4) platoons/units, and function as the shift commanders. The captains serve as the department’s first line supervisors, providing critical direction and direct oversight to the firefighters assigned to that platoon while also providing initial incident command and management. They form an integral part of their company or unit, and it is often necessary for them to assume hands-on involvement in operations while simultaneously providing oversight and direction to their personnel. Captains must be able to focus on the completion of specific tasks that have been assigned to their respective companies, such as interior fire attack, rescue, ventilation and/or water supply. During structure fires and other dangerous technical operations, it is imperative that these officers accompany and operate with their crew to monitor conditions, provide situation reports, and assess progress toward incident mitigation. During structure fires they must be capable of operating inside of the fire building with their crews, the most dangerous place on the incident scene. Consequently, it is imperative that they are highly qualified and experienced and can command the confidence of their personnel.

Consistent with most modern fire departments, the Brewster Fire Department provides numerous services beyond traditional firefighting. The fire department operates the town’s transport ambulance service at the advanced life support (ALS) level. Therefore, officers and

firefighters are also certified to provide emergency medical care. The above-listed positions include eleven (11) paramedics (with one more in training), and eleven (11) basic emergency medical technicians (EMTs) <sup>10</sup>. The department provides a wide range of services under the umbrella of “community risk reduction” including traditional fire prevention activities, community cardio-pulmonary resuscitation (CPR) training programs, management of facility Tier II reports for storage of hazardous materials pursuant to the federal Emergency Planning and Community Right-to-Know Act, and numerous public education programs.

The on-duty response staff is organized into four (4) shifts of five (5) members each. Each shift consists of one (1) captain (shift commander), and four (4) firefighter-paramedics, or EMTs. There must be a minimum of one paramedic on duty at all times.

Articles 34 and 44 of the current collective bargaining agreement stipulates the number of personnel who may be off on scheduled leave at any given time. The Brewster Fire Department utilizes a constant staffing model in which the number of personnel assigned to each shift is also the minimum staffing level. This requires that any time a member is off on any type of leave, scheduled or unscheduled, another member is called in to work to fill that vacancy and bring the on-duty staffing back to the minimum level.

Duty shifts are 24 hours in length. The shift schedule is 24 hours on duty, followed by 48 hours off duty, followed by 24 hours on duty which is then followed by 96 hours off. This 8-day rotation results in an average 42-hour work week. This type of schedule is highly typical for fire departments in the northeastern United States.

The one downside to the 24-hour schedule is that there can be a tendency for continuity and/or progress on projects to be slowed by the fact that the personnel assigned to or working on them, are only available every third or fifth day. Personnel working weekends and holidays, when the fire chief is not normally working is factored in; communications can be problematic, as the fire chief may go a week or longer without seeing certain personnel who he may need to get updates from and provide direction/instruction to. While there is a wide array of alternative communications mediums available today that can minimize these issues, there is still no form of communication that is as effective as face-to-face communications.

Because all uniformed personnel are cross trained with fire, rescue, and EMS skills, the department is well-positioned to respond effectively to the expected wide range of emergency events. A few participate in specialized regional teams and operations and perform various additional duties for the department. Some, but not all, of the department’s personnel have

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<sup>10</sup> Paramedics are trained and certified to provide advanced life support (ALS) care, which can include the administration of life-saving drugs, airway intubation, intravenous fluid therapy, and specialized cardiac and stroke care. Emergency Medical Technicians (EMTs) provide basic life support (BLS) care, including airway management, cardio-pulmonary resuscitation (CPR), automatic external defibrillation (AED), fracture stabilization, and wound care.

ancillary duties they have been assigned, that assist with coordinating or managing various aspects of the department's operations.

The fire department is unionized except for the fire chief, and deputy fire chief. Captains, the Fire Prevention Officer, and firefighters are represented by Local 3763 of the International Association of Fire Fighters (IAFF). There is a current collective bargaining agreement in place. New employees serve as probationary employees for one year. The promotional process is addressed in the collective bargaining agreement. The current representation arrangement where rank and file firefighters, and supervisors (captains) are all in the same union – while very common – does have the potential to create problems and conflicts of interest within the department, particularly when it comes to the administration of discipline.

Off-duty personnel are recalled when there are multiple calls or major emergencies such as structure fires. The typical recall may result in one or two off-duty personnel returning to the station although it is not uncommon for no one to return. Structure fire recalls may have a few more off-duty personnel returning to duty, but even then those numbers are limited. Recall response time is contingent on the availability of personnel and their location at the time of the incident. Because of the cost of housing not only in Brewster, but on Cape Cod in general, few of Brewster's personnel live in or near the town. In fact, about 40% of the department's current personnel live over the Sagamore Bridge, so more than 30 miles away. MRI was advised this situation is becoming more common on Cape Cod. While the need for personnel to be able to find affordable housing is very important, it limits the department's flexibility in having personnel available for off duty responses.

Many communities in the United States (but not necessarily Massachusetts) that are similar sized to Brewster are protected by combination fire departments comprised of both career and call/volunteer personnel, or, in some instances fully call/volunteer fire departments. The project team is often questioned by municipal leaders if maintaining a call contingent in their local fire department would be a viable option to supplement the career staffing levels. However, MRI rarely ever believes this would be a feasible option in the 21st century and Brewster provides no exception.

There are several factors that lead to this conclusion, chief among them the time commitment necessary to complete initial training (up to 550 hours to earn basic certifications for both firefighting and EMT); no long deep tradition of a call or division within the department that would attract and keep members; and a general steep decline in volunteerism throughout the country. Many chiefs who lead combination departments report that they invest considerable resources, both time and financial, in training people to be call firefighters only for them to use it as nothing more than a stepping-stone to a career job. These factors are particularly relevant

in Massachusetts where the majority of communities have career firefighters and there are a large number of opportunities for those who wish to pursue a career in the fire service.

As noted above, for most of its history, in past years, the fire department primarily utilized part-time “on-call” firefighters. However, as emergency calls and training requirements increased, particularly over the past decade, on-call firefighters retired, resigned, accepted career positions, and the town increased the number of full-time personnel. Like many other municipalities throughout the United States, Brewster has been unsuccessful at recruiting new call firefighters and has arrived at the realization that it is no longer feasible or practical to recruit and retain on-call firefighters and EMTs. Over the past decade, the town has been unsuccessful in recruiting call firefighters while nearly doubling the size of the career force. In the opinion of the MRI project team, the use of call firefighters is no longer part of recommended fire protection and EMS service delivery model for Brewster. Today’s training requirements for firefighting, EMS, rescue, and hazardous materials, and the frequency of emergency calls are just two of the barriers to maintaining an effective and reliable call firefighting force.

Overall, during the MRI study team’s fieldwork, the Brewster Fire Department appears to have a positive organizational culture. During the interviews with stakeholders, the MRI study team was informed that labor/management relations are generally good and positive. There was a positive attitude about the changes the department was making and in the past few years, the chief and deputy chief along with most of its members were trying to raise the department to an even higher level. The project team found members that appeared to be engaged in the department besides just being employees.

The above positive attributes notwithstanding, the Brewster Fire Department is not without challenges (other than staffing) that can have an impact on it as it tries to move forward. The MRI team was informed by multiple stakeholders that several very senior (and unfortunately supervisory) members of the department tend to immediately be negative about any change that is implemented and try to place obstacles in the way of implementation. Because of their seniority and supervisory status, they have the ability to influence other members of the department many of whom have only been on the job for a few years. This type of situation can often create a divided organization as various “adversaries” seek to increase the number of personnel they perceive as loyal to them and thus against “the enemy”. Changing this type of culture and minimizing the influence of these negative forces within the department will be critical if the Brewster Fire Department is to realize its full potential.

In addition, the Brewster Fire Department is one of the lower paid departments on Cape Cod. While the town has made a concerted effort to gradually increase the pay scale, it still lags behind most other departments in the area. That is a major reason that MRI was informed that more than 20 personnel have left the Brewster Fire Department over the previous five years, most of

them to employment with other fire departments on the Cape. During one stretch in 2021, four members left in a short period of time. This type of turnover is unhealthy to an organization. In addition, in early 2023 the department had four vacant (including one on long term military leave) positions it was struggling to fill.

With the constant staffing model described previously, this situation creates the need for a high amount of overtime. The amount of mandatory overtime has been cited by personnel who have recently left Brewster for other fire departments. High levels of overtime, particularly mandatory or forced overtime can have implications both fiscally, as well as for firefighter safety and patient care outcomes. For the former, in FY 2023, the Brewster Fire Department had \$424,700 budgeted for overtime. However, due to the need for constant overtime, as of 3/31/23, so with a full ¼ of the year remaining, there was only \$11,000 left in that account.

The firefighter safety issue is even more of a concern. The consequences of the COVID pandemic have created some unique staffing challenges for many fire departments, Brewster included. During the early days of the pandemic many days fire departments had multiple shifts filled by personnel working overtime just to fill vacancies created by personnel on both regularly scheduled, as well as unscheduled/sick leave. Today, many fire departments are having difficulty filling shifts and in some places are getting involved in bidding wars in efforts to attract the most qualified candidates. In addition to the financial implications to the municipality of the need for personnel to work numerous overtime shifts, there is growing evidence to suggest there are very real health and safety implications for firefighters as well, and which could end up having tragic consequences.

In a recent article titled "What Firefighters Really Want in 2023"<sup>11</sup> published in Fire Rescue 1 magazine, the results of a nationwide survey of firefighters indicated some concerning data that could have applicability in Brewster as much as any other fire department. This includes:

- 64% of respondents rate their job-related stress level at seven or above (on a scale of 1 to 10) with 41% rating an eight or above.
- 57% selected staffing challenges among their top three least-satisfying aspects of the job, with one-quarter selecting this issue as their top issue.
- 46% have considered leaving their current department; and 42% are considering leaving the fire service altogether.
- **32% state that stress is negatively impacting the quality of service they provide.**
- **54% of respondents reported that, due to staffing challenges, they believe their personal safety is at greater risk;** 50% described their stress level as negatively impacting their ability to engage in non-fire department activities such as hobbies, vacations and time with friends; 47% indicated that stress is negatively

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<sup>11</sup> <https://www.firerescue1.com/what-firefighters-want/>

impacting relationships with their families; 67% say their stress level negatively impacts other aspects of their health, like ability to sleep and time to exercise.

In addition, other studies suggest:

- The PTSD rate for firefighters has been estimated anywhere from 7% to 37% compared to about 6.8% for the general population.<sup>12</sup>
- A recent survey found that 6.6% of first responders had attempted suicide at least once, 10 times the rate of the general population.<sup>13</sup>

Chief Don Abbott was a well-known fire service leader, author, and instructor who is regarded as a leading authority regarding MAYDAY<sup>14</sup> facts in the fire service in North America. Chief Abbott's analysis of data submitted to him by career fire departments noted a 35 percent increase in MAYDAYS during a 13-week period from March through June of 2020. This was during the initial surge of the COVID-19 pandemic as well as during social issues, protests, and related civil emergencies. Based upon interviews conducted with 156 personnel (primarily those firefighters who transmitted the MAYDAY) Chief Abbot identified some trends, several of which could have applicability to Brewster:

- Lack of control over excessive overtime, relaxing the rules because of current civil, COVID, or related situations and conditions. There was one incident in which a firefighter had a MAYDAY during his 71st-straight hour of being on duty.
- There were several MAYDAYS (39%) where crews were working short-handed.
- 81% occurred between 9:00 p.m. and 6:00 a.m.
- **77% occurred during an overtime shift; 43% while working a 24 hour + hour shift.**
- Average runs prior to MAYDAY (during a 24-hour period) were 16 runs/or standby on protest rallies (low of 9 runs / high of 26 in 24 hours).

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<sup>12</sup> <https://www.iems.com/administration-and-leadership/post-traumatic-stress-disorder-comparison/#:~:text=Introduction,U.S.%20is%20estimated%20at%206.8%25.&text=The%20rate%20for%20firefigh%20ters%20has,anywhere%20from%207%25%2D37%25.>

<sup>13</sup> <https://www.defeatsuicide.com/suicide-first-responders/#:~:text=First%20responders%20are%20more%20likely,rate%20of%20the%20general%20population!>

<sup>14</sup> A fire department **MAYDAY** is any situation where a firefighter or firefighters is/are unable to safely exit a hazard zone (including inside of any structure on fire) on their own, or an event that cannot be resolved by that/those individual(s) within 30 seconds and/or has the potential to result in serious injury or death.

- 37% of the MAYDAY victims reported working short a crew member.
- 15% reported they didn't remember the dispatch information (address, reason for the run).
- 37% reported using more air than normal.
- **THE NUMBER ONE cause of their MAYDAY was becoming lost or separated from a hose line.**
- 43% reported difficulty sleeping during their overtime shift.
- Overtime ranged from working 48 hours (36%), 60 hours (23%), and 72 hours (17%) straight.

The critical message here related to staffing practices, and personnel working large amounts of overtime to fill vacancies, is that while each community challenge is different, and Brewster is no exception, the fact is that firefighters require adequate rest (on AND off duty) to ensure they are physically and mentally prepared for duty. Thus, adequate staffing must be planned for in advance based upon the unique needs of the community.

With support from the Town of Brewster and its citizens, the BFD has gradually been able to increase its staffing levels over the past 12 years. This has been accomplished through internal budget transfers, budget overrides, receipt of a federal Staffing for Adequate Emergency Response (SAFER) grant<sup>15</sup>, and the use of ambulance billing revenues. The most recent increases occurred in 2019 when two additional firefighters were hired after receipt of a SAFER grant and a successful budget override; and in 2020 when two more personnel were hired utilizing ambulance revenues.

Generally, the MRI study team believes that the current Brewster Fire Department's overall organizational structure is appropriate for department's current needs and operations. However, the department is struggling with adequate staffing to continue to perform its mission in the community. In this section of the report we will make several recommendations relative to staffing and organizational structure, they primarily serve to enhance current, and mid term operations rather than indicate a need for major changes. As with any organization that continues to grow and evolve based upon the expanding needs of its customers, the Brewster Fire Department's organizational structure should continue to be evaluated in an ongoing manner to ensure it is still appropriate and meeting the department's needs. If, in the future, revisions are deemed appropriate, they can be considered at that time.

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<sup>15</sup> The goal of SAFER is to enhance the local fire departments' abilities to comply with staffing, response and operational standards established by the NFPA 1710.





## RESPONSE METRICS

A community's demand for fire and EMS services are based on that community's demographics, socio-economic factors, the percentage of commercial, industrial, and residential properties, as well as, the district's infrastructure. By reviewing the historical demand for fire and EMS services and the fire department's ability to respond to those needs within the expressed expectations of that community; a fire department can evaluate what types and levels of services that they will need to provide. Though fire and EMS standards are helpful for modeling those services, no two communities are exactly alike. Budgeting and resources often determine what level of service a community expects and can afford. Fire departments, in conjunction with their governing bodies and community political leaders, should work to establish plans that can deliver fire protection and emergency medical services at a point that meets the level of expectation that the community has established.

One of the best ways to get a broad overview picture of an emergency services organization is to look at, and analyze, their emergency response/incident statistics. Looking at statistical data that is compiled from incident reports that are generated for each and every emergency response, and /or request of assistance, will assist with determining the adequacy of current operations, as well as, to identify trends in responses (i.e., increasing vs. decreasing volume, changing types of incident requests, increasing or unacceptable response times, frequency of simultaneous incidents). Utilizing current trends to help predict future events, while not an exact science, can be helpful to communities and fire departments. This information can be utilized to plan for future operational needs, such as additional stations. However, as with any other type of statistical analysis, the information that is produced is only as good and/or reliable as the data that was originally entered and provided for evaluation.

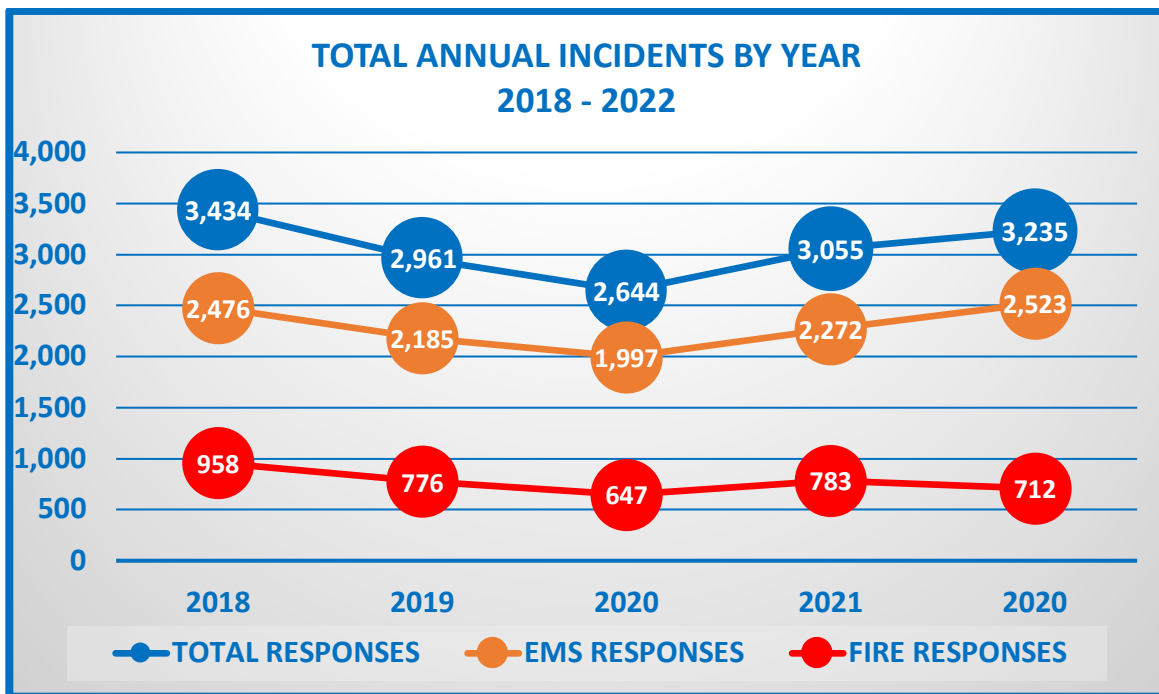
The data that was analyzed for this report was provided to the MRI study team by the Brewster Fire Department. The reports developed were automatically compiled through the report generation features of the Image Trend Software fire records management system, and electronic patient care reporting for EMS, utilized by the Brewster Fire Department. Each emergency incident that the Brewster Fire Department responds to results in the generation of a National Fire Incident Reporting System (NFIRS) report. The project team believes that the data that it analyzed is, for the most part, relatively accurate; however, the chief reported that improving data entry has been an ongoing project for the department over several years.

During the five-year period from 2018 - 2022, the Brewster Fire Department responded to a total of 15,329 calls for emergency service, an average of 3,065.8 per year, or 8.4 per day (Figure IV-2). In 2022, the department responded to 3,235 incidents which is 169 (5.5%) higher than the five-year average. Overall, the Brewster Fire Department responds to about 74.7% medical related calls and 25.3% for fires and other emergencies (Figure IV-3). The yearly percentage of EMS calls compared to total call volume ranged from a low of 72.1% in 2018 to a high of 78% in

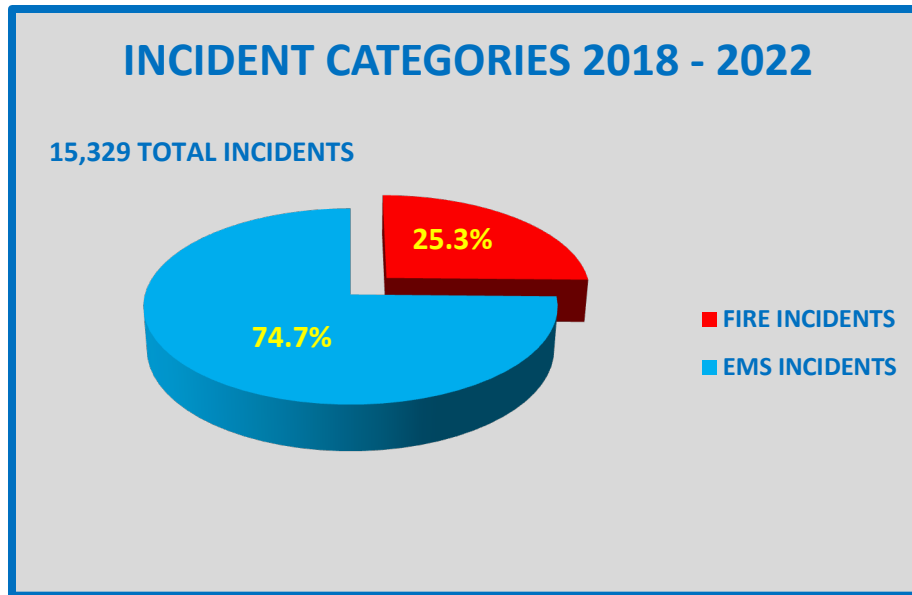


2022. The percentage of EMS related incidents is consistent with nationwide trends where EMS related calls often account for between 70% to 80% of responses. This indicates that the department needs to remain focused on not only the EMS aspect of its operations, but also its fire suppression mission.

The year-to-year incident statistics showed a fluctuation from year to year instead of a steady upward trajectory as is often observed. The number of incidents decreased by 13.7% from 2018 to 2019 then another 10.7% in 2020 before increasing by 15.5% in 2021 and another 5.9% in 2022. In 2020, many EMS providers experienced significant declines in the number of responses which is being attributed to the COVID pandemic. They are expected to continue to increase annually now that the pandemic is over, and life has returned to the new normal. It is MRI’s experience that nearly every community continues to see annual increases in call volume, and we believe this trend will continue in Brewster. This will most likely be driven primarily by the older population demographic found in Brewster, and people spending more time at what used to traditionally be seasonal vacation homes.



**FIGURE IV-2: BREWSTER FIRE DEPARTMENT TOTAL INCIDENT TREND 2018 –2022**



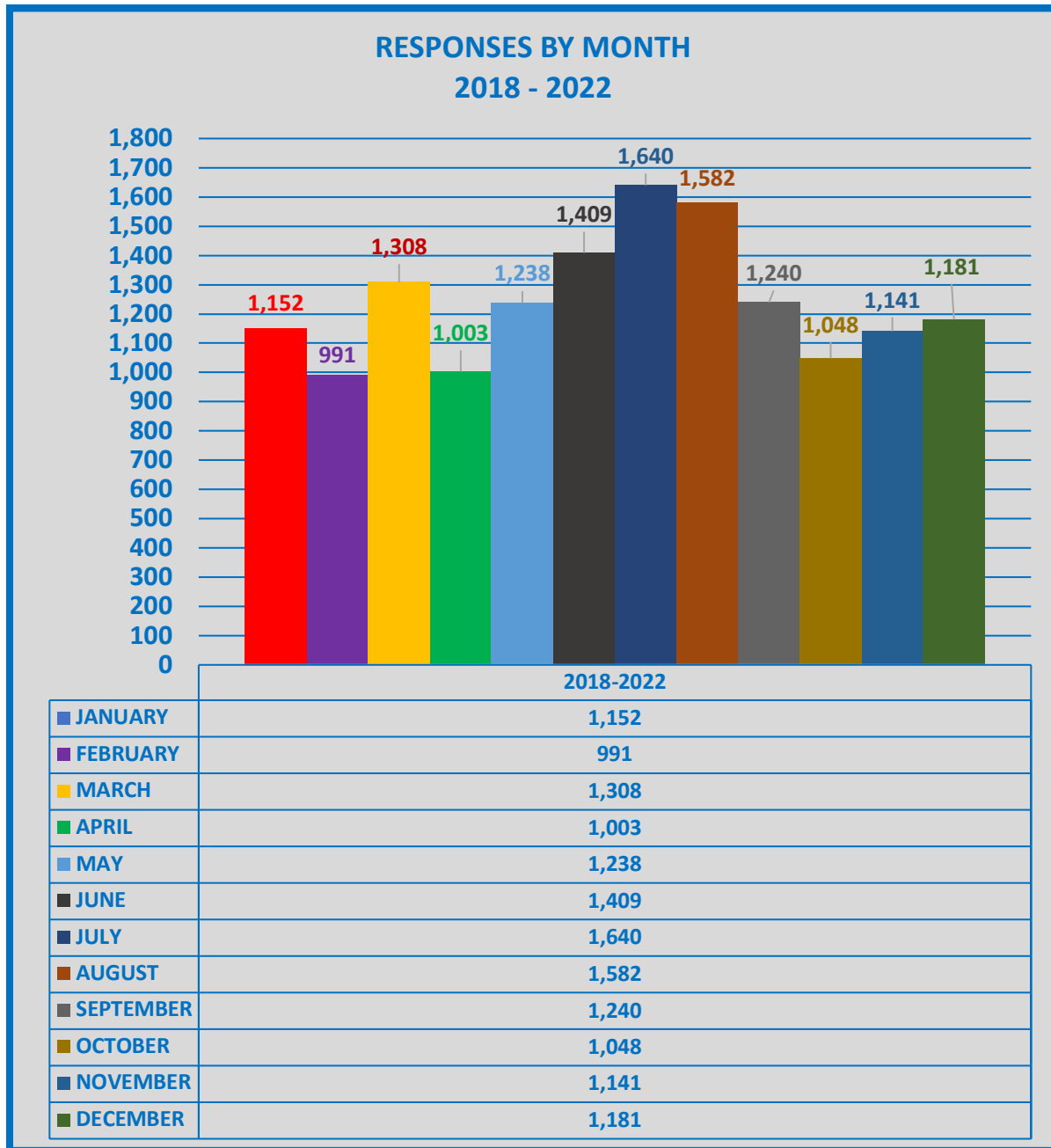
**FIGURE IV-3: BREWSTER FIRE DEPARTMENT GENERAL INCIDENT CATEGORIES 2018 – 2022**

For actual fire incidents, the statistical sample is small. Per NFIRS protocols, the category for “Fire Incident” must be an actual fire situation, that in many, but not all situations caused some type of damage. Many of the incidents that are classified under other types of incidents were also probably initially dispatched as some type of fire incident, but ultimately were classified otherwise, for reporting purposes, based upon the situation actually found at the scene. From 2018 through 2022, the department responded to a total of 287 actual fire incidents, an average of 57.4 per year, or about 1.1 per week. Actual fires accounted for 1.9% of the fire department’s total responses during these years.

Significant structure fire incidents were a much smaller percentage of the actual fires. In the five-year period analyzed the Brewster Fire Department experienced just 56 significant structure fires, an average of 11.2 per year. These annual numbers ranged from 5 in 2020 and 6 in 2022, to 17 in both 2018 and 2021.

The number of incidents that the Brewster Fire Department responded to each month over the fire year period is mostly consistent with what would be expected of an area that experiences an influx of part-time residents and visitors during the warm weather months. Over the five-year period, incident activity began to increase in May, peaking in July and August, before beginning to decrease again in September (Figure IV-4). There are a couple of exceptions though. As seen on the chart, activity spiked in March which is due to March 2018 having an extraordinarily high number of incidents – 439 – more than double the normal number. This was due mainly by multiple Nor’easters hitting the area in rapid succession over several weeks. Also, the number of

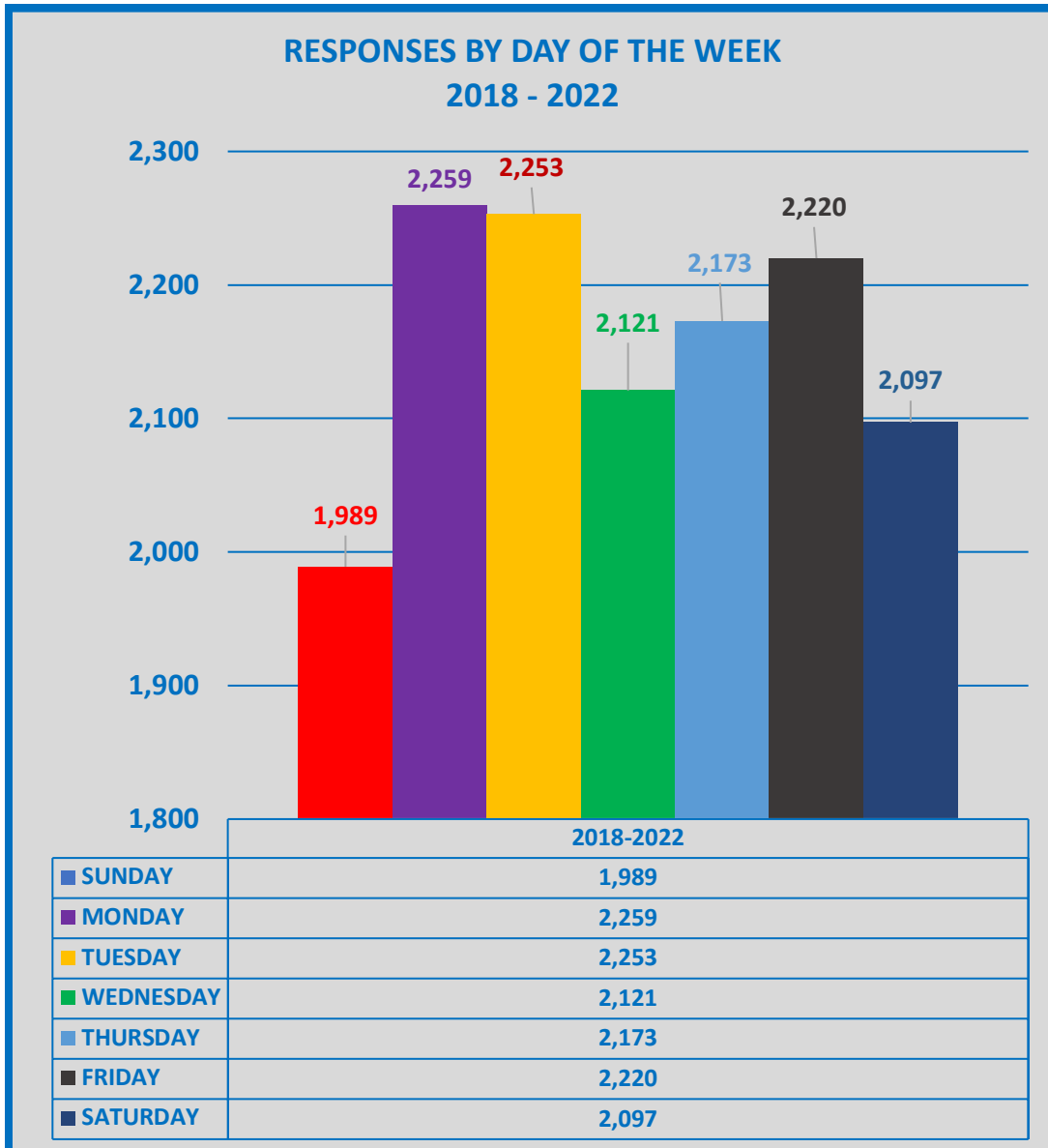
incidents increases again near the end of the year, most likely caused by people spending the holidays at their vacation homes.



**FIGURE IV-4: RESPONSES BY MONTH 2018 - 2022**

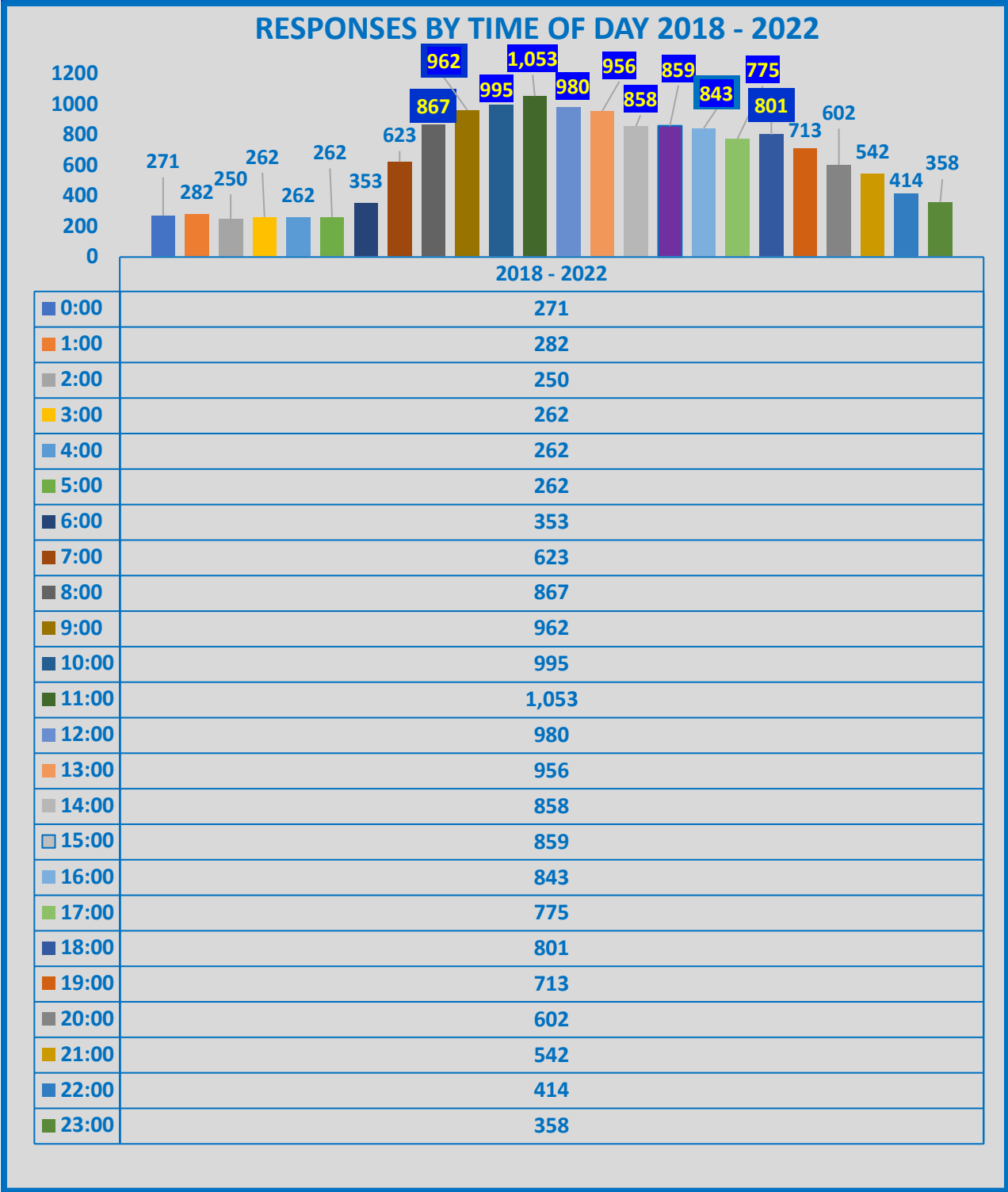
The number of incidents that the department responded to each day of the work week, Monday through Friday is very consistent with just 138 incidents difference in the five-year period between the slowest day, Wednesdays, and the busiest day, Monday (Figure IV-5). Surprisingly,

the weekends tended to have fewer calls with 162 fewer incidents on Saturdays than on Mondays, and another 108 fewer on Sundays than Saturdays and 270 less than Mondays. With the Brewster area being a vacation and tourist destination during the warm weather months it would be reasonable to expect the weekends to be busier.



**FIGURE IV-5: RESPONSES BY DAY OF THE WEEK 2018 - 2022**

Incident activity rose and fell throughout the day depending upon the hour. The busiest hours of the day were between about 0800 hours and 1900 hours, with the height of activity occurring between 0900 hours and 1400 hours. (Figure IV-6).



**FIGURE IV-6: RESPONSES BY TIME-OF-DAY 2018 - 2022**

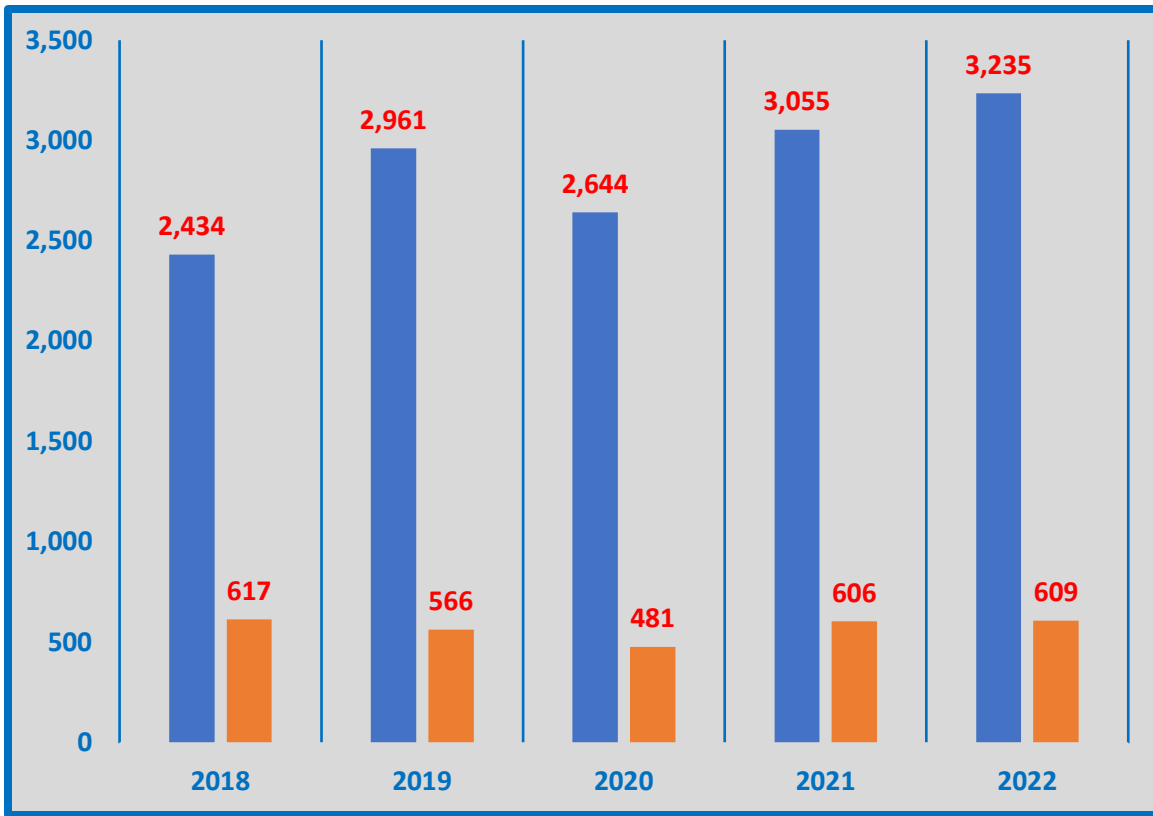


One issue in Brewster, as with many communities, is either actual or anticipated call volume growth. The five-year incident trend analysis did not indicate a definitive trend, although in the last two years the numbers have increased each year as would be expected. Indicating that incidents are generally on an upward trajectory. It is our belief that the decrease in incidents from 2019 to 2020 is an anomaly resulting from the COVID pandemic. Many other departments have experienced similar declines in responses. Overall experience shows, particularly considering some development is still occurring in the town, and with an older population, that call volume will continue to increase. Looking forward, if this growth in service demand continues, maintaining the current service level will only be possible if the level of resources dedicated to these services increase.

Every emergency services organization periodically experiences simultaneous, or overlapping, incidents. Whether they are handled by that department themselves, or, through automatic/mutual aid provisions need to be made to ensure that these incidents are handled effectively, efficiently and, in a timely manner. However, as the number of simultaneous, or overlapping, incidents increase, that community and/or department can no longer rely on their neighboring communities/departments to handle an ever-increasing percentage of their incidents. This a key benchmark in the need to consider increasing the number of available resources that are in service.

The MRI study team's evaluation found that the number of simultaneous, or overlapping incidents handled by the Brewster Fire Department is increasing and becoming a significant operational concern. This has added a stress factor to the department as the occurrence of multiple overlapping calls over the five-year period analyzed stands at 18.8%, or just under one in every five incidents. This means that 18.8% of the time the department is asked to answer not only one, but two, and occasionally three or more incidents at the same time with their resource set, and the assistance on off duty personnel, automatic, and mutual aid.

The number of simultaneous calls averages about 1.6 per day, and 48 per month over the five-year period. In three of the five years (2018, 2021, 2022), the number of simultaneous or overlapping calls exceeded 600 per year. This is a disturbing trend, particularly with Brewster currently staffed at a bare bones level. While it is not unusual – it is generally expected - to see total incident volume rise, the rate of simultaneous events indicates that the current resource set of the organization will be unable to maintain the current service level as this statistic expands toward 20% (in 2021 the number stood at 19.8% before decreasing slightly in 2022) and possibly beyond. Figure IV-7 illustrates the annual frequency of these events for the five-year period. Figure IV-8 shows the number of overlapped calls from by number of simultaneous/ overlapped incidents. These incident response metrics support the overall need to increase the human resources set provided to the department as will be discussed in detail in the *Staffing Critical Tasking, and Deployment* section later in this chapter of the report.



**FIGURE IV-7: OVERLAPPING/SIMULTANEOUS INCIDENT VOLUME – 2018 - 2022**

SIMULTANEOUS/OVERLAPPING INCIDENTS (2018-2022)					
Number of Simultaneous/ Overlapping Incidents	2018	2019	2020	2021	2022
2	437	404	369	434	459
3	121	119	88	132	105
4	33	25	17	27	29
5+	26	18	7	13	8

**FIGURE IV-8: OVERLAPPING/SIMULTANEOUS INCIDENT VOLUME BY NUMBER OF CALLS – 2018 – 2022**

## FIRE OPERATIONS

Fire, rescue, and emergency medical system (EMS) incidents and the fire department's ability to respond to, manage, and mitigate them effectively, efficiently, and safely are mission-critical components of the emergency services delivery system. In fact, fire, rescue, and EMS operations provide the primary, and certainly most important basis for the very existence of the fire department. As with many fire departments today, the majority of responses are emergency medical service related. Improved building construction, code enforcement, automatic sprinkler systems, and aggressive public education programs have contributed to a decrease in serious fires in many communities and more importantly, fire deaths among civilians. However, while no longer generating the majority of most departments' responses as they once did, fire-related incidents are still justifiably an extremely high priority for the "fire" department and comprise a significant part of their operational missions.

These trends and improvements in the overall fire protection system notwithstanding, fires still do occur and the largest percentage of those occur in residential occupancies where they place the civilian population at risk. Although they occur with less frequency than they did several decades ago, when they occur today, they grow much quicker and burn more intensely than they did in the past. As will be discussed later in this report, it is imperative that the fire department is able to assemble an effective response force (ERF) within a reasonable time period in order to successfully mitigate these incidents with the least amount of loss possible.

NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Career Fire Departments*, 2020 edition (National Fire Protection Association, Quincy, MA) addresses the organization and deployment of fire suppression operations, emergency medical operations, and special operations to the public by career fire departments to protect citizens and the occupational safety and health of fire department employees. It is the benchmark standard that the United States Department of Homeland Security utilizes when evaluating applications for staffing grants under the Staffing for Adequate Fire and Emergency Response (SAFER) grant program. The ability to get a sufficient number of personnel, along with appropriate apparatus, to the scene of a structure fire is critical to operational success and firefighter safety. Accomplishing this within the 8-minute time frame specified in NFPA 1710 is an important operational benchmark.

In addition to structural firefighting and emergency medical services, the fire department is tasked with responding to and managing a broad spectrum of other types of emergencies, including, but not limited to, vehicle crashes, building collapse, water and ice rescue, mass casualty incidents, weather-related emergencies, and natural and technological disasters. These types of incidents require specialized equipment and specialized training. In all types of emergency responses, an incident command system (ICS) should be utilized that conforms to the National Incident Management System (NIMS) guidelines that have been promulgated by the



U.S. Department of Homeland Security. Since safety is the primary focus throughout all operations, a formal component of the ICS program includes the consistent assignment of an on-scene safety officer when appropriate.

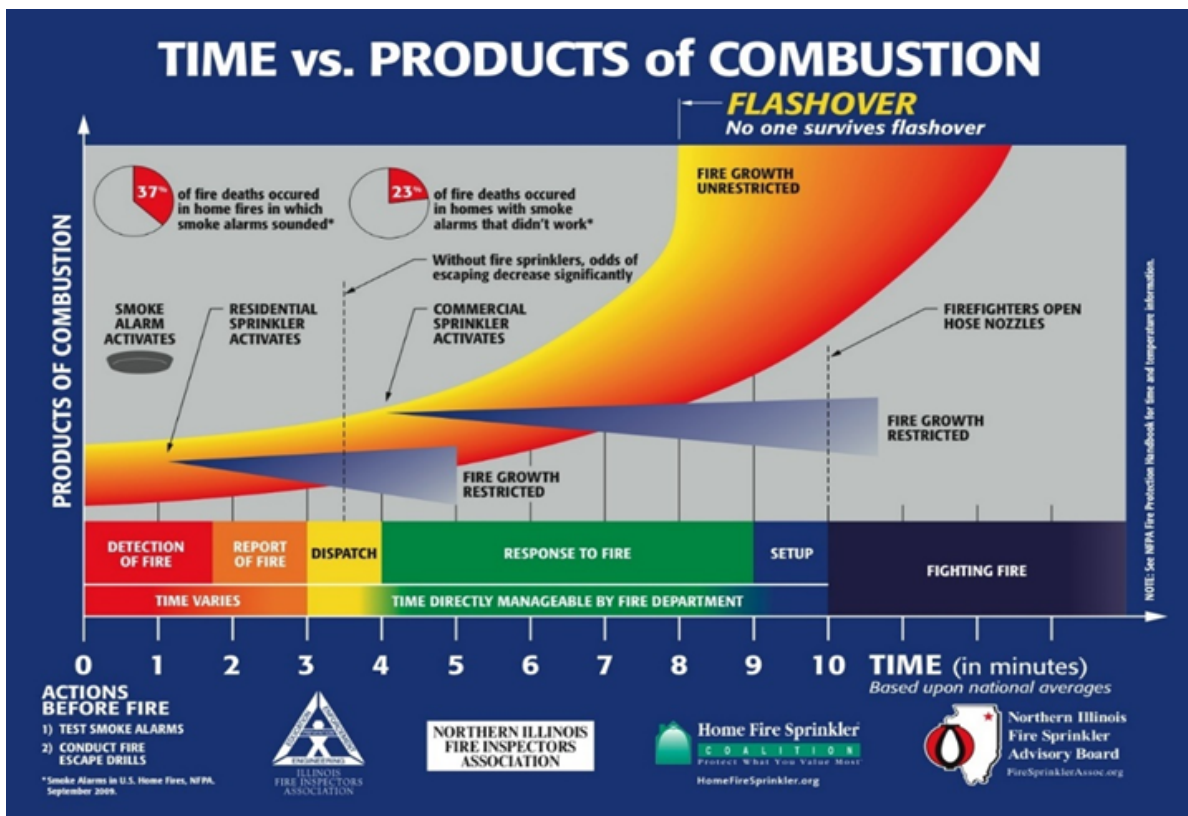
The strategic and tactical challenges that the various hazards the department protects need to be identified and planned for through a community risk analysis planning and management process. The community risk and vulnerability assessment evaluates the community as a whole, and regarding property, measures all property and the risks associated with that property, and then segregates the property as either a high-, medium-, or low-hazard, which are further broken down into varying degrees of risk. *Community Risk Assessment* was discussed in detail in Chapter III. The development of a community risk and vulnerability assessment should drive many of the key decisions associated with the deployment of resources for fire and medical emergencies.

The Brewster Fire Department is equipped and staffed to respond to a wide variety of emergency incidents. Although EMS calls are more prevalent, the department must still be prepared to fulfill its core firefighting mission. As with most communities in the United States, the primary focus of firefighting operations is on fires in residential occupancies (single- and two-family dwellings, multi-family units) due to the high potential for loss of life. Until residential fire sprinkler systems become commonplace as a critical lifesaving feature in homes, the fire department will continue to be the only “front-line” resource available for firefighting and rescue. The fire codes in the Commonwealth of Massachusetts do not require residential sprinklers and do not allow communities to mandate them through local codes or ordinances.

Structural firefighting has become far more challenging and dangerous in the last thirty years with the introduction of significant quantities of plastic and foam-based products into homes and businesses (e.g., furnishings, mattresses, bedding, plumbing, electrical components, home and business electronics, decorative materials, insulation, and structural components). These materials ignite, burn quickly, and produce extreme heat and toxic smoke. A fire can easily double in size and intensity every 30 seconds. If firefighters cannot arrive in a timely manner and attack the fire quickly, a strong possibility exists that a dangerous flashover (simultaneous ignition of all combustible materials in a room) will occur. Flashover can occur in as little as five to seven minutes after fire ignition and is one of the most dangerous events that a firefighter can face. When a flashover occurs, initial firefighting forces are generally overwhelmed and will require significantly more resources to affect fire control and extinguishment.

Flashover occurs quicker and more frequently today and is caused at least in part by the introduction of significant quantities of plastic- and foam-based products into homes and businesses (e.g., furnishings, mattresses, bedding, plumbing and electrical components, home and business electronics, decorative materials, insulation, and structural components). These materials ignite and burn quickly and produce extreme heat and toxic smoke.

Figure IV-9 illustrates the time progression of a fire from inception through flashover. The time versus products of combustion curve shows activation times and effectiveness of residential sprinklers (approximately one minute), commercial sprinklers (four minutes), flashover (eight to ten minutes), and firefighters applying first water to the fire after notification, dispatch, response, and set up (ten minutes). It also illustrates that the fire department’s response time to the fire is one of the only aspects of the timeline that the fire department can exert direct control over. It is also important to keep in mind that once units arrive on the scene, they will need to get set up to commence operations. NFPA recommends that units be able to commence an initial attack within two minutes of arrival, 90% of the time.



**FIGURE IV-9:**  
**HOME FIRE TIMELINE CURVE SHOWING ACTIVATION TIMES AND EFFECTIVENESS OF RESIDENTIAL SPRINKLERS (APPROXIMATELY 1 MINUTE), FLASHOVER (3 TO 5 MINUTES) AND FIREFIGHTERS APPLYING FIRST WATER TO THE FIRE AFTER NOTIFICATION, DISPATCH, RESPONSE, AND SET UP (10 MINUTES).**

Image credit: Home Fire Sprinkler Coalition

The Brewster Fire Department is dispatched by, and emergency communications are handled by, the Brewster County Sheriff’s Office (BCSO) Department Regional Emergency Communications Center (RECC) which is located at Joint Base Cape Cod. The BCSO RECC handles emergency

dispatch for nine communities and coordinates regional mutual aid operations throughout Cape Cod.

Response time data that was provided to the MRI study team by the Brewster Fire Department only reflects the time from when the Department received the call. It does not reflect the alarm processing or dispatch time at the BCSO RECC. The dispatch center dispatches the station as a whole, and not individual apparatus. In addition, the times reflected the total time from when the department received the call until the first unit arrived on the scene. It did not break these times out into turnout time, and travel time components. It appears when the apparatus signs on, the dispatch center is then recording dispatched and responding times simultaneously. Finally, for fire calls, the first arriving unit could be an ambulance or chief officer, not necessarily a fire suppression unit. As a result, especially with the department operating from a single station with no options to really change the response times we opted not to utilize the data since its benefit would be limited.

Interviews that were conducted by the MRI project team revealed that the Department appears well versed in the use of the National Incident Management System (NIMS) and works well with multiple agencies to provide effective and efficient emergency response services to the community. Through discussions with the department's officers, it appears that though the department has adopted, and is trained, and is aware and understands the importance of using an Incident Command System (ICS), it is often difficult to implement it initially on every incident because of limited staffing.

One of the most effective tools the fire department has to assist them with handling fires and other emergencies in multi-family residential complexes and commercial facilities, are pre-fire plans. The purpose of a fire pre-planning program is to allow firefighters to become familiar with buildings and/or facilities within their response area prior to an emergency, alert them to on-site hazards and risks, and develop a detailed fire response plan for them that includes specific tactics that will be required to mitigate fires or other emergencies. A comprehensive pre-fire plan includes as much data about the building as possible.

The information contained in pre-fire/incident plans allow firefighters and officers to have a familiarity with the building/facility, its features, characteristics, operations, and hazards, thus enabling them to more effectively, efficiently, and safely, conduct firefighting and other emergency operations. Pre-fire plans should be reviewed and updated regularly. They should be tested and validated by table-top exercises and on-site drills. Lack of an up-to-date pre-fire plan is often attributed to being one of the primary contributing factors in large fire losses.

It was reported to MRI that the Brewster Fire Department has done limited pre-planning on some of the target hazards in the town (there are only a limited number of commercial occupancies). To derive maximum benefit from the pre-fire plans, the department should make pre-fire plans

accessible on mobile data terminals (MDTs) (notebook/laptop computers) on fire apparatus, and in the command vehicle(s) for use in-route to an incident, and while on-scene. The information can also be sent to smart phones. With a cloud-based system all the information would be available in real time.

Performance improvement for fire suppression will become even more important in the coming years as the fire department command structure evolves from being a group with significant firefighting experience, to a group with stronger EMS experience. Major fire incidents continue to decline because of better fire prevention and building code compliance, the advent of advanced fire detection and suppression systems, and fire-retardant building components and contents. As a result, the fire service will be challenged in the future to maintain the necessary skill sets to properly command and control major fire incidents. Training and performance improvement strategies must be aggressively enhanced in anticipation of this paradigm shift in fire department capabilities and experience.

The point of the performance measures is to identify the community's expectations in a quantifiable way, and to use the measurement of the fire department's performance against these objectives to identify areas, which may need improvement or additional resources. The process should also include a provision for modifying SOGs, training priorities, and equipment as determined by the performance improvement program.

The Department recently purchased the SOG/Policy software system Lexipol. At the time of this study the Chief and Deputy Chief have been meeting with the reps from Lexipol to get the program implemented. In the near future, they will begin a process including department members to modify, develop, and implement, existing and new SOGs and policies into this state of the art, cloud-based system. The chiefs believe that once fully implemented this program will significantly increase operation effectiveness, as well as improve the department's SOGs and policies.

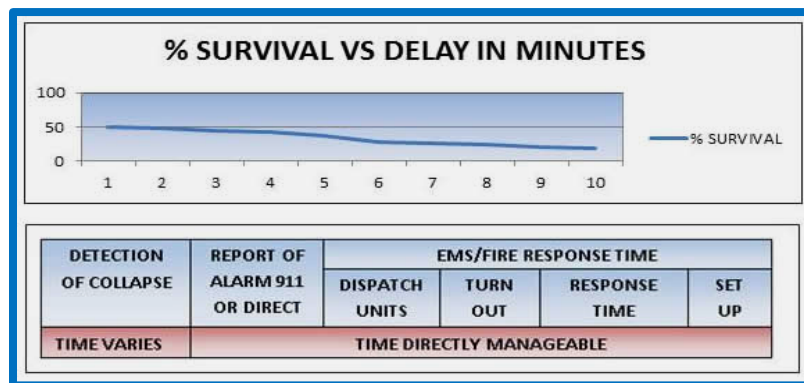
Brewster Fire Department staffing for fire operations will be further discussed later in this chapter in the section on *Staffing, Critical Tasking, and Deployment*.

## EMS OPERATIONS

Emergency Medical Services (EMS) operations are an important component of the comprehensive emergency services delivery system in any community. Together with the delivery of police and fire services, it forms the backbone of the community's overall public safety life net. As noted in several chapters of this report, the Brewster Fire Department like many, if not most fire departments, responds to significantly more emergency medical incidents than actual fires, or other types of emergency incidents.

As a percentage of overall incidents responded to, it could be argued that EMS incidents constitute the greatest number of “true” emergencies, where intervention by trained personnel truly makes a difference, sometimes literally between life and death. Heart attack and stroke victims require rapid intervention, care, and transport to a medical facility (Figure IV-10). The longer the time duration without care, the less likely the patient is to fully recover. Numerous studies have shown that irreversible brain damage can occur if the brain is deprived of oxygen for more than four minutes. In addition, the potential for successful resuscitation during cardiac arrest decreases exponentially with each passing minute that cardio-pulmonary resuscitation (CPR), or cardiac defibrillation, is delayed.

- The potential for successful resuscitation during cardiac arrest decreases exponentially, 7% to 10% with each passing minute, that cardio-pulmonary resuscitation (CPR) or cardiac defibrillation and advanced life support intervention is delayed.
- Few attempts at resuscitation after 10 minutes are successful.



**FIGURE IV-10: CARDIAC ARREST SURVIVAL TIMELINE**

The EMS component of the emergency services delivery system is more heavily regulated than the fire side. In addition to NFPA 1710, NFPA 450 *Guidelines for Emergency Medical Services (EMS) and Systems*, (2009 edition), provides a template for local stakeholders to evaluate an EMS system and to make improvements based on that evaluation. The Commission on Accreditation of Ambulance Services (CAAS)<sup>16</sup> also establishes benchmarks for EMS operations, however, their focus is primarily on ambulance response times which is not a component of this analysis. Massachusetts regulates EMS agencies, and certain federal Medicare regulations are also applicable.

<sup>16</sup> The Commission on Accreditation of Ambulance Services (CAAS) is an independent commission that established a comprehensive series of standards for the ambulance service industry.



Typically, less than 10% of 9-1-1 patients have time-sensitive ALS needs. However, for those patients who do, time can be a critical issue of morbidity and mortality. For the remainder of those calling 9-1-1 for a medical emergency, though they may not have a medical necessity, this ninety percent, still expects rapid customer service. Response times for patients and their families are often the most important issue regarding the use of the fire department's services and are what is most often referred to when they "rate" their local emergency responders. Regardless of the service delivery model, appropriate response times are more than a clinical issue; they are also a customer service issue.

Emergency medical services (EMS) for the Town of Brewster are provided at the advanced life support (ALS)/paramedic level by the Brewster Fire Department. Advanced life support or ALS-level care refers to prehospital interventions that can be brought into the field by paramedics. Typically, this service level includes the ability to bring much of the emergency room capability to the patient. Paramedics can administer intravenous fluids, manage a patient's airway, provide drug therapy, utilize the full capabilities of a 12-lead cardiac monitor, and provide a vital communication link to the medical control physician who can provide specific medical direction based on the situation.

Primary EMS ambulance transport services to the Town are also provided by the Brewster Fire Department. The department can staff either one or two ambulances depending upon the time of day and staffing levels. It operates under a license from the Massachusetts Office of Emergency Medical Services (OEMS) which designates the service as ALS level with ambulances staffed with one EMT and one paramedic.

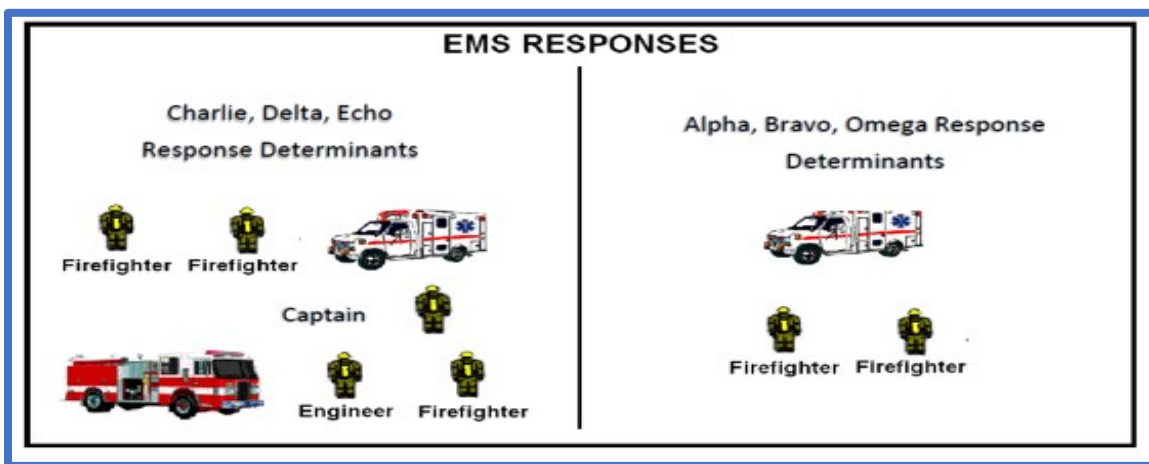
The citizens of Brewster benefit greatly by having firefighters provide emergency medical services at the advanced life support (ALS) level. This is an efficient use of personnel resources since approximately 74.7% of all emergency calls are for EMS incidents. This is somewhat higher than the national average as reported by the US Fire Administration (64%) and the National Fire Protection Association (65%). Additionally, Brewster's EMS revenue from insurers, Medicaid/Medicare, and direct patient billing provides a significant offset to fire-rescue department operating and capital expenses.

As is the common practice on Cape Cod, the Brewster Fire Department normally staffs their first out ambulance with three personnel, regardless of the severity of the incident. If shift staffing is at four personnel, the captain will also response in an SUV to supervise and assist. If staffing is at five, the two additional personnel may respond in a second ambulance to assist. These procedures effectively place the fire suppression function out of service until personnel who have been recalled on overtime report to the station for back-up (for a number of reasons, often no one responds back to the station for these recalls, particularly when there are multiple in the same day). When needed, the second ambulance is usually staffed with two personnel. The MRI study team was advised that the department will occasionally send only two personnel to the



hospital, depending upon the severity of the patient’s condition; however, this is an exception rather than the normal practice.

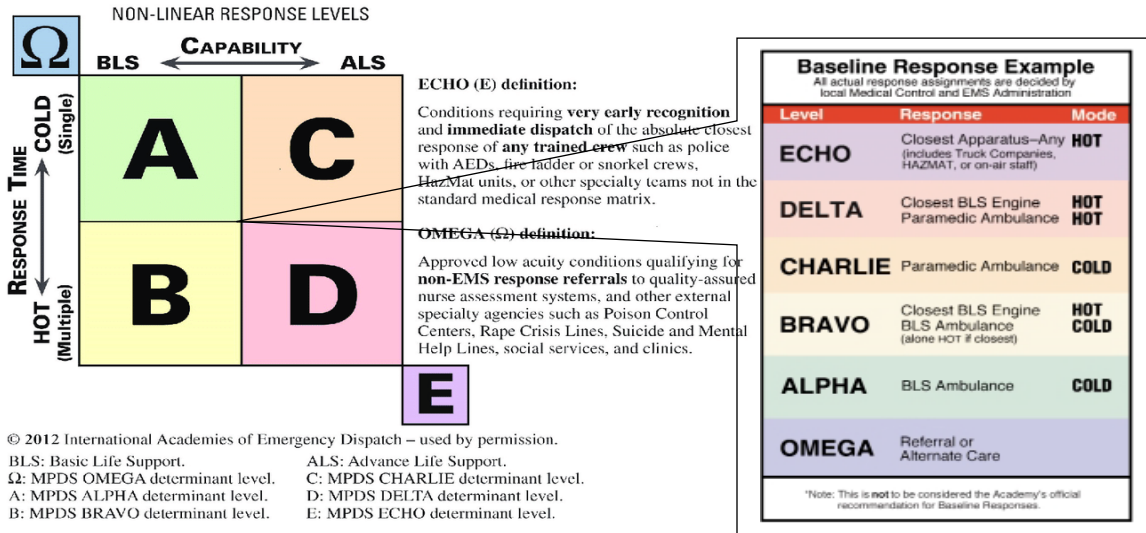
The rationale for this procedure is that these additional personnel help the ambulance crew with medical care, carrying equipment, lifting patients, and driving the ambulance to the hospital when the ambulance crew, particularly the paramedic(s) are committed to the care of critically ill patients. Medical calls are generally classified from Alpha (minor/least severe) to Echo (life threatening/most severe). On Cape Cod EMS calls are categorized Priority 1 (most serious) to Priority 3 (non-life threatening). Certain assist type calls are categorized Priority 4. In many locations (not necessarily New England) normal procedures send only an ambulance, with two personnel, to the minor nature, Alpha and Bravo calls, or Priority 3 level calls unless the arrival of an ambulance will be delayed (Figure IV-11).



**FIGURE IV-11: EMS RESPONSE MATRIX**

**Note: Priority 1 & 2 equates to Charlie, Delta, and Echo response determinants while Priority 3 calls equate to Alpha and Bravo level response determinants.**

Dispatching an engine company also to Priority 1 and 2 calls is a best practice that ensures that sufficient personnel are on-scene to provide critical care to seriously ill or injured patients. The firefighter-paramedics assigned to the ambulance can focus on direct patient care, while other personnel are responsible for incident command, scene safety, delivering and setting up equipment, and lifting and carrying the patient(s). An engine company is requested for Priority 3 calls when the ambulance response is delayed, personnel is needed for lifting and carrying a patient, forcible entry to a residence or vehicle is required, or when the condition of the patient is found to be more serious than the initial dispatch assessment. This is illustrated in the following graphic:



**FIGURE IV-12: TYPICAL EMS RESPONSE MATRIX/ALGORITHM**

While we acknowledge that changing this procedure is likely to be met with resistance, we believe the Brewster Fire Department should consider revising this procedure. The number of incidents is increasing each year, and a significant percentage of these incidents are resulting in overlapping calls. In addition, in large part due to the change in procedure that temporarily reduced nighttime staffing to four personnel to assist with reducing overtime and related personnel fatigue, staffing challenges related to simultaneous calls are going to be even more pronounced. To that end, the MRI study team suggests the following revision to the current EMS response procedures and with the current staffing levels:

- When staffing is at five personnel:
  - ❖ Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. The three personnel remaining are now available for fire duty, or can handle a second ambulance call, if necessary. If they require additional assistance, they can request the engine to respond.
  - ❖ Two personnel respond on the ambulance and three personnel respond on the engine to Charlie, Delta, and Echo, or Priority 1 and 2 calls. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew. The two other personnel can return to station with the engine and handle a second call without the need to recall off duty personnel.
    - An alternative would be to call just one person back to work to bring staffing back up to three personnel.



- When staffing is at four personnel:
  - ❖ Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. If they require additional assistance, they can request the engine to respond. The remaining two personnel are still available for limited fire duty, until one or two off duty personnel arrive at the station, or they can handle a second ambulance call.
  - ❖ Two personnel respond on the ambulance and two personnel respond on the engine to Charlie, Delta, and Echo, or Priority 1 and 2 calls. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew. If only two personnel are needed on the ambulance, the other two person can return to station with the engine and handle a second ambulance call without the need to recall off duty personnel.
    - An alternative would be to call just one person back to work to bring staffing back up to three personnel.

In either scenario suggested above, the current practice of recalling off duty personnel to provide coverage when the ambulance transports to the hospital should be continued. However, there would be less of a reliance on it as revising the staffing model should reduce the number of times the Town is stripped of all fire and EMS protection.

Following current department practice, the ambulance responds with lights and sirens to every call. Though a medical priority dispatch system is in place that would allow for potential non-emergency response to occur without lights, sirens and within normal traffic flow, there are no protocols or procedures to do so. The MRI team was told that most often all transports with patients to the hospital is done with lights and sirens in order to get to the hospital as quickly as possible. This is not only done in order to get the patient to the hospital in a timely manner, but also to expedite the time that the ambulance is out of service and unable to respond to another call. These practices are being phased out by most progressive fire departments for safety reasons. It is safer for responding personnel, general citizens, and the patient, to reduce the number of times that red lights and sirens are utilized.

Conversely, ambulance turn-around time is an important staffing factor to consider since it affects the availability of personnel and equipment for other emergencies. This is the time an ambulance is occupied on a medical emergency starting with the time the call is received; and ending after the transport, when the ambulance is back in Brewster and available for emergency calls. This is time that is particularly important when the hospital is a significant distance from the Town, and personnel often encounter heavy traffic conditions to and from its location in

Hyannis. The turn-around time for Brewster ambulances averages between 60 and 70 minutes, however, they can be as high as two hours, twenty-one minutes (02:21:53). Higher turnaround times can be the result of lengthy on-scene care (e.g., extrication from a motor vehicle crash), longer travel times to or from an incident, or patient admission delays at a hospital. As was discussed previously, the total number of calls is the primary reason for simultaneous incidents, however ambulance hospital transport turn-around times certainly contribute to the impact of the overlapping call rate.

The following figure illustrates the number of EMS calls, number of ALS and BLS transports, and the average ambulance turnaround time for the five years period of 2018 – 2022.

Year	EMS Responses	ALS Transports	BLS Transports	Average Turn-around Time	Total Annual Turn-around Time
2018	2,476	1,128	454	70.15 minutes	1,849.6 hours
2019	2,185	1,003	332	70.05 minutes	1,558.6 hours
2020	1,997	885	357	66.75 minutes	1,381.7 hours
2021	2,272	1,053	441	63.95 minutes	1,592.4 hours
2022	2,523	1,024	461	60.85 minutes	1,506.0 hours
<b>5-year average</b>	<b>2,291</b>	<b>1,019</b>	<b>409</b>	<b>66.35 minutes</b>	<b>1,577.7 hours</b>

**FIGURE IV-13. EMS TURN-AROUND TIME**

The data in the above figure indicates several things.

- The proportion of ALS level transports to BLS levels transports is much higher than we normally see. In fact, it is really the inverse of what data sets we analyze usually illustrate. Over the five-year period, BLS transports accounted for just 28.6% of the Department’s EMS transports, while ALS transports accounted for 71.4%. Long term, statistical data indicates that ALS criterion incidents usually account for about 30% to 35% of EMS responses. Given Brewster’s higher than average older population, a somewhat higher percentage of ALS could be reasonably expected; however, we don’t believe it would reach the proportions indicated in this data.
- The ambulance turn-around times have improved steadily over the five-year period and show a total reduction of over nine minutes. The expansion of the emergency department facilities at Cape Cod Hospital in Hyannis has probably played at least some role in this reduction.
- Given an estimated average ambulance turn-around time of 66.35 minutes (annual maximum time: 02:06:23 – 02:21:53) and a 5-year average annual ambulance transport total of 1,428 transports; Brewster ambulances are occupied on EMS transport calls for



approximately 1,577.7 hours annually. This represents an average of 4.3 hours per 24-hour shift. Many of these calls come in during the busier daylight hours contributing to the high percentage of overlapping calls.

The data relative to the number of total incidents, number of EMS transports, and the time dedicated to EMS calls supports the need for the fire department to staff two (2) ambulances 24/7 while still maintaining a simultaneous fire response capability. The benefits of increasing staffing and the number of resources deployed include:

- Significantly reduce the number of times when the Town is without ambulance coverage due to simultaneous fire and/or EMS calls.
- Significantly reduce the number of times when the Town is without adequate fire coverage due to simultaneous fire and/or EMS calls.
- Provide additional fire staffing commensurate with the risk.
- Increase ambulance revenues by reducing the number of times that a mutual aid EMS service is called to provide ambulance transport services.

To accomplish this goal, the Department's staffing should be incrementally increased with the hiring of additional personnel over the next several budget cycles. This in combination with the supervisory staffing changes is recommended later in this report.

Overall, the EMS operations appear to be well run, and the Town is happy with the service that is being provided. There is also reported to be a low level of system abuse in Brewster which reduces the number of unnecessary responses and contributes to better resource availability for actual medical emergencies.

All Brewster Fire Department personnel possess a minimum of emergency medical technician-basic (EMT-B) certification. At the time of this study, 11 of the department's personnel, including the Deputy Chief possessed paramedic certification. There are a minimum of two paramedics assigned to each shift, with a minimum of one on duty at all times.

One question that the MRI study team is often asked to provide an opinion on was what the recommended mix of ALS versus BLS trained personnel should be in a particular Fire Department. At the time of this study approximately 50% of the Brewster Fire Department's personnel possessed ALS/paramedic certification. Several stakeholders informed the study team that they would like to eventually see all department personnel required to be paramedics. Ultimately, with the majority of incidents the department responds to being EMS related, having all personnel trained and certified at the ALS level allows the highest level of care to be always available, and on every incident. However, there can be several caveats to that Initial answer.

The Brewster Fire Department is a small organization with a relatively low call volume, averaging about 8.4 calls per day, of which 73% are EMS related. If 50% of the EMS calls are ALS criterion calls (which is higher than the typical average) that equates to about four ALS calls per day. One of the concerns that are expressed by some within the EMS community is the difficulty in keeping the ALS skills of personnel sharp when they have only limited opportunities to utilize them. In addition, there is a significant cost factor associated with initial ALS training for personnel, frequent continuing education classes necessary to maintain certification, and a significant pay differential for those who are certified. Finally, many fire department personnel prefer not to be paramedics and a significant number choose to allow their certifications to lapse once they are no longer mandated to maintain them, so they can get off of the ambulance.

It is MRI's opinion that the Brewster Fire Department would not be unreasonable if it decided to attempt, long term, to have all personnel certified as paramedics, by requiring all future hires to either possess, or obtain and maintain paramedic certification as a condition of employment. However, we believe a better option would be to maintain around 12-16 paramedics and attempt to have a minimum of three on duty at all times. By increasing the number of paramedics on duty at all times, one could be assigned to the primary ambulance as is done now, while a second one is assigned to the second ambulance, while the third one is assigned to the engine, thus providing both of those units with ALS capability resulting in an increased level of service. If additional personnel wanted to maintain their ALS certifications, the department should attempt to accommodate them and encourage them to do so.

With the majority of the Department's responses being EMS related, the MRI study team believes that the Town of Brewster should consider making an organizational change by redefining the position of EMS Officer into a full time position. The EMS Officer would handle the day to day oversight of the department's EMS functions including QA, personnel training and certification, infection control, managing inventory and drugs, attending meetings, and serving on committees. The officer should work a daywork schedule providing an additional member available for response during the day. We believe that making this change will result in more effective and efficient emergency medical service delivery by the department.

It is MRI's experience that when department's create these positions that they are normally designated at an officer's rank, and as such, are tested for (although in some places even though the position has rank, they are designated as a 'staff' officer with no real fireground authority). Other departments designate the EMS coordinator with just that title but compensate them at an officer's pay grade, in this case as a Captain (the same as the Fire Prevention Officer). The current CBA designates the "EMS Officer" as receiving a stipend over their base pay, however, that assumes that the person filling the position remains on their assigned shift.

While we understand this would also need to be impact bargained with the union (as any change needs to be) it is our opinion that this position would be best designated as a Captain's position

within the Brewster Fire Department, reporting directly to the Deputy Fire Chief. Doing this would help to emphasize the importance of the department's EMS mission, allow the EMS coordinator to have an equal peer relationship with the other Captains, and allow for the implementation of more department wide continuity of EMS operations.

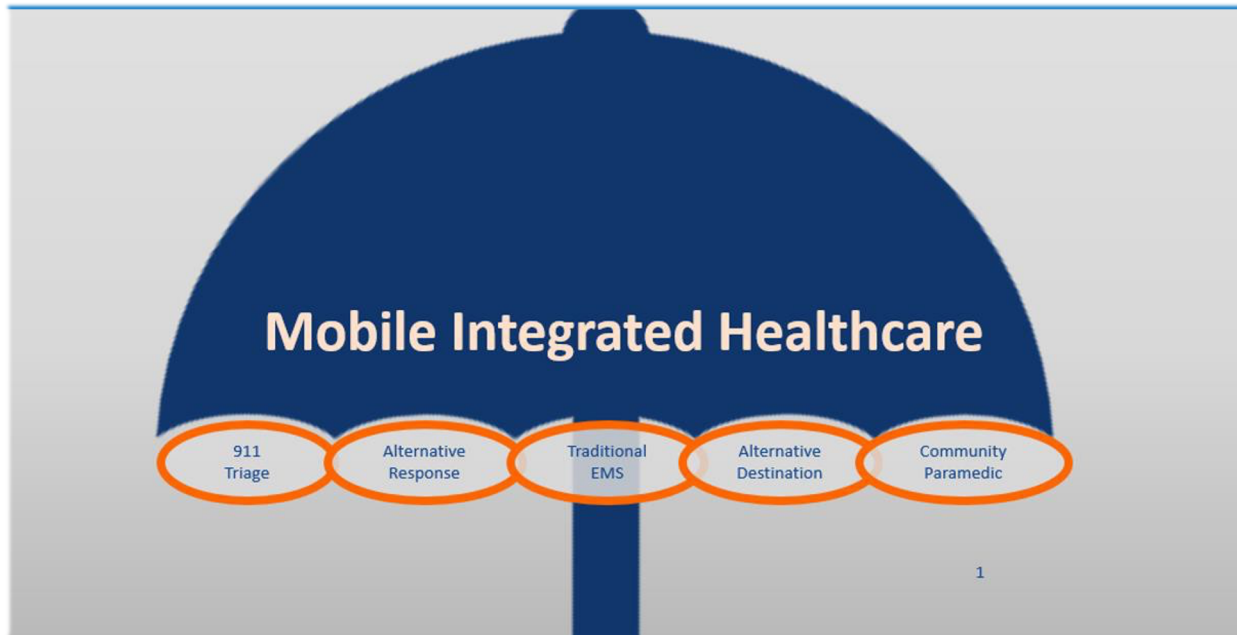
One thing the fire department will need to monitor very closely are any impacts of the ongoing debates over funding the Affordable Care Act (ACA) may have on their billing and revenues. Over the past several years with the changes in insurance reimbursements brought about by the ACA, a growing number of EMS providers are looking to get out of the ALS business. Increasingly, private insurance companies and the government have reduced (or are considering reductions in) reimbursement rates, and are becoming more reluctant in general, to compensate departments for the full cost of emergency room transportation fees, especially for non-emergency treatment. Communities that provide EMS transport services are therefore facing pressure on their transport revenues.

One of the fastest growing value-added service enhancements in EMS is the development of Mobile Integrated Healthcare/Community Paramedicine (MIH/CP) programs. Mobile Integrated Healthcare is defined by the National Association of EMTs (NAEMT) as ***“the provision of healthcare using patient-centered, mobile resources in the out of hospital environment.”***

MIH/CP is comprised of a suite of potential services that EMS could provide to fill gaps in the local healthcare delivery system. In essence, MIH/CP is intended to better manage the increasing EMS call volume and better align the types of care being provided with the needs of the patient. To be effective, MIH/CP is commonly accomplished through a collaborative approach with healthcare and social service agencies within the community. It can be provided through community paramedicine programs, which are programs that use EMTs and paramedics to provide this out-of-hospital health care. MIH/CP programs help facilitate more appropriate uses of emergency care resources and enhance access to primary care, particularly for underserved populations, by focusing on chronic disease management, post-discharge follow up, and transport to non-emergency care settings.

The benefits of MIH/CP are therefore two-fold. These programs potentially help provide more appropriate health care to community residents, and if reimbursement arrangements can be agreed upon, also offer a substitute funding stream, separate from emergency transport, for community-based EMS transport programs.

In 2009 there were four programs like this in the country, but a recent survey by the National Association of EMTs identified more than 250 active MIH/CP programs now operating across the U.S.<sup>17</sup>



**FIGURE IV-14: MOBILE INTERGRATED HEALTHCARE/COMMUNITY PARAMEDICINE BENEFITS**

A consideration for a potential role for an MIH/CP program in Brewster could include a specialized response for behavioral health emergencies, in partnership with the Brewster Police Department and community mental health resources. Sometimes referred to as a Crisis Intervention Team (CIT), specialized units such as these have been effective in other communities across the country to reduce the risks associated with behavioral health-related responses.<sup>18</sup>

There may be government funds available for implementation of these types of programs, and some recent changes to the Medicare regulations indicate a possibly favorable view on billing for these services. The Foxborough Fire Department obtained a grant to implement this type of program effective as of July 1, 2019. With the addition of a new full-time paramedic who was designated a special agent of the board of health, the department implemented a community/public health program to address these types of needs within the town. It is MRI's belief that a program of this type in Brewster – particularly with its high percentage of residents over the age of 65 - would improve both levels of service offered to the community and EMS revenues generated. This could be another potential duty for the EMS officer to undertake.

<sup>17</sup>. [http://www.naemt.org/docs/default-source/2017-publication-docs/mih-cp-survey-2018-04-12-2018-web-links-1.pdf?Status=Temp&sfvrsn=a741cb92\\_2](http://www.naemt.org/docs/default-source/2017-publication-docs/mih-cp-survey-2018-04-12-2018-web-links-1.pdf?Status=Temp&sfvrsn=a741cb92_2)

<sup>18</sup>. <https://www.psychiatrictimes.com/view/cahoots-model-prehospital-mental-health-crisis-intervention>

## STAFFING, CRITICAL TASKING, AND DEPLOYMENT

The issue of fire department staffing has, over the past three or four decades, become one of the most widely and frequently debated topics in fire service history. This debate has intensified over the past several years as tax collection revenues have declined precipitously in many communities and governmental entities seek to reduce expenses.

Personnel costs account for the largest percentage of the operating budgets of career fire departments. In many cases this one line item is 90% or more of the total budget. The debate becomes intense when the discussion turns to how many firefighters are necessary to provide adequate levels of service, fulfill the department's core mission(s), and how those firefighters are deployed. This is a basic risk assessment and management decision. Ultimately, determining the acceptable level of risk they are willing to assume for the citizens they represent, is a key decision that is made by the Brewster Select Board through the town meeting process.

The operations necessary to fully extinguish a structure fire, and do so effectively, efficiently, and safely, requires a carefully coordinated, and controlled, plan of action, where certain operations, such as venting ahead of the advancing interior hose line(s), must be carried out with a high degree of precision and timing. Multiple operations, frequently where seconds count, such as search and rescue operations and trying to cut off a rapidly advancing fire, must also be conducted simultaneously. If there are not enough personnel on the incident initially to perform all the critical tasks, some will, out of necessity, be delayed. This can result in an increased risk of serious injury, or death, to building occupants and firefighters, and increased property damage.

There has been much research done by a number of fire departments on the effects of various staffing levels. One constant that has emerged is that company efficiency and effectiveness decrease substantially, while injuries increase, when company/unit staffing falls below four personnel. A 2010 comprehensive yet scientifically conducted, verified, and validated study titled *Multi-Phase Study on Firefighter Safety and the Deployment of Resources*, was performed by the National Institute of Standards and Technology (NIST) and Worcester Polytechnic Institute (WPI), in conjunction with the International Association of Fire Chiefs (IAFC), the International Association of Fire Fighters, and the Center for Public Safety Excellence. This landmark study researched residential fires, where the majority of fire, injuries, and fatalities occur. ***The study concluded that the size of firefighter crews has a substantial effect on the Fire Department's ability to protect lives and property in residential fires and occupancies.***

Several key findings of the study include:

- Four-person firefighting crews were able to complete 22 essential firefighting and rescue tasks in a typical residential structure 30% faster than 2-person crews, and 25% faster than 3-person crews.



- The 4-person crews were able to deliver water to a similar sized fire 15% faster than the 2-person crews, and 6% faster than 3-person crews, steps that help to reduce property damage and reduce danger/risks to firefighters.
- Four-person crews were able to complete critical search and rescue operations 30% faster than 2-person crews, and 5% faster than 3-person crews.

The United State Fire Administration, part of the Federal Emergency Management Agency, in the Department of Homeland Security, recommends that a minimum of four firefighters respond on or with each apparatus. In its respected textbook *Managing Fire Services*, the International City/County Management Association (ICMA) states, “that at least 4 and often 8 or more firefighters under the supervision of an officer should respond to fire suppression operations”. They further state, “If about 16 firefighters are not operating at the scene of a working fire, within the critical time period, then dollar loss and injuries are significantly increased, as is fire spread”. Many communities continue to struggle to generate a sufficient response.

The current career staffing pattern In the Brewster Fire Department consists of four work groups that work an average of 42 hours per week. These groups work rotating 24-hour shifts. This schedule provides the community with 24/7 coverage. Presently, each shift is staffed with a captain (shift commander) and four firefighters. The five personnel on shift are supported by the following additional personnel resources:

- Two command officers (fire chief and deputy chief) that work an administrative schedule and provide an on-call command officer when off duty.
- One Fire Prevention Officer.
- Automatic/mutual aid from surrounding communities

The MRI study team was informed that the department does not generally have a sick or injury leave problem. It had \$444,700 budgeted for overtime in a FY 2023 which is high for a department the size of Brewster. The department ended up spending \$562,956, which is 32.5% more than what was budgeted. This is due in large part to not only the Department’s constant staffing model where every vacancy created by any type of leave must be filled by another member on overtime, but also to the department’s difficulty retaining personnel.

To effectively respond to and mitigate requests for emergency services, an agency must have a thorough understanding of its community’s risk factors, both fire and EMS. Once identified and understood, each category or level of risk is associated with the necessary resources and actions required to mitigate it. This is accomplished through a critical task analysis. The exercise of



matching operational asset deployments to risk, or critical tasking, considers multiple factors including national standards, performance measures, and the safety of responders.

Critical tasks are those activities that must be conducted in a timely manner by responders at emergency incidents to control the situation and stop loss. Critical tasking for fire operations is the minimum number of personnel needed to perform the tasks required to effectively control a fire. The same is true for EMS as there are specific patient care tasks that must be completed in succession and often together to support positive prehospital care. The specific number of people required to perform all the critical tasks associated with an identified risk is referred to as an **Effective Response Force** (ERF). The goal is to deliver an ERF within a prescribed time frame. NFPA 1710, as a nationally recognized consensus standard on staffing and deployment for career fire departments, provides a benchmark for ERF.<sup>19</sup>

During fire incidents, to be effective, critical tasking must assign enough personnel so that all identified functions can be performed simultaneously. However, it is important to note that secondary support functions may be handled by initial response personnel once they have completed their primary assignment. Thus, while an incident may end up requiring a greater commitment of resources or a specialized response, a properly executed critical task analysis will provide adequate resources to immediately begin bringing the incident under control.

The NFPA *Fire Protection Handbook*<sup>20</sup> classifies buildings and occupancies by their relative risk and provides recommendations on the minimum ERF that will be needed to handle fire incidents in them. These include:

**High-hazard Occupancies:** Schools, hospitals, nursing homes, high-rise buildings, and other high life safety-hazard or large fire-potential occupancies. The Brewster Fire Department has a very limited number of these occupancies in its response district.

**Operational Response:** at least 4 pumpers, 2 ladder trucks (or combination apparatus with equivalent capabilities), 2 chief officers and other specialized apparatus as may be needed to cope with the combustibles involved; not less than 24 firefighters and 2 chief officers **plus** a safety officer and a rapid intervention team.

**Medium-hazard Occupancies:** Apartments, offices, and mercantile and industrial occupancies, not normally requiring extensive rescue by firefighting forces. The Brewster Fire Department also has a limited (although slightly growing) number of occupancies of these types.

**Operational Response:** At least 3 pumpers, 1 ladder truck (or combination apparatus with equivalent capabilities such as a quint), 1 chief officer, and other specialized apparatus as

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<sup>19</sup> It is important to note that compliance with NFPA 1710 has not been mandated in the Commonwealth of Massachusetts or by the federal government. It is considered a “best practice” that fire departments strive to achieve.

<sup>20</sup> Cote, Grant, Hall & Solomon, eds., *Fire Protection Handbook* (Quincy, MA: NFPA 2008), 12-3

may be needed or available; not less than 16 firefighters and 1 chief officer **plus** a safety officer and a rapid intervention team.

**Low-hazard Occupancies:** One-, two-, or three-family dwellings and scattered small business and industrial occupancies.

**Operations Response Capability:** At least 2 pumpers, 1 ladder truck (or combination apparatus with equivalent capabilities such as a quint), 1 chief officer, and other specialized apparatus as may be needed or available; not less than 12 firefighters and 1 chief officer, **plus** a safety officer, and a rapid intervention team.

The *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments* (NFPA 1710, 2020 edition), establishes the minimum criteria for a career fire department to effectively and safely respond to an emergency incident. Municipalities should base their fire department staffing decisions based on such factors as local risks and hazards, response times, incident frequency, and mutual aid availability. Of course, financial considerations do affect the ability of a community to comply with NFPA 1710. However, the Brewster Fire Department should continue to include compliance with NFPA 1710 in its long-range strategic planning and goal setting.

At the time of this assessment the Brewster Fire Department responded with one engine staffed with three personnel, and one ladder with two members to reported structure fires, provided all on duty members are immediately available. The Chief and Deputy Chief also respond. In addition, Harwich and Dennis respond with engines, Orleans responds a ladder, and off duty Brewster personnel are recalled. This will provide an initial response between 16 and 19 personnel depending on whether mutual aid units respond with three or four personnel.

If sufficient off duty Brewster personnel (four) respond to staff an additional engine, this response matrix provides at least 20 personnel on the incident. However, off duty personnel responding from home back to the station to staff apparatus and then responding will cause at least some extension of response times to get all units and personnel on the incident scene. If the incident is determined to be a working fire, additional resources are also dispatched including Eastham for an engine, and Chatham for an ambulance. The Harwich and Orleans Chiefs also respond to assist with incident management.

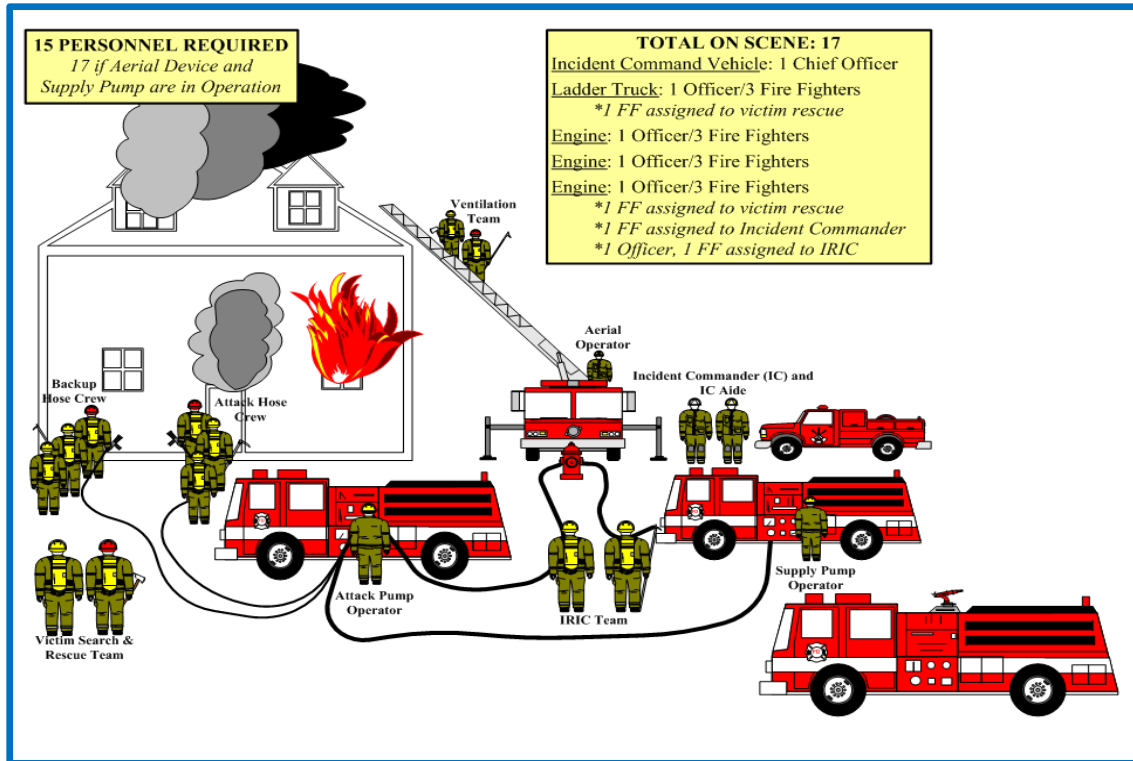
NFPA 1710 suggests that the following personnel are needed to safely mitigate a structure fire involving several rooms in a 2,000-square foot dwelling (Figure IV-15). Obviously, this number dramatically increases based on the extent of involvement, size of the structure, presence of hazardous materials, and use of the occupancy. As an example, a significant fire within a garden style apartment complex or an open-air strip mall commercial requires a minimum of 27/28 personnel based on the potential hazards that could be encountered.

CRITICAL TASK	NEEDED PERSONNEL
Incident Commander	1
Attack engine driver/operator	1
Two handlines with two personnel each	4
Support/back-up firefighter for each handline	2
Search & rescue team	2
Ventilation team	2
Ladder company driver/operator	1
Rapid intervention team (RIT)	2
<b>EFFECTIVE RESPONSE FORCE</b>	<b>14/15</b>

**FIGURE IV-15: NFPA 1710 MINIMUM STRUCTURE FIRE STAFFING NEEDS**

Personnel needs for a fire involving several rooms in a 2,000-square foot, one-family, residential occupancy. These are the proverbial “bread and butter” structural fire incidents that fire departments respond to, and are by far, the most common type of structure fire, accounting for around 70% of those types of incidents.

Figure IV-16 illustrates in a different way the critical tasks and resource deployment required on low and moderate-hazard incidents such as residential and small commercial structure fires. Although some people advocate that these types of incidents can be handled with fewer personnel, unless it is a small fire, there is the possibility there will not be sufficient personnel available to perform all the critical tasks necessitating that some be delayed. Ultimately, determining the acceptable level of risk they are willing to assume for the citizens they represent will be a key decision that the Brewster Select Board will need to make.



**FIGURE IV-16: LOW TO MODERATE RISK RESPONSE-INTERIOR FIRE ATTACK**

Typical minimum staffing needs career or primarily career fire departments for a fire involving several rooms in a 2,000-square foot, one-family residential occupancy. These are the proverbial “bread and butter” structural fire incidents that fire departments respond to, and are by far, the most common type of structure fire, accounting for around 70% of those types of incidents. The full first alarm assignment should arrive on scene within eight minutes of dispatch.

Image credit: IAFF 266

The ability to get a sufficient number of personnel, along with appropriate apparatus, to the scene of a typical residential structure fire is critical to operational success and firefighter safety. **Accomplishing this within the eight-minute time frame (to have 16 – 17 personnel on scene) as specified in NFPA 1710 is an important operational benchmark.** The Brewster Fire Department should make achieving this goal its highest priority. Based on conversations with the department’s senior officers they understand this and would like to achieve this goal.

The 2020 edition of NFPA 1710 recommends a minimum of 27/28 personnel on the initial response for fires involving moderate hazard garden-style apartments and strip shopping centers (Figure IV-17).

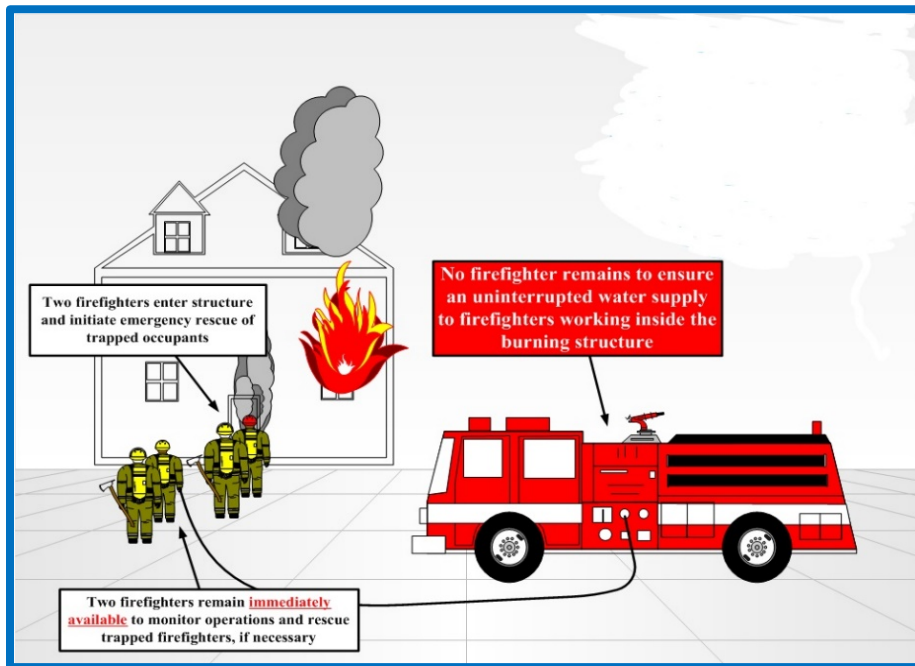
CRITICAL TASK	NEEDED PERSONNEL
Incident Command	2
2 – Independent Water Supply Lines/Pump Operators	2
Fire Attack via Three Handlines	6
Support Firefighter for each Handline	3
2 – Search and Rescue Teams	4
2 – Ground Ladders and Ventilation Teams	4
Aerial Operator (if Aerial is Used)	1
Rapid Intervention Team (1 Officer/3 Firefighters)	4
EMS/Medical	2
<b>EFFECTIVE RESPONSE FORCE</b>	<b>27/28</b>

**FIGURE IV-17: STRUCTURE FIRE – MODERATE RISK**

Beyond the NFPA standard(s) which as standards, do not carry the weight of regulation or law, is the Occupational Safety and Health Administration (OSHA) Respiratory Protection Standard, CFR 1910.134, which carries the weight and force of regulation, thus making compliance mandatory. One key provision of the Respiratory Protection Standard that is directly applicable to fire department staffing is known as the **“Two-In/Two-Out”** rule. In brief, this regulation specifies that anytime firefighters operate in an environment/atmosphere that is “immediately dangerous to life and health” (IDLH), whenever two members enter the IDLH area together/as a team, they must maintain visual or voice communication with two additional firefighters who must remain outside of the IDLH atmosphere, prepared to render immediate emergency assistance to those inside (Figure IV-18). The OSHA rule does provide an exception however, which states that the rule does not apply in emergency rescue situations where a person is visible and in need of immediate rescue, or there is credible and reasonable information that potentially viable victims are still in need of rescue. It is important to note that the potential for an IDLH to exist is not just limited to structure fires. They can exist on natural gas leaks, carbon monoxide incidents, confined space emergencies, chemical spills, and even automatic fire alarm activations where there is an actual fire in progress.

To comply with the **“Two-In/Two-Out”** rule, a team of four firefighters must be assembled before an interior fire attack can be made when the fire has progressed beyond the incipient stage, except in an imminent life-threatening situation when immediate action could prevent the loss of life or serious injury, before the team of four firefighters are assembled. The serious concern of the MRI project team is that the OSHA **“Two-In/Two-Out”** rule permits an exception for life

hazard or rescue situations. The reality is that in one of the most serious life hazard fire situations that can be encountered, trapped civilians, a firefighter may need to place himself/herself in extreme danger by entering the structure alone.



**FIGURE IV-18 OSHA TWO-IN/TWO-OUT**

Image Credit: IAFF 266

When looking at Brewster Fire Department staffing, it is very important to note that if the department experiences simultaneous or overlapping calls or calls that require two ambulances this will usually exhaust all on duty resources and leave no fire protection capabilities with the town itself. While Brewster does not have many fires, no one can predict when one may occur. Depleting all fire protection resources to cover ambulance calls does not appear to be a good risk assessment and management practice. With no viable on call force left, and few off duty personnel responding back to recalls, this is a policy or practice the Brewster Fire Department should consider revising.

Based on the criteria established in NFPA 1710 and detailed above, the MRI study team recommends that the following aspirational benchmarks be established by the Town:

- For structure fires, each engine company and ladder company should be staffed with no less than three (3), and preferably four (4) personnel, including an officer (lieutenant or higher rank). It should be noted that NFPA 1710 does not require all personnel to be transported to the scene on the same apparatus. As such, a three-person engine company

can be supplemented by personnel who arrive in the ambulance (provided that they are committed to engine company duties).

- Minimum response to a single-family dwelling fire should include a total of 17 firefighting personnel (including an incident commander [Chief or Deputy Chief] and company officers). This complement of personnel should continue to be accomplished through the use of automatic or mutual aid.

To the extent possible, the fire department should base its strategic planning, goal setting, standard operating procedures and guidelines, safety and health policies, training, and deployment of apparatus and equipment on the guidance found in NFPA 1710 as well as other NFPA standards such as *Standard on Fire Department Occupational Safety, Health, and Wellness Program* (NFPA 1500, 2021 edition) and *Guide for Structural Firefighting* (NFPA 1700, 2021 edition). The implementation of these best practices will result in a measurable improvement in the delivery of services to the citizens of Brewster, will enhance firefighter safety, and will mitigate risk to the community.

The current staffing levels of the Brewster Fire Department are deficient in the following respects:

- The minimum staffing level of five (5) personnel means that the engine is, at best, staffed with an officer and two (2) firefighters, which is below the practice recommended in NFPA 1710. The ladder is staffed with just two firefighters and no officer.
  - If just one ambulance is out on a call, usually only one engine, now inadequately staffed with just two (2) personnel may be available.
  - If two ambulances are on a call, there may be no fire suppression capability at all left to cover the Town.
- During nighttime and weekends, there is no incident commander on duty, since the Captain is assigned to the engine. This means that overall, all incident command is delayed until the arrival of an off-duty fire chief officer or a mutual aid chief officer. Critical decisions that must be made to ensure effective tactics and fire ground safety cannot be made because the Captain is committed to interior firefighting efforts. It is not realistic to have the Captain involved in evolutions such as forcible entry, hose line advancement, and/or search and rescue while expecting him/her to lead the overall strategic direction of the incident.
  - The Captain (shift commander) does have the flexibility to respond where his/her command capabilities are most needed, which is a practice that should be continued. In addition, there are numerous administrative functions that a shift commander is responsible for.



The Town previously received a Staffing for Adequate Fire and Emergency Response (SAFER) grant in 2016 for two (2) firefighter/ paramedic positions. SAFER grants are highly sought after and highly competitive, and cover all or most of new firefighters’ salaries and benefits over a defined time period, typically three to five years. Once the grant expires, the Town is fully financially responsible for the additional personnel which is always a factor that must be given careful consideration. Brewster would like to apply for a future grant dependent upon the recommendations contained within this report.

One concern that was expressed to the MRI Study team was that when there are simultaneous calls, and the second one is a motor vehicle crash, the ambulance may initially respond alone except on Route 6 where a line box response brings either an engine or an ambulance from a contiguous community. In this situation the engine responds with call back personnel, or mutual aid is requested from a neighboring community. Current industry practice in the fire and emergency services is for a minimum of one engine to respond with the ambulance to every motor vehicle accident, particularly on higher speed, more limited access roads and highways. While the additional personnel can help the ambulance crew by performing hazard evaluation and abatement, as well as patient care (Figure IV-19) an additional important consideration is to provide a blocking vehicle to protect the ambulance and personnel operating on the incident scene from being struck by an inattentive motorist.

Highway safety is a major concern not only for motorists, but also for the fire, EMS, and police personnel who respond to unplanned traffic incidents. As the number of responders being struck on the highways and being seriously injured or killed has increased significantly over the past decade, the need for the use of blocking vehicles to help keep them safe has become a much more important necessary and important part of the emergency response system (Figure IV-20).

CRITICAL TASK	NEEDED PERSONNEL
Incident Command	1
Hazard evaluation/Abatement	2
Patient Evaluation/Care	2-3
<b>EFFECTIVE RESPONSE FORCE</b>	<b>5-6</b>

**FIGURE IV-19: CRITICAL TASKING – MOTOR VEHICLE CRASH**







**FIGURE IV-20: FIRE APPARATUS SERVING AS A BLOCKING VEHICLE ON A ROADWAY INCIDENT**

Based upon the increasing incident volume, and the planned growth within the town, the MRI team believes that career staffing within the organization will probably need to be bolstered through an incremental and fiscally realistic process, starting in 2024. The specifics of these increases are detailed later in the *Recommendations* section of this chapter and Chapter VII, *Summary and Looking to the Future*.

### **COMPARATIVE ANALYSIS**

The process of benchmarking, also known as comparative analysis, is an effective way of making general comparisons between similar communities and identifying trends and patterns, but there are limitations as to how the data should be used. The data gathered through this process provides a perspective on organizational norms and best practices. Ideally, a community would utilize this information to identify needed change and through paced action, work incrementally toward implementation.

The information in the next table provides very basic staffing comparisons, including administrative staff for communities that surround Brewster. There are similarities between each of these departments, but it should be noted that there are also differences in how each community delivers fire and EMS services. Each municipality and its fire department provide emergency and other public services based on the expressed desires of that community and its citizens. What may be effective in one community may not be in a neighboring town or city. The ability of the fire department to provide the services desired by the community it serves is based on its perceived risk and available funding and resources.

DEPARTMENT	POPULATION	CY22 RUNS	*FULL TIME STAFF	# OF FIREFIGHTERS PER 1,000 RESIDENTS	# OF FIREFIGHTERS PER SHIFT	* ADDITIONAL DAYSHIFT PERSONNEL	DUTIES OF DAYTIME PERSONNEL
Brewster	10,318	3,236	23	2.23	5	1	Fire Prevention Officer
Chatham	6,600	3,240	32	4.85	7	2	Fire Prevention Officer EMS Coordinator
Orleans	6,307	2,683	36	3.8	8	2	Fire Prevention Officer EMS Coordinator
Eastham	5,752	2,236	24	4.17	5	2	2 Firefighters
Wellfleet	3,500	1,311	22	5.71	5	1	Captain – Fire Prevention
Harwich	13,441	4,850	40	2.68	9	2	Fire Prevention Officer EMS Coordinator

\*Includes Chief Officers

\*\* Does not include Chief Officers

**FIGURE IV-21: FIRE DEPARTMENT REGIONAL STAFFING COMPARISON**

### AUTOMATIC/MUTUAL AID AND REGIONAL OPERATIONS

Mutual aid is an essential component of almost every fire department’s operations. With the exception of the largest cities, no municipal fire department can, or should, be expected to have adequate resources to respond to mitigate large scale complex incidents safely, effectively and efficiently. Mutual aid is shared between communities when their day-to-day operational fire rescue and EMS capabilities have been exceeded and ensure that the citizens of the community are protected, even when local resources are overwhelmed. Fire department mutual aid is provided without financial charge.

Automatic Aid is assistance that is dispatched automatically by agreement between two or more communities or fire districts to all first alarm structural fires. The automatic aid will depend upon the location in the community and the type of equipment that each department can share as well



as staff. It is predetermined by each community's fire department so that on the initial notification through 9-1-1 the neighboring department is also notified and responds as long as they are able to. If they are unable to respond because they are not available due to an incident in their own community, Brewster would rely on the regional mutual aid agreements and go further out to other fire departments.

As a hallmark of fire department operations throughout Massachusetts (and in most other areas of the country as well) the Brewster Fire Department engages in robust mutual aid relationships with all its surrounding communities and departments. These departments respond together regularly to a wide range of incidents. The departments operate seamlessly together, even with regard to chief/command level officers responding to and assisting with managing incidents, regardless of which community it is occurring in. In most cases they respond immediately, or simultaneously upon the report of any structure fire. Doing so quickly increases the number of firefighting personnel who are available. This is the case in Brewster as units from Dennis, Harwich, and Orleans respond automatically to reported structure fires. NFPA 1710 also recommends that the appropriate number of personnel (17) arrive on scene within eight minutes (480 seconds) travel time.

The use of extensive automatic aid is an exceptional practice utilized in many locations that has served to increase the service level to all participating communities while reducing the cost of individual fire services. In many cases this practice is viewed as a means for "mutual survival" by chief officers. The MRI project team views it as a mechanism to not only enhance operational safety, but a major factor in future operational success.

Like many communities in Massachusetts, Brewster utilizes a Metro Card mutual aid response system to determine responses to various types of incidents. These cards are revised on an annual basis, as necessary. Mutual and automatic is provided reciprocally throughout the municipalities on Cape Cod.

Many organizational assessments suggest that automatic aid practices should be developed further as they reflect an industry best practice. Moving forward, the Brewster Fire Department should attempt to enter into enhanced automatic aid agreements with surrounding communities to provide for the simultaneous dispatch of additional resources to attempt to better achieve the recommended benchmarks – both personnel and time on location – for each specific type of structure fire. These revised response assignments should be based upon critical staffing needs as identified in this report.

	Mutual Aid Provided to Brewster			Total Per Year	Brewster Mutual Aid Provided	Net Mutual Aid	
	Dennis	Harwich	Orleans				
2018	45	47	33	125	112	Brewster	+13 Received
2019	31	72	47	150	122	Brewster	+28 Received
2020	19	38	20	77	86	Brewster	+9 Given
2021	33	62	31	126	115	Brewster	+11 Received
2022	41	59	40	140	130	Brewster	+10 Received

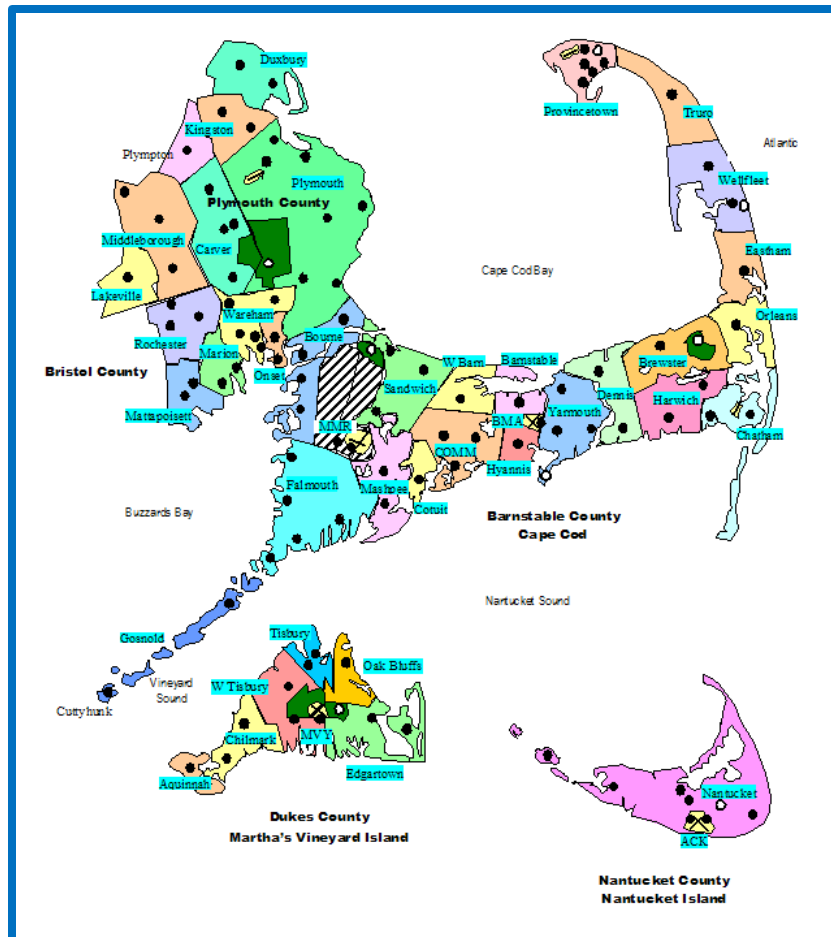
**FIGURE IV-22: MUTUAL AID RECEIVED BY BREWSTER**

Overall, between 2018 and 2022, the Brewster Fire Department received automatic or mutual aid 618 times, an average of 124 times per year (Figure IV-22). Conversely, the department provided automatic/mutual aid 565 times, an average of 113 times per year. The most frequent automatic/mutual aid partners were the Dennis, Harwich, and Orleans Fire Departments which makes sense as their districts are adjacent to the Town.

Fire and EMS mutual aid is an essential component of every community’s public safety capabilities. The coordination and sharing of services for large fires, mass casualty incidents, unusual events that require specialized equipment and training, disasters, and simultaneous emergency calls is an efficient and cost-effective way to manage and mitigate significant events. Brewster provides and receives mutual aid on a routine basis.

The Brewster Fire Department participates in the Massachusetts Fire District 1 and Barnstable County mutual aid networks. In addition to coordinating fire mutual aid services, District 1 has established a number of specialized rescue and technical support teams. Trained personnel from Brewster are members of the county technical rescue team, and the county dive team. The County coordinates mutual aid responses to major incidents through its communications control point that is operated by the BCSO RECC. The control point has had no negative experience when Brewster requests additional resources.





**FIGURE IV-23: MASSACHUSETTS FIRE DISTRICT 1 MAP.**

Brewster Fire is well respected among its peer mutual aid communities. The MRI study team reached out to the following fire and EMS agencies for feedback concerning mutual aid operations: Dennis Fire Department, Harwich Fire Department, and Orleans Fire Department. Brewster fulfills its mutual aid responsibilities and is a full player in the mutual aid district. Without exception, mutual aid communities contacted feel confident they are getting competent, professional service when Brewster responds to support their community. Brewster also calls for EMS or fire mutual aid from area communities when needed.

Mutual aid should be a shared responsibility, that is, each community must give and receive emergency assistance but not depend on mutual aid for day-to-day incidents.

## INSURANCE SERVICES OFFICE (ISO)

The Insurance Services Office's (ISO) Public Protection Classification (PPC) program evaluates communities according to a uniform set of criteria defined in the Fire Suppression Rating Schedule (FSRS). This criterion incorporates nationally recognized standards developed by the National Fire Protection Association (NFPA) and the American Water Works Association (AWWA). Using the FSRS, ISO evaluates the fire suppression capabilities of a community and assigns a PPC classification; a number rating from 1 to 10. Class 1 represents exemplary fire protection (by ISO's standards), and Class 10 indicates that the area or community's fire suppression program does not meet minimum recognized criteria or standards. In most cases, this means there is no recognized fire department or formal fire protection. Any building more than five road miles from a fire station or outside the boundary of a fire protection area is rated 10. Generally, areas of a community that are more than 1,000 feet from a fire hydrant, but within five road miles from a fire station, are rated Class 9.

The FSRS allocates credit for fire protection by evaluating these three major categories (Figure IV-24):

- 1. Fire Alarm and Communication System:** This aspect of the evaluation examines a community's facilities and support for handling and dispatching fire alarms. This includes telephone lines and systems, staffing, dispatching systems, and equipment. This component equates to 10% (10 points) of the evaluation.
- 2. Fire Department:** This component of the evaluation, which accounts for 50% of the total classification (50 points), focuses on the Fire Department and its operations. Areas that are examined include the number of engine and ladder/service companies, distribution of fire stations and fire companies, equipment carried on the apparatus, pumping capacity, testing of hose, pumps and ladders, reserve apparatus, department and on-duty staffing, and training.
- 3. Water Supply System:** The third component of the evaluation is an analysis of the community's water supply system for fire protection. Chief among the areas that are examined include fire hydrant size, type, flow, and installation. In addition, the condition and frequency of inspection of the hydrants is evaluated. Finally, the overall capabilities of the water supply system are assessed in comparison to the needed fire flow for target hazards in the community. Forty percent of the final rating (40 points) is based on the water supply system.

A relatively new addition to the FSRS, the Community Risk Reduction section offers a maximum of 5.5 points, resulting in 105.5 total points now available in the FSRS. The inclusion of this section

for “extra points” allows recognition for those communities that employ effective fire prevention practices, without unduly affecting those who have not yet adopted such measures.

The addition of the Community Risk Reduction section gives incentives to those communities who strive proactively to reduce fire severity through a structured program of fire prevention activities. The areas of community risk reduction evaluated in this section include:

- Fire prevention
- Fire safety education
- Fire investigation



**FIGURE IV-24: FOUR KEY PARTS OF ISO PPC EVALUATION PROCESS**

Source: ISO

Every city, town, or area that provides fire protection services is subject to being graded to establish a PPC. Individual buildings, both residential and commercial, are subject to the community's PPC. When calculating property insurance premiums, insurance companies using the PPC apply a factor that reflects a particular community's PPC. Some individual facilities within a community may also be individually assessed and assigned a specific rating.

Although there may be validity to the argument that this rating is no longer utilized by all insurance companies that issue policies to commercial facilities within Brewster, ISO is still recognized as a comparative benchmark of public fire protection. Moreover, within the past several years, ISO has significantly revised its FSRS, and as a result, the PPC to reflect new



innovations and technology, and the evolving standards and industry best practices within the fire service. Among these changes are:

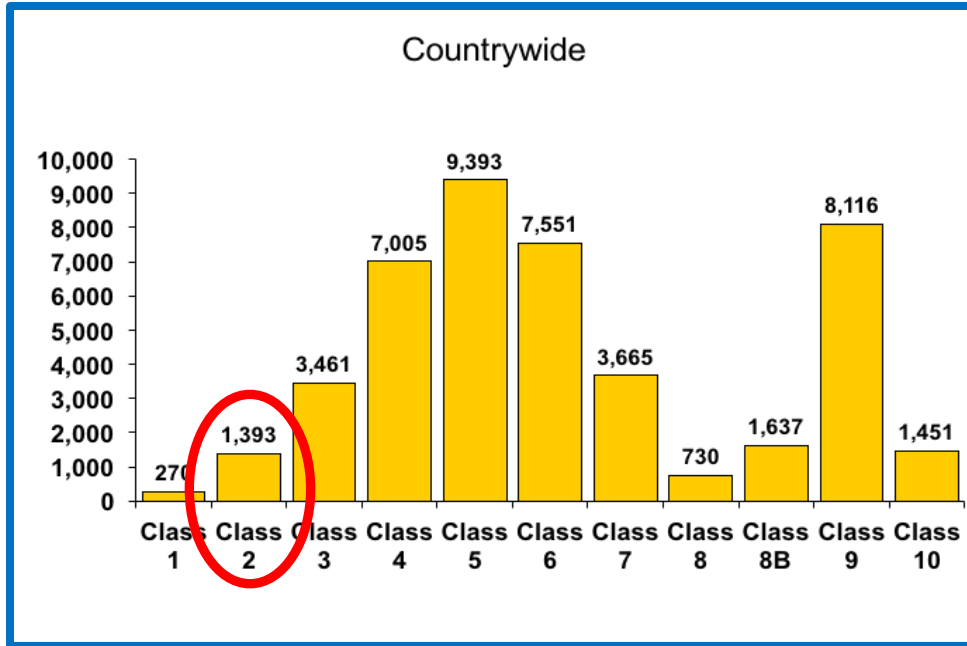
- Greater reference to nationally accepted consensus standards; NFPA and AWWA.
- Increased recognition of automatic fire sprinklers.
- Greater reliance on technology-based solutions (e.g., GIS, thermal imaging cameras).
- Increased emphasis on fire training activities.
- New reference to national standard safety requirements.
- New reference to accreditation; focus on master/strategic planning.

According to ISO, the PPC helps measure the effectiveness of fire protection and provides an important advisory evaluation to both insurers and communities. It is applied nationwide, and more than ever incorporates accepted national consensus standards. The PPC is used in marketing, underwriting, and pricing of both homeowners and commercial lines of fire/property insurance. Broadly speaking, the cost of insurance premiums is generally lower with better protection which translates into lower losses; the cost is higher in areas that have lower levels of protection which often translates into higher losses. Many insurers still rely on this information, at least partially, to set their fire insurance rates.

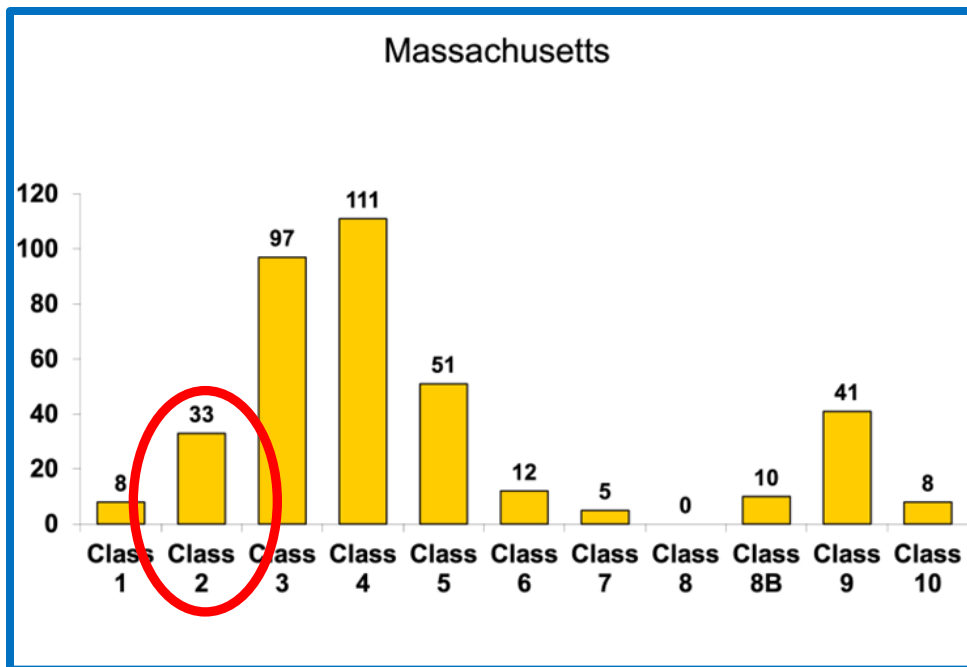
According to ISO, many communities receive split classifications which were revised in 2014 to reflect the risk of loss, more precisely. An example of the split classification is 4/4X. The first number refers to the classification of properties within 5 road miles of a fire station and within 1,000 feet of a creditable water supply. The second number applies to properties within 5 road miles of a fire station, but beyond 1,000 feet of a creditable water supply. ISO generally assigns Class 10 to properties beyond 5 road miles. The X classification replaced the former 9 portions of a split classification, respectively. For example, a community formerly graded as a split 4/9 will change to a split 4/4X.

Based on the most recent November 2019 ISO evaluation (which was effective 3/1/2020), the Brewster Fire Department was awarded **83.11 points** out of a possible 105.5 for a rating of Class **2/2X**. **This placed the Department in the top 5% of fire departments across the country.** **This is an excellent rating that reflects the overall quality of the department and the systems that have been put into place.** **The Brewster Fire Department should be commended for this accomplishment.** Figure IV-25, below, provides a graphical representation of the rating distribution across the United States while Figure IV-26 shows the same information for Massachusetts.





**FIGURE IV-25: INSURANCE SERVICE OFFICE RATING DISTRIBUTION CHART - COUNTRYWIDE**  
Source: ISO



**FIGURE IV-26: INSURANCE SERVICE OFFICE RATING DISTRIBUTION CHART - MASSACHUSETTS**  
Source: ISO

Looking deeper into the ratings, the Brewster Fire Department is currently rated with 35.77 out of a possible 50 points; Emergency Communications (E-911, dispatch and communications) – 9.78 points out of a possible 10 points; and Water Supply is rated at a 38.00 out 40 points (Figure IV-27). This means that the most improvement is possible within the areas of the fire department.

For the 2019 evaluation the areas where Brewster was the weakest and consequently lost the most points was for company personnel, and deployment analysis. Based upon the ISO evaluation if the Town of Brewster adopts future staffing recommendations for the Brewster Fire Department contained within this report, the department should receive additional credit for both Deployment Analysis and Company Personnel.

The Community Risk Reduction section of the FSRS offers a maximum of 5.5 points, resulting in 105.5 total points available in the FSRS. The inclusion of this section for “extra points” allows recognition for those communities that employ effective fire prevention practices, without unduly affecting those who have not yet adopted such measures. In 2019, the Brewster Fire Department received 4.25 points for community risk reduction. This suggests that as indicated in other areas of this report, the Brewster Fire Department has a well-developed and well managed fire prevention function.

FSRS Feature	Credit Granted to Brewster	Credit Available
<b>Emergency Communications</b>		
• Credit for Emergency Reporting	3.00	3
• Credit for Tele-communicators	4.00	4
• Credit for Dispatch Circuits	2.78	3
<b>Communications Total</b>	<b>9.78</b>	<b>10</b>
<b>Fire Department</b>		
• Credit for Engine companies	6.00	6
• Credit for Reserve Pumpers	0.50	0.5
• Credit for Pump Capacity	3.00	3
• Credit for Ladder Service	3.85	4
• Credit for Reserve Ladder, Service Trucks	0.00	0.5
• Credit for Deployment Analysis	3.36	10
• Credit for Company Personnel	9.15	15
• Credit for Training	7.91	9
• Credit for Operational Considerations	2.0	2.0
<b>Fire Department Total</b>	<b>35.77</b>	<b>50</b>
<b>Water Supply</b>		



FSRS Feature	Credit Granted to Brewster	Credit Available
Emergency Communications		
<ul style="list-style-type: none"> <li>Credit for Supply System</li> <li>Credits for Hydrants</li> <li>Credit for Inspection and Flow Testing</li> </ul>	<p>30.00</p> <p>3.00</p> <p>5.00</p>	<p>30</p> <p>3</p> <p>7</p>
<b>Water Supply Total</b>	<b>38.00</b>	<b>40</b>
Divergence	-4.69	---
<b>Community Risk Reduction</b>	<b>4.25</b>	<b>5.50</b>
<b>Total FSRS Credit</b>	<b>83.11</b>	<b>105.5</b>

**FIGURE IV-27: BREWSTER FIRE DEPARTMENT ISO FSRS ANALYSIS – 2019**

**RECRUITMENT, TRAINING & PROFESSIONAL DEVELOPMENT**

It is essential for modern fire departments to maintain state-of-the-art recruitment, training, and professional development initiatives. The Brewster Fire Department has a reputation for having a positive and professional work environment; however, the department has struggled with recruitment and retention as the department is slower than many other Cape departments, the Town has few fires, and the pay scale has significantly lagged behind other area fire departments. The Town is aware of the latter issues and is taking steps to incrementally increase pay to make Brewster’s compensation package more competitive, and thus a more desirable place to work.

As a non-civil service agency, the fire department can conduct its own recruiting, background checks, psychological profile, and pre-employment physical examination. Because of difficulties with recruiting personnel who are already firefighter/paramedics, and the time commitment for firefighters to earn paramedic certification (2,000 +/- hours), the department attempts to recruit personnel who are already certified paramedics but not firefighters. The theory is that it is less time consuming to send these personnel to the firefighting academy than vice versa. This is an innovative approach that may be beneficial to the Department’s recruitment and retention. Captains are promoted based on the results of an independent third party written examination based upon a reading list designated by the Fire Chief. This is followed by an assessment center examination utilizing independent, outside evaluators along with a review of their education and personnel record.

In order to be eligible for promotion to captain, a firefighter must have served as a Brewster firefighter for at least two (2) years. There are no other pre-requisites at the current time.



The coordination of fire training is assigned to a Captain in addition to their normal shift responsibilities. They prepare a monthly training calendar that is followed by each shift officer daily. This calendar covers all required ISO training, along with an array of other firefighting topics. Although not a formal lesson plan, the training calendar summarizes what should be done and establishes the training objectives that are to be met. Daily training activities are frequently interrupted by emergency calls, which makes it difficult at times for officers to complete the required training regimen each month.

The fire department has the advantage of having its own training facility including a smoke room located in the station. As a result, Brewster firefighters can conduct more extensive drills and exercises than most fire departments of similar size. Mutual aid departments can use the facility on request.

Each Firefighter receives 36 hours of training time annually (July to June). This time is for participation in any department offered training outside the normally required daily training. These funds are included in the overtime budget and are available for any offered or approved third party training. The department received an AFG grant in the amount of \$152,674 for overtime and related expenses for Fire Instructor and Fire Officer training that was offered in 2021 and 2022 and was made available to other fire departments in the mutual aid system. The department also provides time off for attending regional and national conferences, seminars, and advanced training programs such as those offered by the Massachusetts Firefighting Academy or the National Fire Academy. In addition, the department brings in third-party experts to conduct hands-on training in Brewster. In 2023, the department hosted training on man in machine, forcible entry, and live fire training opportunities. Dive and technical rescue personnel also train monthly.

As this report was being finalized in August 2023, the BFD was awarded a 2022 AFG grant for \$91,579.79. The grant will cover instructor costs, and overtime/coverage overtime for all department personnel to receive 61.5 hours of NFPA/ISO compliant driver training, and pump and aerial operator training provided by the Massachusetts Fire Academy.

The Department's EMS Coordinator offers high-quality EMS training and continuing education to the Department's personnel. This ensures that EMS personnel maintain their skills and acquire the necessary training hours for their biennial re-certification.

## FIRE PREVENTION AND COMMUNITY RISK REDUCTION

The core service that a fire department provides to the public it serves begins with fire prevention. As with training in the previous section, fire prevention activities – also referred to today as Community Risk Reduction or CRR activities - likewise are one of the most important missions that the modern-day fire and rescue service is involved in. A comprehensive fire protection system needs to include, at a minimum, the key functions of fire prevention, code enforcement, inspections, and public education. Preventing fires before they occur and limiting the impact of those that do should be priority missions of every fire rescue organization. Educating the public about fire safety and teaching them appropriate behaviors on how to react should they be confronted with a fire is also an important life safety responsibility of the fire department.

Fire suppression and response, although necessary to protect property, have minor impact on preventing fires. Rather, it is public fire education, fire prevention, and built-in fire protection systems that are essential elements in protecting citizens from death and injury due to fire, smoke inhalation, and carbon monoxide poisoning. The fire prevention mission is of utmost importance, as it is the only area of service delivery that dedicates 100 percent of its effort to the reduction of the incidence of fire.

Fire prevention should continue to be promoted as a key component of services provided by the Brewster Fire Department and should be designated as a major aspect of its primary mission. Aggressive fire prevention programs are the most efficient, and cost-effective, way to reduce fire risks, fire loss, and fire deaths and injuries in the community. Fire prevention is a key responsibility of every member of the fire service, and fire prevention activities should, to the extent possible, include all personnel.

Fire prevention should truly be approached in a systematic manner and various community stakeholders have a vested interest and/or responsibility in this endeavor. It has been estimated that 70% to 75% of all the requirements found in building/construction and related codes are related in some way to fire protection and safety.



**Figure IV-28: FIVE ES OF PREVENTION IN A COMMUNITY RISK REDUCTION PROGRAM.**

**Image credit: [www.beaherosaveahero.org](http://www.beaherosaveahero.org)**

Understanding and addressing only one element will not lead to a successful program. All five “E’s” must be integrated into every program for it to be effective<sup>21</sup> (Figure IV-28). Strong fire prevention codes have been shown to be extremely effective means to reduce risk in a community. Fire alarm and sprinkler system mandates for not only commercial buildings but all occupancies including single family dwellings dramatically reduces fire risk and increases life safety. Code implementation that does not require these creates an increased risk. Strong code provisions and enforcement have demonstrated a greater ability to decrease fire problems than continuing to acquire more traditional fire department resources.

The Brewster Fire Department does have an active fire prevention and community risk reduction program in place. These include fire prevention and code enforcement functions, along with an all-hazards risk reduction approach to public education. The bureau is responsible for fire safety inspections, fire code compliance, fire protection system plans reviews, fire code permits, the community risk reduction initiative, fire investigations, and public fire safety education. The Fire Prevention Bureau coordinates its activities closely with the town’s Building Department and participates in the review of new residential and commercial construction and all projects that go before the Planning Board and the Zoning Board of Appeals.

These activities are carried out by the Department’s fire inspector, a position that was vacant at the time of this study. At the time of this assessment the department was in the process of hiring one of the two remaining call personnel to fill the vacancy. In the interim these duties were being handled by the Chief or Deputy Chief.

Public education efforts focus on youth fire prevention education, juvenile fire setter intervention, senior citizen fire and safety education, and overall community health and wellness. The public education program presentations include the state sponsored SAFE and senior SAFE programs, Home Forever Program, ALICE, Stop the Bleed, CPR/AED, Citizens Fire Academy, Fire Extinguisher Training, and the traditional Fire Safety in Schools Programs.

Commendably, the fire department has expanded its fire prevention activities by embracing the relatively new concept of community risk reduction (CRR). CRR is a process to identify and prioritize local risks, followed by the integrated and strategic investment of resources to reduce their occurrence and impact. A CRR program enables the town to identify risks and develop preventive strategies to mitigate those risks. Risk reduction initiatives will help to contain the impact of growth, demographic changes, and climate change (e.g., increase in magnitude and frequency of severe weather events, etc.) on emergency response agencies. Code enforcement and public fire safety education efforts are effective strategies to reduce serious fire events. As

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<sup>21</sup> <http://www.beaherosaveahero.org/2013/10/community-risk-reduction-crr-overview/> February 5, 2016

existing building stock is replaced, renovated, or updated, it can be brought into compliance with modern building and fire codes, thus reducing risk.

The fire department is ideally positioned to lead the town's CRR efforts because of its knowledge of community risks (natural, manmade, and technological), its track record in fire prevention and public education, and its role in emergency medical services. Guidance on the development and implementation of a CRR program is found in Standard on Community Risk Assessment and Community Risk Reduction Plan Development (NFPA 1300, 2020 edition). The CRR initiative will complement and enhance other strategic planning initiatives, such as economic development, hazard mitigation, emergency management, and capital improvement. The fire department should be given a broad mandate to lead the town's CRR initiative, which should include a wide range of town departments and community stakeholder groups.

### **DIVERSITY AND CULTURAL AWARENESS**

Diversity and cultural awareness are important considerations in communities that wish to provide the highest level of equitable services to all of its citizens. Many fire departments throughout the U.S. have learned the value of a diverse workforce and know that they can provide a higher level of service when its members can self-identify with the population they serve. Customer satisfaction and community acceptance and support generally increase with diversity. In particular, the delivery of emergency medical care has been shown to improve, particularly when barriers such as gender, language, and physical appearance are removed.

Most fire departments in the United States are predominantly white and male, and the Brewster Fire Department is no exception. This is not a criticism, but simply a recognition that the current workforce could face significant challenges as it provides emergency services. However, with three female firefighters which represent 13.0% of the department's operations staffing, the department is ahead of many other departments MRI has evaluated. The Town of Brewster and Brewster Fire Department should be commended for this diversity.

Continuing to increase diversity within the workforce of the Brewster Fire Department and ensuring equity in the delivery of fire department services should be a long-term goal of the town, but the first steps should be initiated immediately. For example, a vision for diversity should be established; recruitment efforts should include enthusiastic outreach to women and community-based minority partners; all personnel, especially supervisors, should receive ongoing training and awareness on diversity and equity; and policies and procedures should be updated to ensure equity in the workplace. Numerous resources for strengthening fire service diversity are available from organizations such as the International Association of Fire Chiefs, International Association

of Fire Fighters, International Association of Women in Fire & Emergency Service, and the U.S. Fire Administration.

### ADMINISTRATIVE SERVICES

Fire department administrative services and office management activities are handled by an administrative assistant at fire headquarters. The primary responsibilities of the administrative assistant include, but are not limited to, the following:

- Payroll
- Billing and accounts payable
- Administrative support to the Fire Chief and Deputy Fire Chief
- Fire department and emergency management budget support
- Administrative support to fire prevention bureau (scheduling of inspections, permitting, etc.)
- Grant support
- Answering public inquiries

The administrative assistant performs her functions with a combination of computerized and manual functions. Financial transactions are handled on the town's Munis enterprise resource planning system. Because the Munis system does not recognize the fire department's 42-hour average workweek schedule, payroll must be calculated manually before being submitted to the finance department.

Many of the procedures and activities of the administrative assistant are not documented and backup support when she is on personal leave is limited to the Fire Chief and Deputy Chief.

### BREWSTER INTERDEPARTMENTAL RELATIONS

Interviews with the Town Manager, Assistant Town Manager, several other department heads, and the Chairman of the Select Board revealed that the fire department is highly respected within the town government and the Fire Chief and Deputy Fire Chief are known for their cooperation, collaboration, and support of their colleagues. The MRI study team was impressed with the high level of professionalism, collaboration, and mutual respect that was exhibited by all department heads.



## **RECOMMENDATIONS**

- IV-1:** *The Brewster Fire Department should continue its practice of utilizing part-time seasonal personnel to maintain/enhance minimum shift staffing particularly during the busy vacation/tourist season.*
- IV-2:** *While the Fire Prevention Officer can be utilized to assist with staffing the second or third ambulance, when necessary, during simultaneous or overlapping incidents, he/she should not normally be utilized to maintain minimum shift staffing as this takes him/her away from his/her primary CRR responsibilities.*
- IV-3:** *As part of its ongoing statistical analysis of operational performance, the Brewster Fire Department should track the number of call backs that are sounded each year and the number of personnel who respond.*
- IV-4:** *The Chief and Deputy Fire Chief, in conjunction with the Town's Human Resources Director, should explore ways to address/improve the underlying organizational culture that can impact internal morale.*
- IV-5:** *The Town of Brewster should continue to work to incrementally improve the compensation package for members of the Brewster Fire Department in an effort to make it more competitive with other Cape Cod departments and assist with better recruiting and retaining personnel long-term.*
- IV-6:** *The Town of Brewster should continue to evaluate the organizational structure of the Brewster Fire Department in an ongoing matter to ensure that it meets the needs of the community it services, the expectations of the community, and the department itself.*
- IV-7:** *The Brewster Fire Department should work with the BCSO RECC leadership to identify any potential ways to reduce call processing time (from receipt of the call to dispatch of the incident) with the goal of attempting to achieve a 90<sup>th</sup> percentile time of not more than 64 seconds as recommended in NFPA 1710. Reducing call processing time can assist with leading to improved overall response times.*
- IV-8:** *The Brewster Fire Department should work with the BCSO RECC leadership to ensure that incident turnout and travel times are recorded separately for each incident to allow proper analysis of response data. In addition, the first unit on scene time for fire incidents should be a fire truck not an ambulance or command/staff officer.*
- IV-9:** *After the above recommendation is implemented the Brewster Fire Department should further analyze their response time data, and if necessary, work to identify potential*

*ways to reduce incident turnout time with the goal of attempting to achieve a 90<sup>th</sup> percentile time of not more than 60 seconds for EMS incidents and 80 seconds for fire incidents as recommended in NFPA 1710. Turnout time is the response time component that the agencies have the most direct control over which can lead to reduced overall response times.*

**IV-10:** *The Brewster Fire Department should enhance their data collection and analysis to include 80<sup>th</sup> and 90<sup>th</sup> percentile turnout and travel times as recommended in NFPA 1710. Having these more conservative times available will provide a more accurate response assessment and allow for better long- range master planning.*

**IV-11:** *The Brewster Fire Department should enhance its existing pre-fire planning program into a comprehensive one for all structures other than one (1) and two (2) family dwellings. This includes every business, commercial and industrial occupancy (including schools, churches, etc.) in the town. Pre-planning will improve the firefighters' knowledge of the specific tactics needed to handle a fire or other emergency at a facility and will alert them to on-site hazards and risks. Pre-fire/incident plans should be reviewed regularly and tested by periodic table-top exercises and on-site drills.*

**IV-12:** *Appropriate pre-planning software – such as the AWARE module for Mobile CAD - should be obtained and installed in apparatus mobile data terminals (MDTs) in all apparatus and command/staff vehicles including ambulances.*

**IV-13:** *The Brewster Fire Department should continue to pursue the acquisition of mobile data terminals (MDT's) in all frontline apparatus and supply each unit with reliable mobile internet connectivity such as the AT&T FirstNet network which includes mobile hot spots or routers for in vehicle use throughout the district.*

**IV-14:** *The Brewster Fire Department should establish a formal “performance “improvement” process for fire suppression operations. The process should include the adoption of performance standards such as NFPA 1710, including on scene performance indicators such as:*

- *On-scene to charged line at the front door of a structure fire: two minutes or less, 90% of the time.*
- *Water from hydrant to supply engine: three minutes or less, 90% of the time.*

**IV-15:** *The Brewster Fire Department should consider revising their EMS response procedures as follows:*

- *When staffing is at five personnel:*

- ❖ *Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. The three personnel remaining are now available for fire duty, or can handle a second ambulance call, if necessary. If they require additional assistance, they can request the engine to respond.*
- ❖ *Two personnel respond on the ambulance and three personnel respond on the engine to Charlie, Delta, and Echo, or Priority 1 and 2 calls. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew. The two additional personnel can return to station with the engine and await the arrival of off duty personnel. They can also handle a second ambulance call.*

➤ **When staffing is at four personnel:**

- ❖ *Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. If they require additional assistance, they can request the engine to respond. The remaining two personnel are still available for fire duty, or, can handle a second ambulance call.*
- ❖ *Two personnel respond on the ambulance to Charlie, Delta, and Echo, or Priority 1 and 2 calls. The remaining two personnel respond with the engine to assist. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew. The one remaining person can return to station with the engine and await the arrival of off duty personnel. Off duty personnel reporting back for duty would now provide fire response, or response to a second ambulance call.*

**IV-16:** *The Brewster Fire Department should consider a procedure that Alpha level, or Priority 3 EMS calls are responded to without light or sirens. Consideration should also be given to making hospital transport calls that are non-emergent and the patient is stable, without lights and sirens. It is safer for responding personnel, general citizens, and the patient, to reduce the number of times that red lights and sirens are utilized.*

**IV-17:** *The Brewster Fire Department should work internally to ensure all EMS related incidents are properly classified as either advanced life support (ALS) or basic life support (BLS) criterion, based upon the actual situation found on scene.*

**IV-18:** *The Town of Brewster and Brewster Fire Department should consider designating the position of EMS coordinator as a full time, Captain (or Captain equivalent) position which is tested for as part of a promotional process. This position should continue to*

*have the requirement that the person holding it must be a currently certified paramedic and hold that certification for the duration of their time in the position.*

**IV-19:** *The Town of Brewster and Brewster Fire Department should actively explore the feasibility of implementing some type of community based mobile integrated health care (Community Paramedicine) in an attempt to provide better service to the community, and possibly increase their EMS revenue.*

**IV-20:** *The Brewster Fire Department should strive to have a minimum of 16/17 firefighting personnel on the scene of every single-family residential structure fire within 8 minutes of the time that units are responding. For fires in multi-family residential buildings and commercial occupancies, a minimum of 27/28 personnel should be on scene within 8 minutes of the time that units are responding in order to be able to establish a full effective response force. Even if additional permanent staffing is added to the BFD as recommended in this report the use of automatic aid and mutual aid will need to continue and should be enhanced, based upon the type of occupancy a reported fire is in. This should be the department's highest priority.*

**IV-21:** *The Town of Brewster and Brewster Fire Department should incrementally hire additional firefighters to enhance daily on duty staffing to an eventual level of seven (7) personnel assigned to each shift.*

**IV-22:** *The Town of Brewster should authorize the Brewster Fire Department to apply annually over the next several application periods for a federal Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund the incremental hiring of a total of nine (9) additional personnel (two per shift plus a full-time EMS Officer) over the next several fiscal years citing an increasing call volume, a high percentage of senior citizens, loss of the department's call force, and a desire to improve overall operational effectiveness, efficiency, and safety.*

**IV-23:** *Even if the application for the SAFER grant is not successful, the Town of Brewster should still provide funding to incrementally increase Brewster Fire Department staffing over the next several fiscal years. A suggested timeline would be:*

- *FY 2025 – Hire four (4) additional personnel to increase shift staffing to six (6) personnel with a minimum of five (5) on duty (off season only).*
- *FY 2026 – Hire one (1) additional person to allow for the creation of the full-time EMS officer position and the possible implementation of a MICU/CIP program. Promote four (4) firefighters to the rank of Lieutenant.*

- **2028 – Hire four (4) additional personnel to increase shift staffing to seven (7) personnel with a minimum of six (6) on duty (off season only).**

**IV-24:** *As recommended above, in FY 2026, the Town of Brewster should consider creation of the position of Lieutenant on each shift in the Brewster Fire Department to allow for a continued appropriate span of control as recommended under the Incident Management System (IMS). The position of Lieutenant will also ensure that all persons serving in the capacity of an officer and/or shift commander has an adequate level of training and experience to fulfill the myriad additional duties and responsibilities of officer positions competently and confidently.*

**IV-25:** *In FY 2029 and/or 2030, after the above recommended staffing increases are implemented the Town of Brewster and Brewster Fire Department should evaluate the impact of the enhanced staffing levels and its impact on both fire and EMS operations. The purpose of this evaluation will be to determine if seven (7) personnel per shift is adequate, or if additional staffing may still be indicated.*

**IV-26:** *At all staffing levels, the Brewster Fire Department should continue to utilize part-time personnel to supplement staffing level and maintain maximum shift staffing during peak season between Memorial Day and the end of September.*

**IV-27:** *Even if the Town of Brewster is unsuccessful at its first SAFER application, the Town and Brewster Fire Department should apply again in subsequent years to seek funding for the recommended increase in personnel to provide enhanced operations to the Town.*

**IV-28:** *The Brewster Fire Department should implement an operational procedure to have an engine respond immediately (even if it must be requested from mutual aid) with the ambulance on every motor vehicle crash to provide a blocking vehicle to protect the ambulance and personnel operating on the incident scene from being struck by an inattentive motorist. The need for the use of blocking vehicles to help keep emergency responders safe during highway and roadway incidents has become a much more important necessary and significant part of the emergency response system.*

**IV-29:** *The Brewster Fire Department should consider the implementation of a company-level inspection program, integrated with a pre-fire/incident planning program as part of its comprehensive community risk reduction program.*

**IV-30:** *The Brewster Fire Department should consider the implementation of a voluntary home survey/inspection program with an all-hazards focus. This type of program can be particularly beneficial in a community with a high percentage (35.1%) of senior citizens.*

## CHAPTER V

### FIRE DEPARTMENT FINANCIAL OPERATIONS

Financial operations in the Brewster Fire Department are not limited to developing and implementing an annual budget. Revenue from ambulance transports provide a significant offset to fire department expenditures but requires oversight of a complex third-party billing system. In addition to ambulance billing revenue, the department receives supplemental Medicaid funding through the MassHealth Ambulance Certified Public Expenditure (CPE) program. The fire department has been highly successful in applying for and receiving grants for equipment and personnel from both federal and state government sources. Fees for various permits that are issued by the fire department provide a modest revenue source.

#### ANNUAL BUDGET

The town website provides a transparent view of all department budgets and total expenditures for the previous three (3) fiscal years. The budget narrative includes each department’s mission statement, previous fiscal year accomplishments, current fiscal year goals and initiatives, and budget highlights. Citizens can easily refer to the “Budget Increase Rationale Forms” in order to understand the reasons for a specific request for increased funding.

The BFD strategic plan (2022-2026) calls for the coordination of departmental budget planning with an annual review of the strategic plan. A three (3) year look-back forms the basis for the proposed fiscal year operating and capital budgets, and department members provide input on major capital acquisitions.

As with any career fire department, the majority of the BFD budget is dedicated to wages and salaries. In the FY 2023 budget, wages and salaries account for 79% of the total budget. Until FY 2023, overtime expenditures have been proportionately stable, accounting for 14% of salaries and wages in FY 2020 and FY 2021, and 13% of salaries and wages in FY 2022. The FY 2023 overtime budget has been increased by \$120,000 to \$424,700, or 17% of overall wages and salaries (note: \$20,000 of the overtime increase was transferred from the part-time wage account). The department has justified this increase with the following rationale:

- Reduced call firefighter staff.
- Need to provide mandatory five (5) man minimum staffing levels [i.e., filling shift vacancies caused by vacations, sick leave, injury, resignations/retirements, etc.].<sup>22</sup>
- Contractual COLA and step increases that impact overtime rates.
- Contractual increase in firefighter elective training time (from 24 to 36 hours).

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<sup>22</sup> Bracketed [] language added by MRI study team.

- Cost of regional housing preventing members from living within the required 15 miles living radius requiring additional on duty staff.
- Lack of year-round rental opportunities preventing members from living within the requirement 15 mile living radius requiring additional on-duty staff.
- Reduced numbers of staff available for off-duty callback.

In spite of the increase in overtime wages, the BFD FY 2023 budget reflected just a 0.65% increase over the FY 2022 budget, which is remarkable given the increased labor costs and inflationary increases in equipment and supplies. The MRI study team is concerned that future “level funding” initiatives will result in on-going cuts to discretionary expenditures such as training, equipment, and fire prevention that will result in decreased departmental readiness and skill levels.

### CAPITAL PLANNING

Long-range capital planning ensures that apparatus and major equipment is replaced on a timely basis based on usage and condition and in accordance with best practices and nationally recognized standards, such as NFPA 1901, *Standard for Automotive Fire Apparatus*. Fire department capital planning efforts are coordinated with the town’s capital planning to ensure that capital budgets are stabilized to avoid large swings from year-to-year. The BFD strategic plan (2022-2026) calls for the department to maintain a comprehensive plan for replacing ambulance, fire service, and support vehicles and equipment.

Fire department capital planning is especially important due to the extended time for delivery of fire apparatus and ambulances, which is currently two (2) to three (3) years. Delivery time frames should be built into the capital acquisition schedule, and higher than inflation cost increases should be anticipated.

### AMBULANCE BILLING & REVENUE

The Brewster Fire Department provides both basic life support (BLS) and advanced life support (ALS) emergency medical services. BLS can be provided by personnel who are certified as emergency medical technicians-basic (EMT-B), while ALS can only be provided by paramedics. All Brewster firefighters are certified as EMTs or as paramedics.

Billing rates are aligned with the framework established by the Centers for Medicare and Medicaid Services (CMS) (Figure V-1). The rates were last revised by the town in 2019 and are comparable to the rates charged by neighboring communities.



<u>Type of Charge</u>	<u>HCPCS*</u>	<u>Amount Charged</u>
ALS Non-Emergency Basic Rate	A0426	\$ 1,950.00
ALS1 Emergency Basic Rate	A0427	\$ 1,950.00
ALS2 Emergency Basic Rate	A0433	\$ 3,037.99
BLS Emergency Basic Rate	A0429	\$ 1,205.00
BLS Non-Emergency Basic Rate	A0428	\$ 1,205.00
Mileage	A0425	\$ 32.00
Non-Covered Mileage	A0888	\$ 32.00
Specialty Care	A0434	\$ 3,462.00

\*Healthcare Common Procedures Coding System

**FIGURE V-1: BREWSTER AMBULANCE BILLING RATES**

The billing categories are defined by CMS regulations found in 42 CFR Ch. IV §414.601 Subpart H:

*Advanced life support (ALS) intervention* means a procedure that is, in accordance with State and local laws, required to be furnished by ALS personnel.

*Advanced life support, level 1 (ALS1)* means transportation by ground ambulance vehicle, medically necessary supplies and services and either an ALS assessment by ALS personnel or the provision of at least one ALS intervention.

*Advanced life support, level 2 (ALS2)* means either transportation by ground ambulance vehicle, medically necessary supplies and services, and the administration of at least three medications by intravenous push/bolus or by continuous infusion, excluding crystalloid, hypotonic, isotonic, and hypertonic solutions (Dextrose, Normal Saline, Ringer's Lactate); or transportation, medically necessary supplies and services, and the provision of at least one of the following ALS procedures:

- (1) Manual defibrillation/cardioversion.
- (2) Endotracheal intubation.
- (3) Central venous line.
- (4) Cardiac pacing.





(5) Chest decompression.

(6) Surgical airway.

(7) Intraosseous line.

*Basic life support (BLS)* means transportation by ground ambulance vehicle and medically necessary supplies and services, plus the provision of BLS ambulance services. The ambulance must be staffed by at least two people who meet the requirements of state and local laws where the services are being furnished. Also, at least one of the staff members must be certified, at a minimum, as an emergency medical technician-basic (EMT-Basic) by the State or local authority where the services are furnished and be legally authorized to operate all lifesaving and life-sustaining equipment on board the vehicle.

*Specialty care transport (SCT)* means interfacility transportation of a critically injured or ill beneficiary by a ground ambulance vehicle, including medically necessary supplies and services, at a level of service beyond the scope of the EMT-Paramedic. SCT is necessary when a beneficiary's condition requires ongoing care that must be furnished by one or more health professionals in an appropriate specialty area, for example, nursing, emergency medicine, respiratory care, cardiovascular care, or a paramedic with additional training.

The town bills for ambulance transport services in accordance with the above rate schedule. However, Medicare, Medicaid, and private insurance companies establish allowable rates, i.e., the amount that they actually pay, that are significantly lower than the town's rate schedule.

The town has established an ambulance fee waiver policy that establishes the criteria for "writing off" billed amounts based on hardship or other conditions as approved by the Select Board.

Because of the complexities of CMS and state regulations, the wide range of procedures, established by private insurance companies, and the confidentiality requirements of the Health Insurance Portability and Accountability Act (HIPAA), the town has contracted with a third-party billing service that specializes in ambulance billing. The current contractor, COMSTAR Ambulance Billing Service, is paid 2.5% of the amount it collects, which is competitive with similar ambulance billing companies.

The MRI study team reviewed ambulance transport revenues for the past three (3) years. Collection rates improved significantly between FY 2021 and FY 2022. Payments continue to be received for FY 2023, but the most recent revenue numbers indicate that the collection rates are on track to be at least equal to or better than FY 2022. Uninsured individuals account for the greatest amount of uncollected (or written-off) revenue, while the highest proportion of revenue (97.28% over three years) comes from Medicare, Medicaid, and private insurers. The average collection rate based on allowable rates over the past three (3) years is 75.52%.

	<u>PAYMENT TYPE</u>	<u>TRANSPORTS</u>	<u>CHARGES</u>	<u>ALLOWABLE</u>	<u>COLLECTED</u>	<u>% COLLECTED</u>
<b>FY 2021</b>	Insurance	1234	\$2,766,320.13	\$832,077.78	\$751,867.30	90.36%
	Veterans Administration Self-Pay	2	\$4,924.00	\$4,924.00	\$- 0	0.00%
		136	\$315,060.96	\$305,987.26	\$16,498.39	5.39%
	<b>Total FY 2021</b>	<b>1372</b>	<b>\$3,086,305.09</b>	<b>\$1,142,989.04</b>	<b>\$768,365.69</b>	<b>67.22%</b>
<b>FY 2022</b>	Insurance	1432	\$3,215,136.46	\$957,423.36	\$914,549.42	95.52%
	Veterans Administration Self-Pay	3	\$5,736.00	\$5,736.00	\$5,736.00	100.00%
		74	\$164,564.95	\$153,970.63	\$23,906.98	15.53%
	<b>Total FY 2022</b>	<b>1509</b>	<b>\$3,385,437.41</b>	<b>\$1,117,129.99</b>	<b>\$944,192.40</b>	<b>84.52%</b>
<b>FY 2023</b>	Insurance	1448	\$3,330,617.82	\$1,076,397.50	\$901,006.13	83.71%
	Veterans Administration Self-Pay	4	\$10,008.00	\$10,008.00	\$5,180.00	51.76%
		68	\$154,608.98	\$148,035.38	\$20,392.78	13.78%
	<b>Total FY 2023</b>	<b>1520</b>	<b>\$3,495,234.80</b>	<b>\$1,234,440.88</b>	<b>\$926,578.91</b>	<b>75.06%</b>
<b>3-YR AVERAGE TOTAL</b>		<b>1467</b>	<b>\$3,322,325.77</b>	<b>\$1,164,853.30</b>	<b>\$879,712.33</b>	<b>75.52%</b>

**FIGURE V-2: AMBULANCE TRANSPORT REVENUES**

The average total charge per ambulance transport has remained relatively stable over the past three (3) years with a modest increase in FY 2023. The average allowable charge per transport has decreased slightly since FY 2021. FY 2022 saw the highest average collected revenue of the past three years.

<u>FISCAL YEAR</u>	<u>AVERAGE CHARGE</u>	<u>AVERAGE ALLOWABLE</u>	<u>AVERAGE COLLECTED</u>
<b>2021</b>	<b>\$2,249.49</b>	<b>\$833.08</b>	<b>\$560.03</b>
<b>2022</b>	<b>\$2,243.50</b>	<b>\$740.31</b>	<b>\$625.71</b>
<b>2023</b>	<b>\$2,299.50</b>	<b>\$812.13</b>	<b>\$609.59</b>
<b>3-YR Average</b>	<b>\$2,264.16</b>	<b>\$795.18</b>	<b>\$598.44</b>

**FIGURE V-3: AVERAGE AMBULANCE CHARGES & COLLECTIONS, FY 2021-2023**



Each year, the fire department applies for and receives supplemental Medicaid funding through the MassHealth CPE for Public Ambulance program. This year, the town received **\$136,529.00** which was deposited in the ambulance revenue account.

Ambulance transport revenues are robust and offset a significant portion of the fire department annual budget. However, EMS services throughout the United States are facing significant challenges to their financial stability. These challenges include:

- Reduction in allowable amounts paid by private insurance companies.
- Delays in payments by private insurance companies.
- Medicare/Medicaid allowable costs do not keep pace with inflation or operational cost increases.
- Significant increases in the cost of EMS supplies and equipment.
- Significant increases in the cost of new ambulances and ambulance refurbishment.

The fire department and the Town are not immune to these challenges, which in future years could result in reductions in revenue and increases in operational costs that outpace current expectations.

The BFD strategic plan (2022-2026) includes an action plan for ambulance reimbursements, with a focus on staying competitive with ambulance billing rates and fostering a strong relationship with the third-party ambulance billing party.

#### **PERMITS:**

BFD issues permits for several types of inspections or hazardous processes that require fire department oversight. A fee of \$40 is charged for oil tank inspections, certificates of compliance for smoke and carbon monoxide alarms (required at the time of real estate transfer), and fire alarm installation final inspection. A fee of \$10 is charged for open burning permits. A total of \$19,320 was collected for permit fees in FY 2023.

#### **GRANTS:**

BFD has been aggressive and forward-thinking in seeking and receiving grants for equipment and personnel. Since 2010, the town has received a total of **\$2,021,879.71** in grants. The BFD should be commended for these efforts and their success at obtaining these very competitive grants.

The primary source of the grant funds has been the Assistance to Firefighters (AFG) grant program that is administered by the Federal Emergency Management Agency (FEMA). The goal

of the AFG program is to fund critically needed resources to equip and train emergency personnel, enhance efficiencies, and support community resilience. With AFG funds, BFD has obtained communications equipment, personal protective equipment (PPE), personal escape devices and training, self-contained breathing apparatus (SCBA), cardiac monitors, electrically powered ambulance stretchers/loading devices, extrication equipment, a fire safety education trailer. Most impressively, the department received **\$152,674.00** for fire instructor and fire officer training that was made available to other fire departments in the mutual aid system.

As this report was being finalized in August 2023, the BFD was awarded a 2022 AFG grant for **\$91,579.79**. The grant will cover instructor costs, and overtime/coverage overtime for all department personnel to receive 61.5 hours of NFPA/ISO compliant driver training, and pump and aerial operator training provided by the Massachusetts Fire Academy.

In 2016, BFD was successful in receiving a FEMA Staffing for Adequate Fire and Emergency Responses (SAFER) grant, which supported funding two (2) firefighter/paramedic positions for three (3) years. Future SAFER grants could provide the initial funding for expanding fire and EMS staffing in Brewster.

BFD has also received grant funding from state sources that included a SCBA mask fit decontamination machine, portable radios, mobile communication equipment, rescue saws, and radio software.

The BFD strategic plan (2022-2026) calls for continued efforts to pursue federal and state grant funding, investigate untapped grant funding sources, and utilize the expertise of the town's project manager.

While obtaining grants for essential equipment, training, and staffing is highly commendable, the department and the town should always be prepared to fund these activities with the town budget. There is no guarantee that grant funds will be available in the future at the state or federal level, and there is no guarantee that the town will be a successful applicant.

#### SOURCES OF ADDITIONAL FUNDING:

The BFD strategic plan (2022-2026) has identified several potential sources of revenue that could be explored by the town:

- Retail marijuana tax directed to offset public safety costs.
- Short-term rental tax.
- Establishment of a community paramedicine program.

In assessing the feasibility of alternative revenue sources, consideration should be given to the cost of administering the collection of revenue, both in terms of direct costs as well as administrative time that detracts from the primary mission of the fire department.

Community paramedicine calls for the use of fire department paramedics to provide in-home follow-up care to patients as an alternative to traveling to a medical facility or doctor's office. Patients may need medical attention post-surgery or due to a chronic condition, and a fire department community paramedicine program is a cost-effective and easily scheduled alternative to treatment in an out-patient facility or live-in nursing home. Community paramedicine pilot programs can be initiated under the auspices of a local hospital and are an effective use of paramedic resources when not responding to emergencies.

## **RECOMMENDATIONS**

***V-1: The Town of Brewster should continue to closely monitor the use of overtime and identify strategies to contain overtime costs. Such strategies could include the following:***

- ***Calculate the “break-even” point where the establishment of additional firefighter-paramedic positions would make it possible to allow time-off without creating overtime replacements.***
- ***Continue to monitor the appropriate use of sick time. Excessive use of sick time, or identifiable patterns of sick time usage can be indicators of employee performance or health issues that require intervention and support.***
- ***Continue the use of seasonal personnel during peak vacation/tourist seasons which equates to increased response volumes.***
- ***Management of an occupational safety and health program that includes aggressive enforcement of standard operating procedures (SOPs), training, updated PPE, documentation of occupational injuries and illnesses (including incidents involving department-owned motor vehicles), and investigation of job-related injuries and motor vehicle incidents that includes a lessons-learned after-action report.***

***V-2: The Town of Brewster and Brewster Fire Department should update their ambulance fee schedule (last updated in 2019) based on increases in service delivery costs and consistent with rates charged by EMS services in the region.***

- V-3:** *The Town of Brewster and Brewster Fire Department should continue to seek competitive bids from qualified third-party ambulance billing companies every three (3) to five (5) years. This will ensure that the town is receiving the highest possible level of service at the best possible price. Consideration should be given to establishing a group bid with neighboring communities, which increases the potential for further contract cost reductions.*
- V-4:** *The Brewster Fire Department should consider requiring additional permits as authorized by the Massachusetts Comprehensive Fire Safety Code (MGL Chapter 148:527 CMR Board of Fire Prevention Regulations). The department should determine what permits should be required based on risk and common practices in the community.*
- V-5:** *The Town of Brewster should consider increasing fire department permit fees based on a review of fee schedules that have been adopted by neighboring communities.*
- V-6:** *The Town of Brewster and Brewster Fire Department should continue to aggressively pursue grants from federal, state, and private sources for apparatus, staffing, equipment, training, fire prevention and community risk reduction programs, and EMS services to the community. Specifically, the town should apply for a FEMA SAFER grant to fund the additional firefighter-paramedic positions identified in several recommendations including Recommendation IV-22 of this report.*
- V-7:** *The Town of Brewster and Brewster Fire Department should explore additional potential ways to generate revenue to offset the fire department's operating costs. Consideration could be given to billing insurance companies for response to motor vehicle accidents; registration fees for fire alarm systems; the aggressive pursuit of non-residents who have been billed for ambulance transportation; and the implementation of a fee for ambulance responses that do not result in a transport.*

## CHAPTER VI SUMMARY OF RECOMMENDATIONS

This chapter contains a listing of the 39 recommendations related to the various chapters in this report. Please refer to the body of the report for additional explanation and justification for each recommendation.

### CHAPTER III - BREWSTER COMMUNITY RISK AND HAZARD PROFILE

**III-1:** *The Brewster Fire Department should make it a priority to complete a comprehensive fire and rescue community risk assessment. This assessment should be done in conjunction with a fire and EMS calls for service demand analysis, including the development of a wide-ranging pre-incident planning program for target and high hazard locations in the Town, and take into consideration the fire department's operational capabilities and preparedness.*

**III-2:** *The Brewster Fire Department should develop a compelling public education program that includes discussing the benefits of installing residential fire sprinklers in new one- and two-family dwellings. Although Massachusetts's construction codes do not allow residential fire sprinkler systems to be mandated, there is no prohibition for property owners to install them if they determine that it is in their best interest.*

### CHAPTER IV - BREWSTER FIRE DEPARTMENT ORGANIZATION, MANAGEMENT, AND OPERATIONS

**IV-1:** *The Brewster Fire Department should continue its practice of utilizing part-time seasonal personnel to maintain/enhance minimum shift staffing particularly during the busy vacation/tourist season.*

**IV-2:** *While the Fire Prevention Officer can be utilized to assist with staffing the second or third ambulance, when necessary, during simultaneous or overlapping incidents, he/she should not normally be utilized to maintain minimum shift staffing as this takes him/her away from his/her primary CRR responsibilities.*

**IV-3:** *As part of its ongoing statistical analysis of operational performance, the Brewster Fire Department should track the number of call backs that are sounded each year and the number of personnel who respond.*

- IV-4:** *The Chief and Deputy Fire Chief, in conjunction with the Town’s Human resources Director, should explore ways to address/improve the underlying organizational culture that can impact internal morale.*
- IV-5:** *The Town of Brewster should continue to work to incrementally improve the compensation package for members of the Brewster Fire Department in an effort to make it more competitive with other Cape Cod departments and assist with better recruiting and retaining personnel long-term.*
- IV-6:** *The Town of Brewster should continue to evaluate the organizational structure of the Brewster Fire Department in an ongoing matter to ensure that it meets the needs of the community it services, the expectations of the community, and the department itself.*
- IV-7:** *The Brewster Fire Department should work with the BCSO RECC leadership to identify any potential ways to reduce call processing time (from receipt of the call to dispatch of the incident) with the goal of attempting to achieve a 90<sup>th</sup> percentile time of not more than 64 seconds as recommended in NFPA 1710. Reducing call processing time can assist with leading to improved overall response times.*
- IV-8:** *The Brewster Fire Department should work with the BCSO RECC leadership to ensure that incident turnout and travel times are recorded separately for each incident to allow proper analysis of response data. In addition, the first unit on scene time for fire incidents should be a fire truck not an ambulance or command/staff officer.*
- IV-9:** *After the above recommendation is implemented the Brewster Fire Department should further analyze their response time data, and if necessary, work to identify potential ways to reduce incident turnout time with the goal of attempting to achieve a 90<sup>th</sup> percentile time of not more than 60 seconds for EMS incidents and 80 seconds for fire incidents as recommended in NFPA 1710. Turnout time is the response time component that the agencies have the most direct control over, which can lead to reduced overall response times.*
- IV-10:** *The Brewster Fire Department should enhance their data collection and analysis to include 80<sup>th</sup> and 90<sup>th</sup> percentile turnout and travel times as recommended in NFPA 1710. Having these more conservative times available will provide a more accurate response assessment and allow for better long- range master planning.*
- IV-11:** *The Brewster Fire Department should enhance its existing pre-fire planning program into a comprehensive one for all structures other than one (1) and two (2) family*



*dwellings. This includes every business, commercial and industrial occupancy (including schools, churches, etc.) in the town. Pre-planning will improve the firefighters' knowledge of the specific tactics needed to handle a fire or other emergency at a facility and will alert them to on-site hazards and risks. Pre-fire/incident plans should be reviewed regularly and tested by periodic table-top exercises and on-site drills.*

**IV-12:**  *Appropriate pre-planning software – such as the AWARE module for Mobile CAD - should be obtained and installed in apparatus mobile data terminals (MDTs) in all apparatus and command/staff vehicles including ambulances.*

**IV-13:**  *The Brewster Fire Department should continue to pursue the acquisition of mobile data terminals (MDT's) in all frontline apparatus and supply each unit with reliable mobile internet connectivity such as the AT&T FirstNet network which includes mobile hot spots or routers for in vehicle use throughout the district.*

**IV-14:**  *The Brewster Fire Department should establish a formal “performance “improvement” process for fire suppression operations. The process should include the adoption of performance standards such as NFPA 1710, including on scene performance indicators such as:*

- *On-scene to charged line at the front door of a structure fire: two minutes or less, 90% of the time.*
- *Water from hydrant to supply engine: three minutes or less, 90% of the time.*

**IV-15:**  *The Brewster Fire Department should consider revising their EMS response procedures as follows:*

- *When staffing is at five personnel:*
  - ❖  *Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. The three personnel remaining are now available for fire duty, or can handle a second ambulance call, if necessary. If they require additional assistance, they can request the engine to respond.*
  - ❖  *Two personnel respond on the ambulance and three personnel respond on the engine to Charlie, Delta, and Echo, or Priority 1 and 2 calls. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew. The two additional*

*personnel can return to station with the engine and await the arrival of off duty personnel. They can also handle a second ambulance call.*

➤ *When staffing is at four personnel:*

- ❖ *Two personnel respond on the ambulance to Alpha and Bravo, or Priority 3 calls. If they require additional assistance, they can request the engine to respond. The remaining two personnel are still available for fire duty, or, can handle a second ambulance call.*
- ❖ *Two personnel respond on the ambulance to Charlie, Delta, and Echo, or Priority 1 and 2 calls. The remaining two personnel respond with the engine to assist. If an additional person is needed on the ambulance they can be sent to the hospital with the ambulance crew. The one remaining person can return to station with the engine and await the arrival of off duty personnel. Off duty personnel reporting back for duty would now provide fire response, or response to a second ambulance call.*

**IV-16:** *The Brewster Fire Department should consider a procedure that Alpha level, or Priority 3 EMS calls are responded to without light or sirens. Consideration should also be given to making hospital transport calls that are non-emergent and the patient is stable, without lights and sirens. It is safer for responding personnel, general citizens, and the patient, to reduce the number of times that red lights and sirens are utilized.*

**IV-17:** *The Brewster Fire Department should work internally to ensure all EMS related incidents are properly classified as either advanced life support (ALS) or basic life support (BLS) criterion, based upon the actual situation found on scene.*

**IV-18:** *The Town of Brewster and Brewster Fire Department should consider designating the position of EMS coordinator as a full time, Captain (or Captain equivalent) position which is tested for as part of a promotional process. This position should continue to have the requirement that the person holding it must be a currently certified paramedic and hold that certification for the duration of their time in the position.*

**IV-19:** *The Town of Brewster and Brewster Fire Department should actively explore the feasibility of implementing some type of community based mobile integrated health care (Community Paramedicine) in an attempt to provide better service to the community, and possibly increase their EMS revenue.*

**IV-20:** *The Brewster Fire Department should strive to have a minimum of 16/17 firefighting personnel on the scene of every single-family residential structure fire within 8 minutes of the time that units are responding. For fires in multi-family residential buildings and commercial occupancies, a minimum of 27/28 personnel should be on scene within 8 minutes of the time that units are responding in order to be able to establish a full effective response force. Even if additional permanent staffing is added to the BFD as recommended in this report the use of automatic aid and mutual aid will need to continue and should be enhanced, based upon the type of occupancy a reported fire is in. This should be the department's highest priority.*

**IV-21:** *The Town of Brewster and Brewster Fire Department should incrementally hire additional firefighters to enhance daily on duty staffing to an eventual level of seven (7) personnel assigned to each shift.*

**IV-22:** *The Town of Brewster should authorize the Brewster Fire Department to apply annually over the next several application periods for a federal Staffing for Adequate Fire and Emergency Response (SAFER) grant to fund the incremental hiring of a total of nine (9) additional personnel (two per shift plus a full-time EMS Officer) over the next several fiscal years, citing an increasing call volume, a high percentage of senior citizens, loss of the department's call force, and a desire to improve overall operational effectiveness, efficiency, and safety.*

**IV-23:** *Even if the application for the SAFER grant is not successful, the Town of Brewster should still provide funding to incrementally increase Brewster Fire Department staffing over the next several fiscal years. A suggested timeline would be:*

- *FY 2025 – Hire four (4) additional personnel to increase shift staffing to six (6) personnel with a minimum of five (5) on duty (off season only).*
- *FY 2026 – Hire one (1) additional person to allow for the creation of the full-time EMS officer position and the possible implementation of a MICU/CIP program. Promote four (4) firefighters to the rank of Lieutenant.*
- *2028 – Hire four (4) additional personnel to increase shift staffing to seven (7) personnel with a minimum of six (6) on duty (off season only).*

**IV-24:** *As recommended above, in FY 2026, the Town of Brewster should consider creation of the position of Lieutenant on each shift in the Brewster Fire Department to allow for a continued appropriate span of control as recommended under the Incident Management System (IMS). The position of Lieutenant will also ensure that all persons serving in the capacity of an officer and/or shift commander has an adequate level of*

*training and experience to fulfill the myriad additional duties and responsibilities of officer positions competently and confidently.*

**IV-25:** *In FY 2029 and/or 2030, after the above recommended staffing increases are implemented the Town of Brewster and Brewster Fire Department should evaluate the impact of the enhanced staffing levels and its impact on both fire and EMS operations. The purpose of this evaluation will be to determine if seven (7) personnel per shift is adequate, or if additional staffing may still be indicated.*

**IV-26:** *At all staffing levels, the Brewster Fire Department should continue to utilize part-time personnel to supplement staffing level and maintain maximum shift staffing during peak season between Memorial Day and the end of September.*

**IV-27:** *Even if the Town of Brewster is unsuccessful at its first SAFER application, the Town and Brewster Fire Department should apply again in subsequent years to seek funding for the recommended increase in personnel to provide enhanced operations to the Town.*

**IV-28:** *The Brewster Fire Department should implement an operational procedure to have an engine respond immediately (even if it must be requested from mutual aid) with the ambulance on every motor vehicle crash to provide a blocking vehicle to protect the ambulance and personnel operating on the incident scene from being struck by an inattentive motorist. The need for the use of blocking vehicles to help keep emergency responders safe during highway and roadway incidents has become a much more important necessary and significant part of the emergency response system.*

**IV-29:** *The Brewster Fire Department should consider the implementation of a company-level inspection program, integrated with a pre-fire/incident planning program as part of its comprehensive community risk reduction program.*

**IV-30:** *The Brewster Fire Department should consider the implementation of a voluntary home survey/inspection program with an all-hazards focus. This type of program can be particularly beneficial in a community with a high percentage (35.1%) of senior citizens.*

## **CHAPTER V - FIRE DEPARTMENT FINANCIAL OPERATIONS**

**V-1:** *The Town of Brewster should continue to closely monitor the use of overtime and identify strategies to contain overtime costs. Such strategies could include the following:*

- *Calculate the “break-even” point where the establishment of additional firefighter-paramedic positions would make it possible to allow time-off without creating overtime replacements.*
  - *Continue to monitor the appropriate use of sick time. Excessive use of sick time, or identifiable patterns of sick time usage can be indicators of employee performance or health issues that require intervention and support.*
  - *Continue the use of seasonal personnel during peak vacation/tourist seasons which equates to increased response volumes.*
  - *Management of an occupational safety and health program that includes aggressive enforcement of standard operating procedures (SOPs), training, updated PPE, documentation of occupational injuries and illnesses (including incidents involving department-owned motor vehicles), and investigation of job-related injuries and motor vehicle incidents that includes a lessons-learned after-action report.*
- V-2:** *The Town of Brewster and Brewster Fire Department should update their ambulance fee schedule (last updated in 2019) based on increases in service delivery costs and consistent with rates charged by EMS services in the region.*
- V-3:** *The Town of Brewster and Brewster Fire Department should continue to seek competitive bids from qualified third-party ambulance billing companies every three (3) to five (5) years. This will ensure that the town is receiving the highest possible level of service at the best possible price. Consideration should be given to establishing a group bid with neighboring communities, which increases the potential for further contract cost reductions.*
- V-4:** *The Brewster Fire Department should consider requiring additional permits as authorized by the Massachusetts Comprehensive Fire Safety Code (MGL Chapter 148:527 CMR Board of Fire Prevention Regulations). The department should determine what permits should be required based on risk and common practices in the community.*
- V-5:** *The Town of Brewster should consider increasing fire department permit fees based on a review of fee schedules that have been adopted by neighboring communities.*
- V-6:** *The Town of Brewster and Brewster Fire Department should continue to aggressively pursue grants from federal, state, and private sources for apparatus, staffing, equipment, training, fire prevention and community risk reduction programs, and EMS*

*services to the community. Specifically, the town should apply for a FEMA SAFER grant to fund the additional firefighter-paramedic positions identified in several recommendations including Recommendation IV-22 of this report.*

**V-7:** *The Town of Brewster and Brewster Fire Department should explore additional potential ways to generate revenue to offset the fire department's operating costs. Consideration could be given to billing insurance companies for response to motor vehicle accidents; registration fees for fire alarm systems; the aggressive pursuit of non-residents who have been billed for ambulance transportation; and the implementation of a fee for ambulance responses that do not result in a transport.*

## CHAPTER VII

### SUMMARY AND LOOKING TO THE FUTURE

#### CURRENT STATE OF THE FIRE AND EMS DELIVERY SYSTEM

The mission performed by the fire department is one of the fundamental functions of government: to ensure the safety and protection of its residents and visitors. The expectations for the quality and quantity of fire and EMS services must come from its residents and other taxpayers. There is no “right” amount of fire protection and EMS delivery. It is a constantly changing level based on the expressed needs of the community. Each community determines the composition of fire services that residents receive by balancing the level of risk against the cost to provide these critical services. It is the responsibility of elected officials – in this case the Board of Selectmen - to translate community needs into reality through direction, oversight and the budgetary process. It is their unenviable task to maximize fire, EMS, and other services within the reality of the community’s ability and willingness to pay, particularly in today’s economic environment.

During this assessment of the Brewster Fire Department, MRI observed a highly functional fire and EMS organization that strives to provide a high level of service to the community and the region. The Brewster Fire Department is confronted by multiple challenges; however, those same challenges are facing fire service organizations across America. These challenges include:

- An increasing all-hazards focus.
- Decreased frequency of serious structure fires.
- Increased pressure to reduce resource consumption.
- Increasing technical expectations.
- An increasing focus on documentation, training, and certification of personnel.
- A growing expectation to provide advanced level patient care.
- Increased call volume and simultaneous incidents.
- Lack of a call force to supplement the career staff.

Specific to the Brewster Fire Department, and the 2019 and 2020 response numbers notwithstanding, it is clear that service demand is increasing and that the ability to match resources against the service demand is straining the organization, particularly during the day. As the fire service as a whole has entered into an all-hazards environment, the public has come to expect increased knowledge, skills and abilities from their firefighters. In Brewster, this trend has increased both training and certification requirements.

The Brewster Fire Department appears to be an excellent organization that provides a high-level of service to the town it serves. However, due to increasing requests for service, a defunct on-call force, and limited on-duty staffing, it is struggling to keep up with meeting the growing needs of the community. The department is led by Chief Robert Moran who has been the chief since 2010. Chief Moran is a passionate advocate and energetic leader that is clearly honored to have an exceptional staff and serve his community. Under Chief Moran's leadership the department is trying to get to the proverbial "next level".

The officer corps including Deputy Chief Varley and the Captains appear to work as a team to provide critical, and it appears effective, leadership to the department. All members of the department work as a team to produce a high quality, effective, and efficient response that serves the Town well. Overall, the department works diligently to meet the needs of the community and projects a "can do attitude". This positive attitude translates into the organization being very highly regarded and respected within the community. This high-level of community support is complemented by a most positive internal culture; however, there are some internal culture issues that were previously discussed that do place some negative drag on the organization. That challenge notwithstanding, overall, it is apparent that the Brewster Fire Department is a well-organized, and well-run organization that strives to provide the best possible services with the resources provided.

However, the numerous positive aspects of the department and its operations notwithstanding, MRI's evaluation has identified several areas of risk that we believe the Town of Brewster will need to address in the coming years. These include:

1. The potential for a diminished level of service based on a shortage of available resources, primarily from a career staffing perspective and the annual requests for service continue to increase, coupled with the absence of a viable call force to provide supplemental staffing during fire incidents and times of high activity.
2. A need to continue the widespread use of automatic aid at the time of dispatch to reported structure fires to attempt to assemble an effective response force within the benchmark time frames.
3. Potentially increasing response times based on a growing number of overlapping calls (approaching 20% of annual responses).

### **STRATEGIC PLANNING (AKA LOOKING TO THE FUTURE)**

Strategic planning is an organization's process of defining its direction, and making decisions relative to the optimization of limited resources. A strategic plan also contains tools that can



guide the implementation of the strategy. Strategic planning became prominent in corporations during the 1960s and remains an important aspect of organizational planning. A 2006 Volunteer Fireman’s Insurance Service (VFIS) report notes:

***“No business is successful without some type of strategic planning – making sure that the business will survive. The ESO is no different. Strategic Plans in business (and ESOs) lay the groundwork for effective organizational management and performance.”<sup>23</sup>***

Strategy has many definitions, but generally involves setting goals, determining actions to achieve the goals, and mobilizing resources to execute the actions. A strategy describes how the ends (goals) will be achieved by the means (resources). Strategy can be planned (intended) or can be observed as a pattern of activity (emergent) as the organization adapts to its environment or competes. The strategy currently in place in the Brewster Fire Department is a progressive and forward thinking one. The Brewster Fire Department has an excellent five-year strategic plan that covers the period of 2022 through 2026. With this report, it is MRI’s goal to assist the Town of Brewster and the Brewster Fire Department in moving forward in a planned or intended strategic manner through support for the plan in place with enhancements through the recommendations contained herein.

Fire and rescue operations and service delivery is dramatically improved in those departments that commit resources to goal setting, master planning, risk assessment, and performance measurement. **The Brewster Fire Department should be commended for their commitment to this process and the development of an excellent document to help them continue to move forward.**

Performance measures should be easily understood and easily calculated. Suggested performance measures for the fire and rescue services often have a range depending on local factors. The point of the performance measures is to identify the community’s expectations in a quantifiable way, and to use the measurement of the fire and rescue’s performance against these objectives to identify areas, which may need improvement, or require additional resources.

## **MRI’S VIEW OF THE FUTURE**

Looking ahead, the Town of Brewster will continue to experience some limited growth and development, probably about 1% per year. The Town is committed to maintaining its rural Cape Cod character so it is unlikely that any major developments will be approved, especially commercial or industrial projects. While even limited development will have some impact on the Brewster Fire Department, the exact amount is difficult to predict quantitatively and accurately.

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<sup>23</sup> <http://www.msfa.org/content/recruit/file/CEO%20MANUAL%20ARIAL%20-%20disc.pdf>

The five-year data review of Brewster Fire Department responses did not show any definitive pattern; however, that is frequently seen right now with the COVID pandemic having significantly skewed responses for 2020. Our long-term experience suggests it is likely that emergency responses will increase several percent (3% to 5%) annually with the most significant increase in requests for emergency services will be EMS related. As previously noted, people over the age of 65 are considered in a higher risk group both from the perspective of fire and medical emergencies. An aging population group, along with the potential for the number of senior citizens in the age 65 and over group – currently at 35.1% of the population - to increase with new development, or with people who turn what was a vacation home into their permanent retirement residence, also suggests that the number of responses will continue to increase.

As currently configured and staffed, the Brewster Fire Department is struggling to keep up with demand. Just two simultaneous or overlapping end up utilizing all of the on-duty resources. This often effectively leaves the Town without any fire protection capabilities available except from mutual aid departments. In addition, the Town and the Department are facing the following challenges related to the emergency response system.

- The loss of the call component of the Department over the past 10 years. This results in the only emergency response personnel immediately available (not counting mutual aid) being the on-duty personnel. There are no longer call personnel who respond to provide coverage or assist with multiple incidents.
- Housing and rental costs in Brewster and surrounding communities, and to a larger extent Cape Cod in general, are extremely high and thus unaffordable for most public safety personnel especially those who are just starting out. This results in many firefighters living on the other side of the Sagamore Bridge, more than 30 minutes from town and of limited to no value in a call back situation.
- The department has struggled to retain personnel. Frequent vacancies and a constant staffing deployment model has resulted in a high level of mandatory holdover and order-in overtime which can have a significant impact on firefighter health and wellness, as well as morale within the Department.
- As noted above, any future housing or land use development coupled with an aging resident population will most likely result in increased requests for services further straining the system.

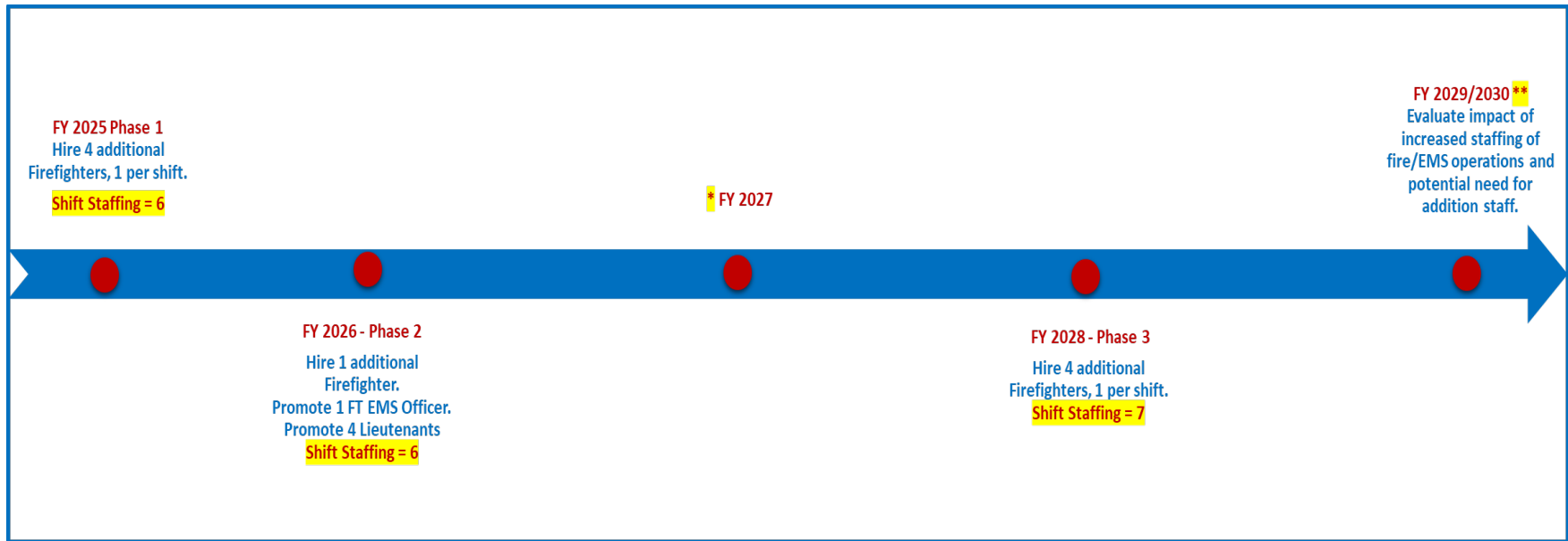
Based upon these factors, and as discussed throughout this report, MRI strongly believes that the Town needs to incrementally increase Brewster Fire Department staffing over the next several

years in order to arrive at what we believe is an enhanced and sustainable organizational and deployment model.

The key recommendations found in this report related to staffing are illustrated below. Please refer to the body of the report for additional explanation and justification for each recommendation.

Figure VII-1 illustrates the suggested timeline for the Brewster Fire Department to increase staffing to seven (7) personnel per shift between FY 2024 and FY 2028. The Town and BFD should apply annually for a SAFER grant. However, **MRI strongly recommends that even if they are not successful at obtaining a SAFER grant FY 2025 that the Town of Brewster and Brewster Fire Department should continue to apply in each subsequent year until they reach recommended staffing levels.** If a later successful SAFER grant award is received this timeline can then be adjusted – and possibly accelerated - based upon that award.

Under this scenario, the number of paramedics will ultimately be decided by the Town of Brewster. MRI strongly recommends that the department have a sufficient number of paramedics to optimally have a minimum of three (3) on duty at all times. This would allow one each for two ambulances and one on the engine giving it ALS capability as well.



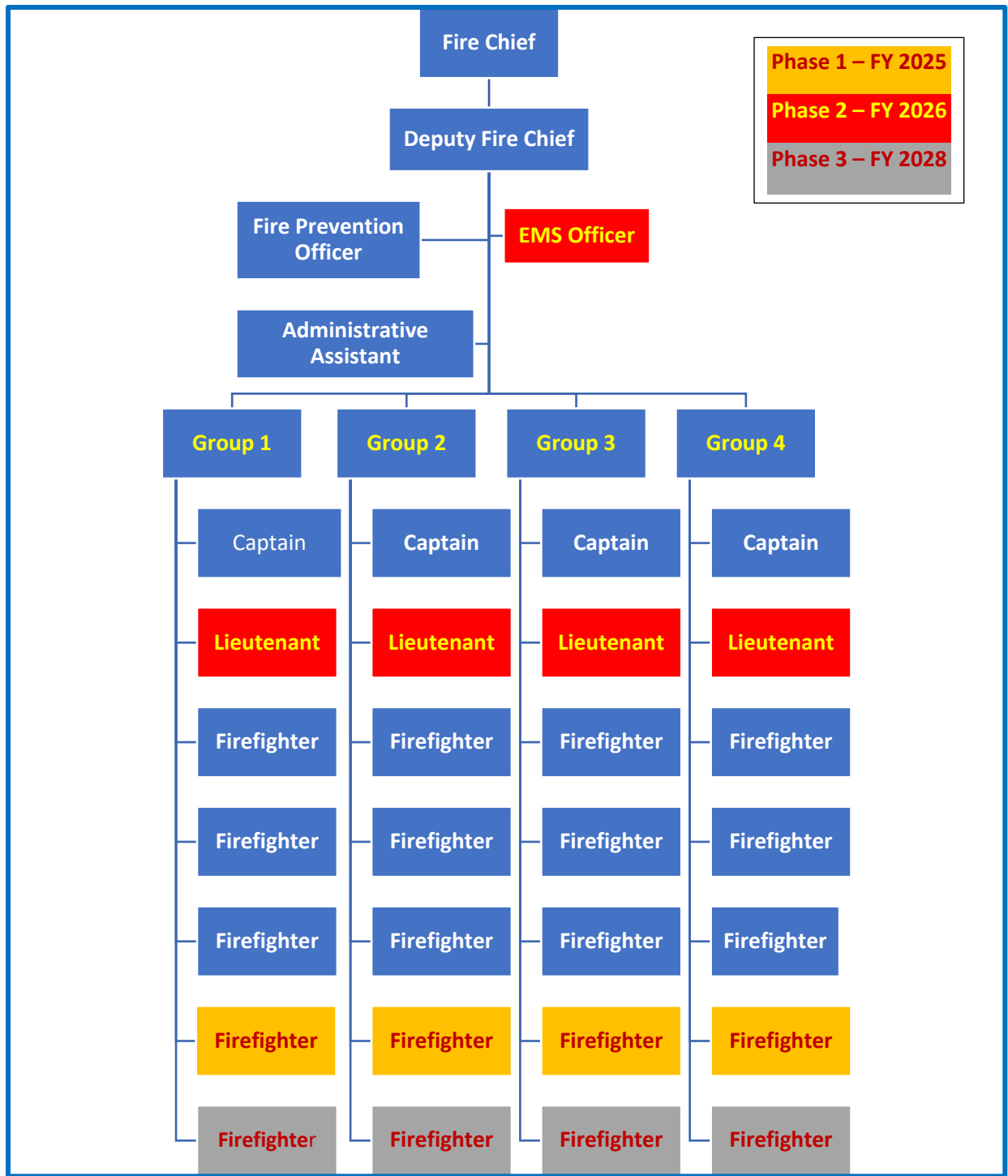
\* Consideration to moving FY 2028 Phase 3 hires up to FY 2027 could be given through application for a SAFER grant and/or if the Town's fiscal factors, needs, and priorities permit.

\*\* FY 2029/2030 - Evaluate the impact of the enhanced staffing levels and its impact on both fire and EMS operations. The purpose of this evaluation will be to determine if seven (7) personnel per shift is adequate, or if additional staffing may be indicated.

**FIGURE VII-1: RECOMMENDED STAFFING INCREASE TIMELINE**

Figure VII-2 shows the recommended BFD organizational structure – illustrated by phase - based upon attempting to achieve the staffing levels recommended in this report. The figure does not show part-time/seasonal personnel. The Brewster Fire Department is encouraged to continue to utilize these personnel to maintain maximum shift staffing levels during peak vacation/ tourist season from Memorial Day through the end of September.

It is also our recommendation that shift minimum staffing levels outside of peak season can be one person below optimal shift staffing level. So, when shift staffing is at six (6) minimum staffing can be five (5); when it is seven (7) it can be six (6). This allows the first vacancy on the shift caused by any type of leave to not be filled with overtime. During peak season the maximum staffing levels should be maintained through a combination of overtime and the use of the part-time seasonal personnel.



**FIGURE VII-2: PHASE 1 – FY 2025 THROUGH PHASE 3 – 2028 STAFFING ORGANIZATIONAL CHART**

Once a staffing level of seven (7) is achieved the Brewster Fire Department will be able to staff:

- ✓ Two ambulances with two (2) personnel each.
  - If a third ambulance is needed during the day, it can be staffed with administrative personnel if they are available.
- ✓ One engine with three personnel.
- ✓ For structure fire calls, alarm systems, etc., if all personnel are available then the engine can respond with four (4) personnel and the ladder with three (3).
  - If one ambulance is committed on a call, while less than optimal, the engine can respond with three (3) and the ladder with two (2).

In FY 2029 and/or FY 2030 the BFD should evaluate the impact of the enhanced staffing levels and its effect on both fire and EMS operations. The purpose of this evaluation will be to determine if seven (7) personnel per shift is adequate, or if additional staffing may be indicated at that time. If it is determined at that point that additional staffing may be necessary, the following provides a snapshot of what a staffing level of eight (8) personnel would look like.

- ✓ Two ambulances with two (2) personnel each.
  - If a third ambulance is needed during the day, it can be staffed with staff personnel if they are available and/or a combination of shift and administrative personnel.
- ✓ One engine with four personnel.
- ✓ For structure fire calls, alarm systems, etc., if all personnel are available then the engine and ladder can both respond with four (4) personnel.
  - If one ambulance is committed on a call, the engine and ladder can both still respond with three (3) personnel.

### FIRE SERVICE ACCREDITATION

Accreditation is a comprehensive self-assessment and evaluation model that enables organizations to examine past, current, and future service levels and internal performance and compare them to industry best practices. This process leads to improved service delivery.<sup>24</sup> The Center for Public Safety Excellence's (CPSE) accreditation program, administered by the Commission on Fire Accreditation International (CFAI) allows fire and emergency service agencies to compare their performance to industry best practices in order to:

- Determine community risk and safety needs and develop community-specific Standards of Cover.
- Evaluate the performance of the Department.

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<sup>24</sup> <http://www.publicsafetyexcellence.org/agency-accreditation/about-accreditation-cfai.aspx>

- Establish a method for achieving continuous organizational improvement.<sup>25</sup>

Particularly for emergency services, local officials need criteria to assess professional performance and efficiency. The CFAI accreditation process provides a well-defined, internationally recognized benchmark system to measure the quality of fire and emergency services.<sup>26</sup>

The Brewster Fire Department is operationally and administratively a well-managed and operated, full-service emergency provider. Based upon that premise, at some point in the future (perhaps after staffing levels are increased), the department, with support from the Town of Brewster, should consider undertaking the accreditation process. Although time consuming and labor intensive it would allow the department to be recognized for its excellence.

## CONCLUSION

The Town of Brewster is well served by its fire department. The department provides a highly proficient level of fire and EMS services and has readily adapted to the demands placed on it in an ever-changing environment. Although service demands and capabilities were severely stretched by the impact of the Covid pandemic, the department continued to provide superior service. Unfortunately, staffing levels have not kept up with the increase in emergency calls, and the Town is frequently left with inadequate coverage for both fire and emergency medical incidents. The on-duty staffing structure should be increased, and the Town should move toward staffing two ambulances while not sacrificing continuous fire coverage. The fire department's community risk reduction program (CRR) has the potential for strengthening the town's resilience against all types of threats, both natural and manmade, and for training the public to deal with medical emergencies. Labor-management relations are mostly stable, and the department's training and quality assurance initiatives help to ensure that personnel operate safely and effectively at fire scenes. Self-assessment and strategic planning initiatives will enable the fire department to evaluate its performance in comparison to national standards, best practices, and other fire departments.

The report should be studied in its entirety to gain a complete picture of MRI's recommendations and the rationale behind them. Town and fire department leaders may develop their own priorities; modify the recommendations based on the ever-changing needs of the town and the department; and coordinate solutions based on time, personnel, and fiscal realities.

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<sup>25</sup> <http://www.publicsafetyexcellence.org/agency-accreditation/about-accreditation-cfai.aspx>

<sup>26</sup> <http://www.publicsafetyexcellence.org/agency-accreditation/about-accreditation-cfai.aspx>



**The MRI project team must stress again the citizens of the Town of Brewster should feel confident, and be proud of the fact, that the Brewster Fire Department is an extremely professional and capable public safety organization that is providing a critical service to the community, day in and day out. The team continues to be impressed with the dedication and commitment of its members.**

In order to address the 39 recommendations that have been identified in this report, the Town of Brewster and the Brewster Fire Department should:

1. Approach them strategically and systematically.
2. Use them as a roadmap to guide change and improvement within the department focused on service enhancement.
3. Refer to them when making recommendations, check them off as they are accomplished, and most importantly, recognize the positive achievements publicly.

## CHAPTER VIII PROJECT TEAM

The following members of our staff participated in this project:

### TEAM LEADER:

**Peter J. Finley, Jr.** most recently served as Chief of the Winslow Township Fire Department in New Jersey, where he was responsible for the planning, establishment, and initial deployment of the career component of the department. He previously served for 4 ½ years as the Chief of Department for the City of Vineland, New Jersey Fire Department where he initiated significant changes within the department including updating and modernizing equipment, providing the department's first ever formal officer training, and significantly increasing the capabilities of the regional hazardous materials response team. During his tenure the department received more than one million dollars in various grants. He formerly commanded the Vineland Rescue Squad gaining significant EMS operations and command experience, as well as completing an overhaul of that organization's operations. Chief Finley serves as an Adjunct Professor in the Fire Science Program at Camden County College.

Chief Finley received his Associate in Applied Science degree from Atlantic Community College in New Jersey, and earned his Bachelor of Science degree in Fire Science/Administration from the University of Maryland. He is a graduate of the National Fire Academy's Executive Fire Officer Program, earning perfect scores on three of his four Applied Research Projects. He was awarded an Outstanding Research Award for his 2002 paper titled, "Residential Fire Alarm Systems: The Verification and Response Dilemma".

Chief Finley holds nearly two dozen state and national certifications and is a member of a number of fire service organizations, including achieving the prestigious Chief Fire Officer designation from the Commission on Fire Accreditation International. He is a member of a number of fire service organizations and is currently serving as President of the New Jersey Career Fire Chiefs Association where he has been involved in the development and administration of fire service promotional examinations. From 2003–2005 he served on the Training and Education Committee of the Governor's Fire Service and Safety Task Force. He also previously served on the state committee that developed New Jersey's first Firefighter I Instructor Manual.

## PROJECT TEAM

**Donald P. Bliss** retired in July 2019 as vice president for field operations at the National Fire Protection Association, Quincy, MA where he oversaw NFPA’s international division and NFPA’s regional operations in the U.S. and Canada. Prior to joining NFPA, Bliss was a senior project manager and public safety consultant with Municipal Resources, Inc., a municipal management consulting firm based in Plymouth, NH. He also chaired various technical committees at NFPA and served on the NFPA board of directors and the Fire Protection Research Foundation board of trustees.

From 2003 to 2012, he served as the director of the N12 Center for Infrastructure Expertise, a not-for-profit applied research group based in Portsmouth, NH dedicated to strengthening the security and resiliency of the nation’s built critical infrastructure and key resources.

Bliss served as the New Hampshire State Fire Marshal from 1992 until 2003. In the wake of the tragic events of September 11, 2001, he took over responsibility for New Hampshire’s emergency management and homeland security efforts. From 1983 to 1992, Bliss served as the fire chief in Salem, New Hampshire. From 1989 to 1992, he served as both fire chief and the town’s emergency management director. From 1980 to 1983, Bliss served as the director of the University of Connecticut Fire Department and as fire marshal for the University of Connecticut System. He began his career with the Durham-UNH Fire Department in 1970, rising from call firefighter to fire marshal/deputy chief. During his time in Durham, he also volunteered as an EMT with the Durham Ambulance Corps (now known as McGregor EMS) and served in various leadership positions, including president.

Bliss has served as a subject matter expert on critical infrastructure protection with the Mobile Education Team of the Center for Homeland Defense Studies at the U.S. Naval Postgraduate School and was an adjunct professor in the graduate public administration program at the University of New Hampshire. He currently serves on the Federal Emergency Management Agency (FEMA) National Advisory Council; the board of directors of McGregor EMS; and is a Distinguished Senior Fellow at Northeastern University’s Global Resilience Institute. In 2020, he was named to the National Fire Heritage Center’s Hall of Legends, Legacies and Leaders.

Bliss received a Bachelor of Arts in political science from the University of New Hampshire in 1973 and a Master of Public Administration degree, also from the University of New Hampshire, in 1979. He has completed numerous courses at the National Fire Academy in Emmitsburg, Maryland.

**Brian P. Duggan, Director Fire Services Group**, retired from the Fire Department in Northampton, Massachusetts, where he instituted substantial changes to modernize and restructure the entire department including equipment, facilities, personnel, and training. In conjunction with his staff, Brian integrated Emergency Medical Services (EMS) into the organization and created a regional Advanced Life Support (ALS) Program that currently serves 18 communities within the Northampton Area. He formerly commanded the Northborough, Massachusetts, Fire Department, and has significant experience with the Massachusetts Department of Fire Services where over three decades, he held several key positions. Following his retirement, Brian has continued his active fire service involvement by serving as both a volunteer chief fire officer and through continuing to develop training and certification programs as a program Coordinator for the Massachusetts Department of Fire Services.

Mr. Duggan developed and directed the Graduate and Undergraduate Fire Science Programs at Anna Maria College in Paxton Massachusetts from 1995 - 2003. Mr. Duggan has a Business Management/Fire Science degree from Providence College and a Master's Degree of Business Administration (MBA) from Nichols College in Dudley, Massachusetts. He is also a graduate of the National Fire Academy Executive Fire Officer Program and the Senior Executive Program for State and Local Leaders at Harvard University. In December 2012, Mr. Duggan received a Master's Degree in Homeland Security through the Naval Post Graduate School based in Monterey, California, where his thesis entitled "*Enhancing Decision-making during the First Operational Period of Surge Events*" was selected as an outstanding thesis. He was one of the first fire service professionals to be designated as a Chief Fire Officer by the Commission on Fire Accreditation International.

Brian led the Massachusetts fire service through his affiliation as Chairman of the Fire Chief Association of Massachusetts Technology Committee and as a Regional Director on the Massachusetts State Fire Mobilization Committee. Mr. Duggan has authored several publications, inclusive of writing Section 7, Chapter 3, Fire Department Information Systems, in the Nineteenth and Twentieth Editions of the National Fire Protection Association's Fire Protection Handbook. Chief Duggan has been affiliated with MRI as a subject matter advisor since 2002 and he has served as Director of Fire Services since 2015. Currently, Mr. Duggan is regarded as an expert specific to fire service response to photovoltaic and battery energy storage system (BESS) emergencies. He has developed several nationwide training programs providing first responders with new insight on these emerging challenges.

**Archived:** Friday, January 19, 2024 8:36:48 AM

**From:** [Babcock, Christopher](#)

**Sent:** Tuesday, January 16, 2024 4:16:57 PM

**To:** [Kevin Varley](#)

**Cc:** [Robert Moran](#) [Peter Lombardi](#)

**Subject:** RE: Brewster FD-SAFER Question

**Importance:** Normal

**Sensitivity:** None

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Hello Chief. We expect the SAFER program application period to open the Monday following the Friday AFG application period close. The current AFG application cycle is scheduled for Jan. 29 – March 8, which would provide a March 11 SAFER application opening. We are again aiming to start awards in the June/July time frame as long as everything stays on track.

There is nothing wrong with submitting a SAFER application while also attempting to work for local funding. I can't say for sure at this moment, but believe that the FY23 SAFER program will be very similar to FY22 in providing 100% federal funding for 3 years for awarded firefighter hiring programs. We will know for sure when the NOFO is released. Based on the FY22 program if funding was approved and the positions were not yet filled, you could still accept the award and use the SAFER funds to hire the personnel. The critical element here is that hiring has not occurred prior to the award. I would encourage you to become very familiar with the FY22 NOFO and guidance documents available on the website to prepare your best application in the event you choose to move forward with it. Better to be prepared, than to try to scramble at the last minute.

Please do not hesitate to contact me if you have any additional questions.

Chris Babcock

Fire Program Specialist | DHS/FEMA Region 1

Office: | Mobile: (202) 710-3748

[christopher.babcock@fema.dhs.gov](mailto:christopher.babcock@fema.dhs.gov)

Federal Emergency Management Agency

[fema.gov](http://fema.gov)



**FEMA**

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**From:** Kevin Varley <[kvarley@brewster-ma.gov](mailto:kvarley@brewster-ma.gov)>

**Sent:** Tuesday, January 16, 2024 4:03 PM

**To:** Babcock, Christopher <[christopher.babcock@fema.dhs.gov](mailto:christopher.babcock@fema.dhs.gov)>

**Cc:** Robert Moran <[rmoran@brewster-ma.gov](mailto:rmoran@brewster-ma.gov)>; Peter Lombardi <[plombardi@brewster-ma.gov](mailto:plombardi@brewster-ma.gov)>

**Subject:** Brewster FD-SAFER Question

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please select the Phish Alert Report button on the top right of your screen to report this email if it is unsolicited or suspicious in nature.

Hi Chris,

Chief Moran is out of the office this week. I am aware that he reached out to you with SAFER questions last week. I have two quick questions that I am hoping you may be able to assist with.

A recently completed staffing study shows that the Brewster Fire Department is in need of an additional nine positions over the next few years. The hiring for these potential positions is broken out into several phases. We are seeking a funding source for the first four positions (Phase I) which we hope to start in July 2024.

Due to budget constraints, an operational override would be required for the town to fund these positions. After a recent conversation with the Town Manager, we have concerns that this request is unlikely to be approved by the Town's Select Board and/or voters. We are considering the possibility of applying for a SAFER grant to assist with funding.

1. The FY2022 SAFER NOFO lists anticipated award dates between 6/2/2023 and 9/30/2023. Do you anticipate similar award dates for the FY2023 SAFER funds?
2. Is there any harm in simultaneously pursuing a SAFER grant and funding by the town? If we were fortunate enough to obtain an operational override (unlikely) **and** to be awarded the SAFER grant, would we be able to use the SAFER funding to support these positions for the first three years?

Thank you for your help,  
Kevin

Deputy Chief Kevin Varley  
Brewster Fire Department  
1671 Main Street  
Brewster, MA 02631  
508-896-7018





## Town of Brewster

2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
Fax: (508) 896-8089

Office of:  
Town Manager  
Housing

### MEMORANDUM

**TO:** Brewster Select Board  
**FROM:** Brewster Affordable Housing Trust (BAHT) via Donna J. Kalinick, Assistant Town Manager & Jill Scalise, Housing Coordinator  
**RE:** Vote to approve the sale of 212 Yankee Drive and to Deed the Property to the BAHT  
**DATE:** February 22, 2024

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#### Background:

The Town owns 212 Yankee Drive, a single-family residence on Brewster's Subsidized Housing Inventory (SHI), through a tax-taking foreclosure. As voted at May 2022 Town Meeting, the Brewster Affordable Housing Trust (BAHT) has care, custody, and control of the property. The BAHT has completed the preservation, rehabilitation, and affordable fair marketing of the property.

Returning the 212 Yankee Drive home to livable condition was a time consuming project which took over 6 years, including 12 months of active construction work on the property to rehabilitate and preserve the home, but we are finally at the point where we can welcome new residents to a wonderful, rehabilitated home. Funding was provided by a Community Preservation Act grant for preserving SHI homes as well as BAHT funds. The proceeds of the affordable home sale will also be used to reimburse some of the costs. The BAHT and Housing Office are grateful for the help and support of many Town Departments in the preservation of this affordable home. The Department of Public Works assisted with the landscaping and clean-up of the property. The Assessor's, Building, Facilities, Health, Planning, Treasurer, and Water Department all provided guidance and assistance in the process.

Housing Assistance Corporation (HAC) is the lottery agent for the sale of the property. Over 70 participants attended a Zoom information session HAC held about the affordable home sale process. HAC received 31 lottery applications, 24 households were deemed eligible, and the lottery was held February 20<sup>th</sup>. Final documentation is underway by HAC and the BAHT is now preparing to sell the property to the chosen affordable homebuyer.

According to the BAHT bylaw, the Select Board must approve expenditures which involve real property that exceeds \$50,000. At the February 1<sup>st</sup> meeting, the Brewster Affordable Housing Trust voted to request the Brewster Select Board to authorize the BAHT to convey and sell the property located at 212 Yankee Drive, having a value in excess of \$50,000, to income eligible households subject to an affordable housing deed restriction.

As part of the sale process, the property may need to be deeded and conveyed to the BAHT. Legal counsel has prepared the following motions for vote by the Select Board.

### Select Board Votes

*Approving Sale of Property under BAHT Bylaws:* Moved, pursuant to the provisions of Section 18-15(C) of Chapter 18 of the Town's General Bylaws, to authorize the Brewster Affordable Housing Trust to convey and sell the property located at 212 Yankee Drive, having a value in excess of \$50,000, to income eligible households subject to an affordable housing deed restriction.

*To Deed Property to BAHT:* Moved, pursuant to the vote taken under Article 15 of the May 14, 2022 Annual Town Meeting, to sign a deed, if necessary and/or appropriate, and convey to the Brewster Affordable Housing Trust the parcel of land with the improvements thereon located at 212 Yankee Drive, identified by the Assessors as Parcel 77-37-0 and acquired by the Town by tax taking, for affordable housing purposes and for the purpose of conveyance.

### Attachments:

1. Transfer of Tax Title Property- 212 Yankee Drive 05.14.2022 Town Meeting Vote
2. Affordable Housing Trust Bylaw
3. Before and after photos
4. 212 Yankee Drive Expense Chart



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**TOWN OF BREWSTER  
ANNUAL TOWN MEETING-MAY 14, 2022**

existing municipal boards, including the Conservation Commission, the Recreation Commission, the Historical Commission, the Planning Board, the Department of Public Works, and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings, at its discretion, on the needs, possibilities, and resources of the town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

Section 17-3. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section.

~~Section 17-4. In every fiscal year, the Community Preservation Committee shall recommend that Town Meeting spend, or set aside for future spending, the fixed figure of fifty (50%) percent of the net annual revenues in the Community Preservation Fund for open space purposes, not less than ten (10%) percent of the net annual revenues for community housing purposes, and not less than ten (10%) percent of the net annual revenues for historic resources purposes. In every fiscal year, the Community Preservation Committee shall recommend that Town Meeting spend or set aside for future spending the remaining thirty (30%) percent of the net annual revenues for community housing, recreation and historic resources purposes, but not for open space purposes.~~

~~Notwithstanding the foregoing, the net annual revenues paid into the Community Preservation Fund shall be dedicated to open space purposes until such time as prior appropriations made pursuant to the so-called Land Bank Act have been fully expended, even if the aggregate amount of such expenditures exceeds 80% of the annual revenues.~~

~~Section 17-5. Provided that the Community Preservation Act is accepted at the 2005 Annual Town Election, this section shall take effect upon approval by the Attorney General of the Commonwealth of Massachusetts and after all the requirements of Mass. Gen. Laws, ch. 40, § 32 have been met. Each appointing authority shall have thirty (30) days after the effective date to make its appointments.~~

or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

**Select Board Chair Cynthia Bingham: I move to approve Article No. 14 as printed in the warrant, with such revision, if approved, to take effect on July 1, 2023.**

**ACTION: No action was taken on this article due to the loss of quorum.**

**Citizen Carol Marie Anderson: I move to indefinitely postpone Article No. 14.**

**ACTION on Carol Marie Anderson's motion: Defeated. Voter Cards.**

**Citizen Colin Odell** raised a *Point of Order* questioning the quorum.

**Moderator Charles Sumner** requested a hand count. 159 Voters were tallied so the meeting was dissolved at 1:36pm due to a lack of quorum.

12:54pm

**TRANSFER OF TAX TITLE PROPERTY – 212 YANKEE DRIVE**

**ARTICLE NO. 15:** To see if the Town will vote to transfer the care, custody and control of the parcel of land with the improvements thereon located at 212 Yankee Drive, identified by the Assessors as Parcel 77-37-0 and acquired by the Town by Foreclosure in Tax Lien Case, from the tax custodian for tax title purposes to the Affordable Housing Trust for affordable housing purposes and for the purpose of conveyance, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

**Select Board Clerk Edward “Ned” Chatelain: I move to approve Article No. 15 as printed in the warrant.**

**TOWN OF BREWSTER  
ANNUAL TOWN MEETING-MAY 14, 2022**

**ACTION: Adopted by a majority. Voter Cards.**

**Citizen Carol Marie Anderson: I move to indefinitely postpone Article No. 15.**

**ACTION on Carol Marie Anderson's motion: Defeated. Voter Cards.**

12:47pm

**LEASE OF TOWN PROPERTY - ANTENNA**

**ARTICLE NO. 16:** To see if the Town will vote to authorize the Town Administrator, acting under the direction of the Board of Selectmen, to lease from time to time a portion or portions of Town-owned property located at 1657 Main Street for wireless communications purposes, including, without limitation, for the construction, installation, maintenance and replacement of communications antennas, towers, cabinets, cables, and other appurtenances, and to grant such non-exclusive access and/or utility easements on portions of said property as may be necessary or convenient to serve the communications equipment thereon, said leases to be for periods not exceeding twenty (20) years and on such other terms and conditions as the Town Administrator and Board of Selectmen deem to be in the best interests of the Town, or to take any other action relative thereto.

(Select Board)

(Majority Vote Required)

**Select Board Member Mary Chaffee: I move to approve Article No. 16 as printed in the warrant.**

**ACTION: Adopted by a majority. Voter Cards.**

12:34pm

**CITIZENS PETITION – PUNKHORN HUNTING BAN**

**ARTICLE NO. 17:** To see if the Town will vote to amend the Town's General Bylaw by adding a new Chapter 98 – Hunting in the Punkhorn Parklands as follows:

§98-1 No person shall discharge any gun, including paint ball guns, fowling piece, pistol, or firearm or release an arrow from a bow or hunt or trap or poison or set fire to any material known as fireworks, or other combustible matter, on any and all Town-owned parcels in southwest Brewster commonly referred to as the Punkhorn Parklands; provided, however, this section shall not apply to any person abating nuisance or in the exercise of duty required by law, or to take any other action relative thereto.

(Citizen's Petition)

(Majority Vote Required)

**Petitioner Betsy Smith: I move to indefinitely postpone Article No. 17.**

**ACTION: Adopted to indefinitely postpone Article No. 17. Voter Cards.**

11:44am

**CITIZENS PETITION – PUNKHORN HUNTING RESTRICTIONS**

**ARTICLE NO. 18:** To see if the Town will vote to amend the Town's General Bylaw by Adding a new Chapter 98 – Hunting in the Punkhorn Parklands as follows:

§98-1 No person shall discharge any gun, including paint ball guns, fowling piece, pistol, or firearm or release an arrow from a bow or hunt or trap or poison or set fire to any material known as fireworks, or other combustible matter, within the Town-owned land known as the Punkhorn Parklands; provided, however, this section shall not apply to any person abating nuisance or in the exercise of duty required by law: provided further that bow hunting only shall only be permitted during a three-week period beginning on the first Monday in December of each year, or to take any other action relative thereto.

(Citizen's Petition)

(Majority Vote Required)

**Petitioner Joseph Breda: I move to approve Article No. 18 as printed in the warrant.**

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## Chapter 18

### AFFORDABLE HOUSING TRUST FUND

[HISTORY: Adopted 5-7-2018 STM by Art. 7. Amendments noted where applicable.]

#### § 18-1. Name of the Trust.

The Trust shall be called the "Brewster Affordable Housing Trust," herein referred to as the "Trust."

#### § 18-2. Purpose.

The purpose of the Trust shall be to provide for the preservation and creation of affordable housing in the Town of Brewster for the benefit of low and moderate income households and for the funding of community housing as defined in and in accordance with the provisions of Massachusetts General Laws, Chapter 44B ("Chapter 44B"). The Trust shall use such property, both real and personal, and shall dispense such funds in such manner as the Board of Trustees shall deem most appropriate to carry out such purpose consistent with the policies adopted from time to time by the Board of Selectmen regarding affordable housing. The Trust shall be governed by a Board of Trustees in accordance with General Laws Chapter 44, Section 55C ("Section 55C"), as revised from time to time, and the authority granted by Town Meeting.

#### § 18-3. Board of Trustees.

- A. There shall be a seven-member Board of Trustees (the "Board") appointed by the Board of Selectmen from amongst the residents of the Town (except that the Town Administrator or a staff member selected as his or her designee shall not be required to be Town residents). The members of the Board shall be comprised of as follows: **[Amended 5-6-2019 ATM, Art. 16]**
- (1) One member of the Board of Selectmen;
  - (2) One member of the Brewster Housing Partnership;
  - (3) One member of the Community Preservation Committee;
  - (4) One member of the Planning Board;
  - (5) Two residents at large; and
  - (6) The Town Administrator, a staff member or a resident (nonstaff member) selected by the Town Administrator as the Administrator's designee.
- B. Trustees shall serve for a term not to exceed two years, with the initial terms of the Trustees staggered such that Trustees who are members of the Board of Selectmen, the Brewster Housing Partnership, the Community Preservation Committee, and the Planning Board, shall serve for a term of one year, and thereafter for two years. Trustees who are appointed as representatives of boards or committees shall serve for two-year terms or until they no longer serve on such board or committee, whichever is shorter. The Town Administrator shall serve by virtue of the office. To the extent possible, the Board of Selectmen shall appoint as Trustees individuals with background or interest in affordable housing, and specifically those with financial, legal or development expertise, or experience and perspective on housing preservation. Any Trustee (other than the Town Administrator or staff person acting as the Town Administrator's designee) who ceases to be a resident of the Town of Brewster shall vacate the office. Any Trustee may resign by filing with the Town Clerk written notice thereof. **[Amended 5-6-2019 ATM, Art. 16]**
- C. Any vacancy in the office of Trustee shall be filled by appointment of the Board of Selectmen, notice of which shall be filed with the Town Clerk. The title to the Trust estate shall thereupon and without the necessity of any conveyance be vested in such succeeding Trustee jointly with the remaining Trustees.

- D. Trustees may be removed by the Board of Selectmen at any time for cause following the opportunity for a hearing. For purposes of this bylaw, the term "cause" shall include, but not be limited to, violation of any local, state, or federal law; incapacity to perform the duties of a Trustee; and acts of a Trustee, that in the opinion of the Board of Selectmen, are negligent or detrimental to the Town of Brewster or the Trust; and four consecutive absences from Board of Trustees meetings. Reference to the Trustee shall mean the Trustee or Trustees for the time being hereunder.
- E. The Trustees shall annually elect a Trustee to serve as Chair. The Chair may establish sub-committees and/or ad hoc task-related committees to carry out the purposes of the Trust. Chairs of the sub-committees may be selected by the members of the sub-committees.

#### **§ 18-4. Meetings of the Trust.**

The Board shall meet at least quarterly in the Town of Brewster at such time and at such place as the Trustees shall determine. Special meetings may be called by the Chair or by a majority of Trustees. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, General Laws Chapter 30A, Sections 18-25. While a majority of the full Board of Trustees shall constitute a quorum for the transaction of any business of the Board of Trustees, less than a quorum may, subject to the requirements of the Open Meeting Law, continue a meeting to a time, date and place certain.

#### **§ 18-5. Powers of the Board.**

The powers and duties of the Board shall include the following, all of which shall be carried on in furtherance of the purposes and in compliance with the terms set forth in Section 55C of Chapter 44 of the General Laws:

- A. To accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the Trust in connection with any by-law or any general or special law or any other source, including money appropriated pursuant to the Community Preservation Act, Chapter 44B of the Massachusetts General Laws; provided, however, that any Community Preservation Act monies received shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the Trust, and such funds shall be accounted for separately by the Trust; and provided further, that no later than July 15 of any calendar year, the Trust shall ensure that all expenditures of funds received from said Chapter 44B are reported to the Community Preservation Committee for inclusion in the year end reporting to the Massachusetts Department of Revenue;
- B. To purchase and retain real or personal property, including, without restriction, investments that yield a high rate of income or no income; provided that any expenditure of funds in excess of \$50,000 to purchase real or personal property shall first be approved by the Board of Selectmen;
- C. To sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to Trust property as the Board deems advisable notwithstanding the length of any such lease or contract; provided that any sale, lease, exchange, transfer or conveyance of any property having a value in excess of \$50,000 shall first be approved by the Board of Selectmen;
- D. To execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust;
- E. To employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
- F. To pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;

- G. To apportion receipts and charges between incomes and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- H. To participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- I. To deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board may deem necessary and appropriate;
- J. To carry property for accounting purposes other than acquisition date values;
- K. To borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge trust assets as collateral, provided that any borrowing of funds in excess of \$50,000 shall first be approved by the Board of Selectmen;
- L. To make distributions or divisions of principal in kind;
- M. To comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of Section 55C, to continue to hold the same for such period of time as the Board may deem appropriate;
- N. To manage or improve real property; and to abandon any property which the Board determined not to be worth retaining;
- O. To hold all or part of the Trust property uninvested for such purposes and for such time as the Board may deem appropriate; and
- P. To extend the time for payment of any obligation to the Trust;
- Q. To issue policy goals and statements to serve as guidelines for the Trust;
- R. To provide funds for the benefit of low and moderate income households to assist in the acquisition, creation, preservation, rehabilitation and support of housing affordable for such families; and
- S. To exercise such additional powers, if any, as may be set forth in MGL c. 44, § 55C, as it may be amended from time to time.

**§ 18-6. Acts of Trustees.**

- A. Except as otherwise provided, any action of the Board of Trustees shall be approved by a majority of those present and voting at a duly called meeting provided that a quorum is present, and any and all instruments executed by such majority shall be binding upon the Trust, and shall be conclusive evidence that such action has been duly authorized. The Trustees may, by instrument executed by all the Trustees, delegate to any attorney, agent or employee such other powers and duties as they deem advisable, including power to execute and deliver instruments as fully as the Trustees might themselves and to sign and endorse checks for the account of the Trustees of the Trust. The Trustees shall not delegate the authority to amend or terminate the Trust and no such delegation shall be effective. No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust estate. No one dealing with the Trustees need inquire concerning the validity of any act of the Trustees or see to the application of anything paid to or upon the order of the Trustees. No Trustee shall be liable for



the act, negligence or default of any other Trustee or any employee, agent, or representative of the Trustees selected with reasonable care, nor for errors in judgment, nor mistakes of law or fact made in good faith nor in reliance in good faith on advice of counsel nor for other acts or omissions in good faith.

- B. In exercising these powers, the Trustees shall recognize the role of the Board of Selectmen or its designee as the principal procurement officer under MGL c. 30B, including the bidding and awarding of all contracts. Where an act of the Trustees requires prior written notice to the Board of Selectmen, notice shall be deemed given when addressed to the Board of Selectmen.

**§ 18-7. Status of Trust and Board of Trustees.**

The Trust is a public employer and the members of the Board are public employees for purposes of General Laws Chapter 258. The Trust shall be deemed a municipal agency and the members of the Board of Trustees special municipal employees for purposes of General Laws Chapter 268A, the Conflict of Interest Law. The Trust is a governmental body for purposes of Massachusetts General Laws Chapter 30A, Sections 18-25, the Open Meeting Law. The Trust is also a board of the Town for purposes of General Laws Chapter 30B, the Uniform Procurement Act, and General Laws Chapter 40, Section 15; provided, however, that agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the Town shall be exempt from said Chapter 30B. Notwithstanding the foregoing, neither the Trustees nor any agent or officer of the Trust shall have the authority to bind the Town.

**§ 18-8. Custodian of funds.**

The Town Treasurer shall be the custodian of the Trust's funds and shall maintain separate accounts and records for said funds. The Treasurer shall invest the Trust's funds in the manner authorized by MGL c. 44, § 55B. Any income or proceeds received from the investment of unrestricted funds shall be credited to and become part of the Trust. The yearly approved budget, and any approved budget revisions, will be filed with the Town Treasurer. As custodian, the Treasurer shall issue checks or transfer monies as directed by the Trustees and approved by the Board of Selectmen. In addition to the requirements of MGL c. 44, § 55C, the Trust shall comply with all requirements, if any, of all the funds deposited into the Trust, and shall ensure that restricted funds, and any interest thereon, are appropriately segregated and reported. The books and records of the Trust shall be audited annually by an independent auditor in accordance with accepted accounting practices. Cost associated with the independent audit shall be borne by the Trust. Upon receipt of the audit by the Board of Trustees, a copy shall be provided forthwith to the Board of Selectmen.

**§ 18-9. Funds paid to the Trust.**

Notwithstanding any general or special law to the contrary, all moneys paid to the Trust in accordance with any zoning by-law, exaction fee, or private contribution shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and these funds need not be further appropriated to be expended. All moneys remaining in the Trust at the end of any fiscal year, whether or not expended by the Board within one year of the date they were appropriated into the Trust, remain Trust property.

**§ 18-10. Taxes.**

The Trust is exempt from General Laws Chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any subdivision thereto.

**§ 18-11. Duration of the Trust.**

This Trust shall continue until terminated by a vote of the Brewster Town Meeting. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held by the Board of Selectmen for



affordable housing purposes except that any net funds generated pursuant to MGL c. 44B which shall be returned to the CPA Fund for community housing. In making any such distribution, the Trustees shall, subject to the approval of the Board of Selectmen, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind to the Board of Selectmen. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

**§ 18-12. Compensation of Trustees.**

Trustees shall not receive a salary, stipend, bonus or other means of compensation for their service as a Trustee, nor shall they be eligible for any benefits from the Town of Brewster. Trustees may be compensated for reasonable out-of-pocket expenses for travel and other Trust-related expenses. All such out-of-pocket expenses shall be fully documented with receipts for expenses prior to payment by the Trust.

**§ 18-13. Annual report.**

The Trustees shall prepare an annual report describing the activities of the Trust on a calendar year basis. The annual report shall be submitted to the Brewster Board of Selectmen by December 31st of each year and will be included in the Town's Annual Report. The annual report shall list all financial transactions conducted by the Trust including all revenues and costs, provide a balance sheet of liabilities and assets of the Trust, list an inventory of all affordable housing units created, sold, and/or managed by the Trust, and any other pertinent information related to the business of the Trust.

**§ 18-14. Recording; amendments.**

The Trustees are hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Trust, to be recorded with the Barnstable Registry of Deeds and the Barnstable Registry District of the Land Court, as applicable. The Declaration of Trust may be amended from time to time except as to those provisions specifically required under MGL c. 44, § 55C and/or this bylaw, by an instrument in writing signed by a majority of the Trustees and approved at a meeting called for that purpose, and approved by the Board of Selectmen.

**§ 18-15. Titles.**

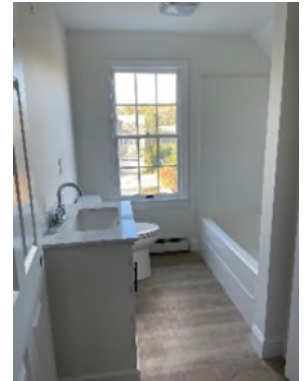
The titles to the various Sections herein are for convenience only and are not to be considered part of said Sections nor shall they affect the meaning or the language of any such Section.

....."Cwcej o gpv'05"  
....."Dghqt g'cpf 'Chgt 'Rj qvqu"  
....."212 Yankee Drive

**Before: April 2019**

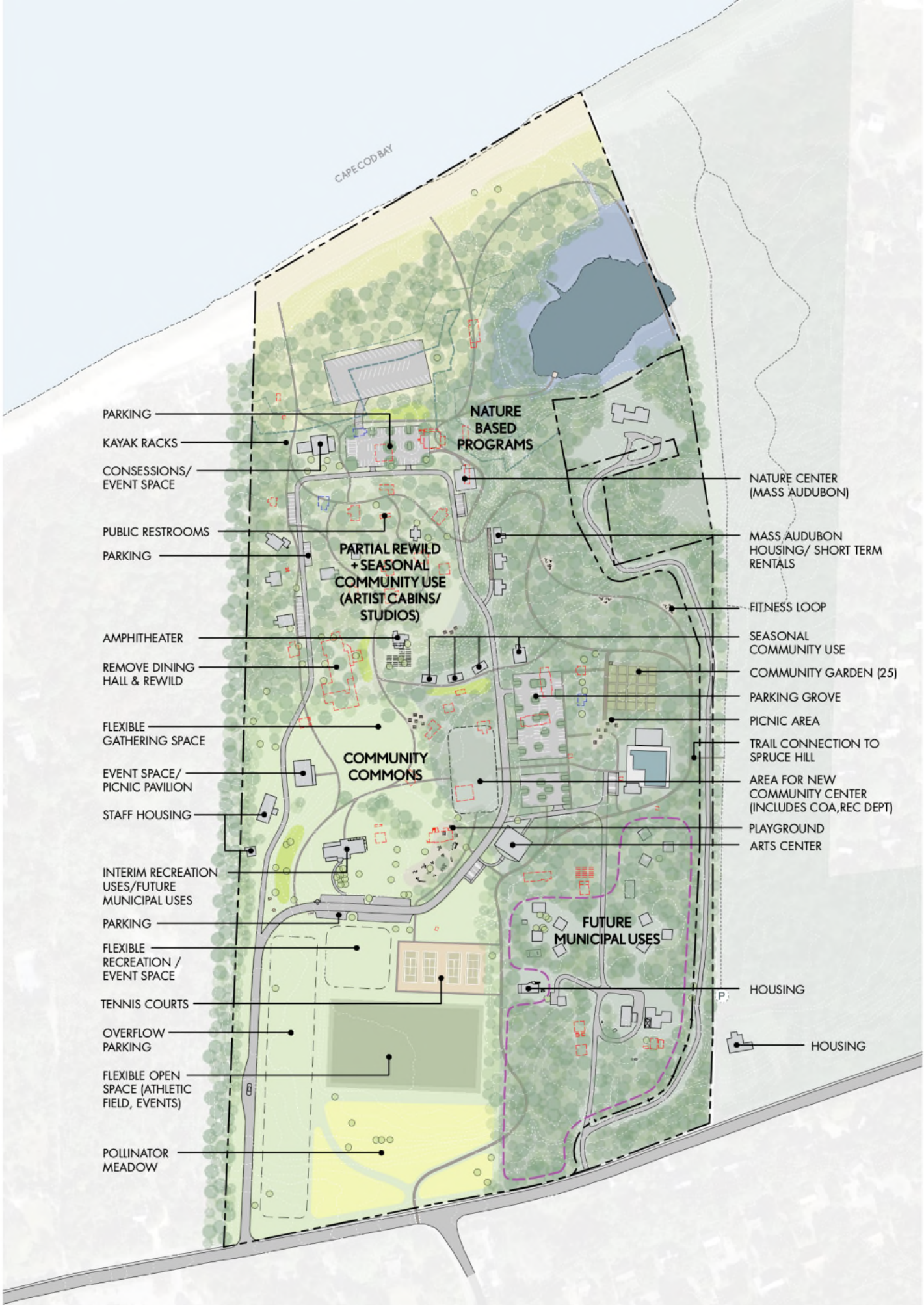


**After: December 2023**



Type	Expenses	Source	Vendor
Legal	3,673	CPC	KP LAW
Administration	27,500	CPC/BAHT (legal counsel 10.21.22)	TRI/HAC
Back Taxes/PILOT	15986.84 + 2200=18,186.84	Sale Proceeds	TOB
Appraisal	\$600.00	CPC	Linda Coneen
HOA Fees	625.00	Sale Proceeds	
Insurance	7,163.92	BAHT	MIIA
	7,054.56	BAHT	MIIA
Septic			
Inspection	1,190.00	BAHT	Accucheck
Repairs	6,981.00	CPC (legal 07.27.23)	Accucheck/Joe Martin
Other Property Work			
Remediation	38,125.00	CPC (legal 07.27.23)	Green Env.
DPW Stone for driveway	438.50	BAHT	RB OUR
Plumbing Assessment	1,850.00	BAHT	Glenn Sherman
Replace Boiler	(-9,860)	CPC (legal 07.27.23)	Glenn Sherman
Major Construction	275,635	CPC/BAHT (legal 07.27.23)	Bid price & 4 CO's
	\$ 360,976.09		
	-18,811.84	to be paid from sale proceeds	
	\$ 342,164.25		
Authorizations by Trust	2,000	6/5/2019	legal & other admin. expenses
	5,000	8/13/2020	legal & professional
	10,000	7/8/2022	legal & insurance
	2,500	11/3/2022	addl to the 10K-inspections & other misc. costs
	27,500	10/6/2022	Admin. for rehab & lottery
	45,000	2/2/2023	Remediation and other small building items
	7,500	3/2/2023	Septic Repairs
	250,000	8/3/2023	Major Construction in response to IFB- Pearl Co. etc.
	20,000	10/5/2023	Addl expenses: plumbing, lights, appliances, windows
	\$ 369,500.00		
	212 Yankee Drive	02.22.24	





PARKING

KAYAK RACKS

CONCESSIONS/  
EVENT SPACE

PUBLIC RESTROOMS

PARKING

AMPHITHEATER

REMOVE DINING  
HALL & REWILD

FLEXIBLE  
GATHERING SPACE

EVENT SPACE/  
PICNIC PAVILION

STAFF HOUSING

INTERIM RECREATION  
USES/FUTURE  
MUNICIPAL USES

PARKING

FLEXIBLE  
RECREATION /  
EVENT SPACE

TENNIS COURTS

OVERFLOW  
PARKING

FLEXIBLE OPEN  
SPACE (ATHLETIC  
FIELD, EVENTS)

POLLINATOR  
MEADOW

CAPE COD BAY

NATURE  
BASED  
PROGRAMS

PARTIAL REWILD  
+ SEASONAL  
COMMUNITY USE  
(ARTIST CABINS/  
STUDIOS)

COMMUNITY  
COMMONS

FUTURE  
MUNICIPAL USES

NATURE CENTER  
(MASS AUDUBON)

MASS AUDUBON  
HOUSING/ SHORT TERM  
RENTALS

FITNESS LOOP

SEASONAL  
COMMUNITY USE

COMMUNITY GARDEN (25)

PARKING GROVE

PICNIC AREA

TRAIL CONNECTION TO  
SPRUCE HILL

AREA FOR NEW  
COMMUNITY CENTER  
(INCLUDES COA, REC DEPT)

PLAYGROUND  
ARTS CENTER

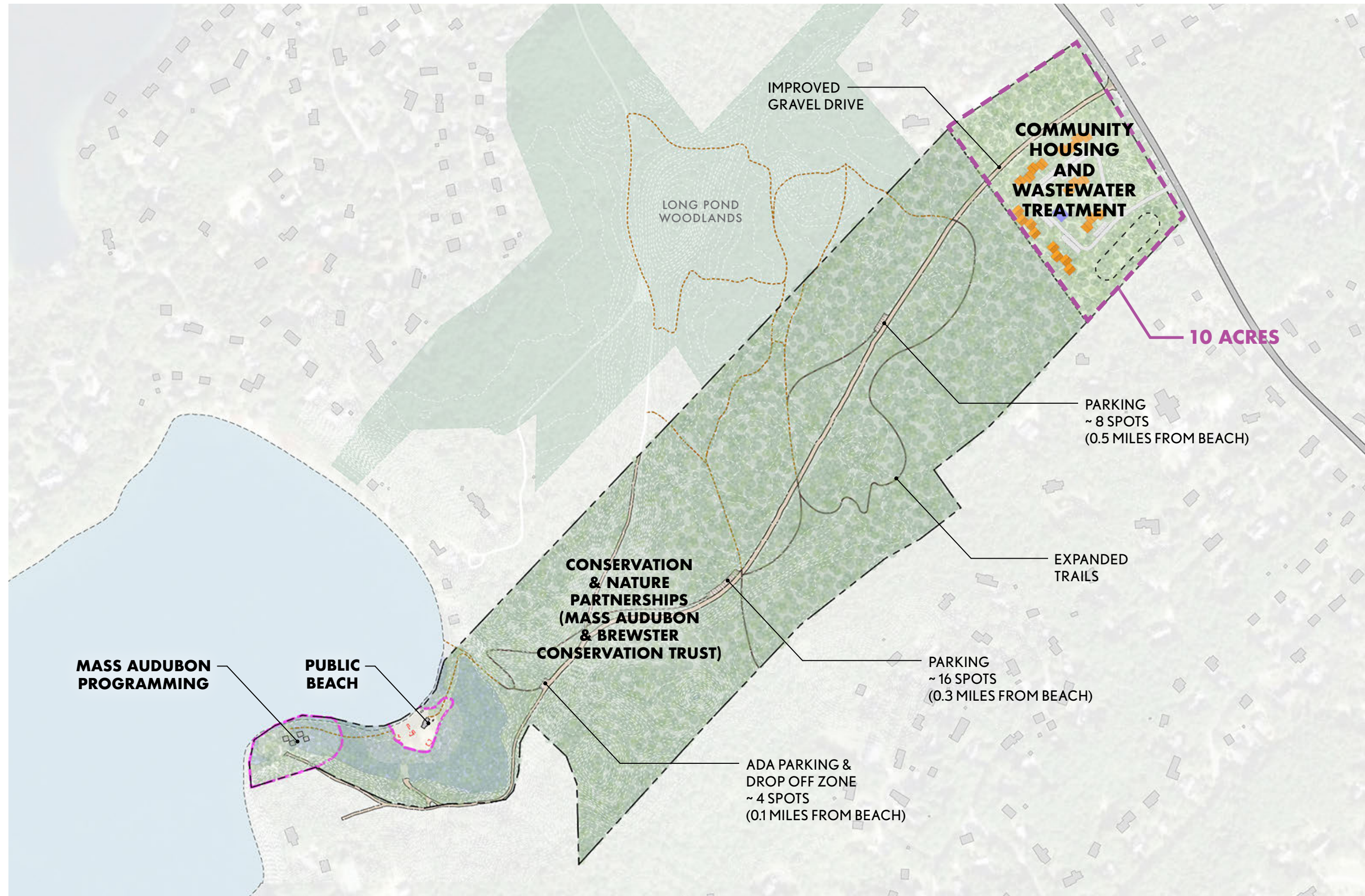
HOUSING

HOUSING



# POND PROPERTY COMPREHENSIVE PLAN

## Overall Plan



# Voter Information: Potential Acquisition of the Cape Cod Sea Camps

## SEA CAMPS POND PARCEL: Overview

<b>Address</b>	500 W.H. Besse Cartway
<b>Owner</b>	Camp Wono, Inc.
<b>Size</b>	66 acres
<b>Parcel ID</b>	84-45
<b>Zoning</b>	Residential Medium (RM) & Residential Rural (RR)
<b>Zoning Considerations</b>	About half of parcel is in Zone II (aquifer recharge area), Brewster Water Protection District & Natural Resource Protection District
<b>Frontage</b>	765 feet (Route 137)
<b>Shoreline</b>	~1,200 feet

## SEA CAMPS POND PARCEL: Facilities

- The Pond parcel is largely undeveloped
- Structures include boating equipment storage & an office

## SEA CAMPS POND PARCEL: Potential Town Uses

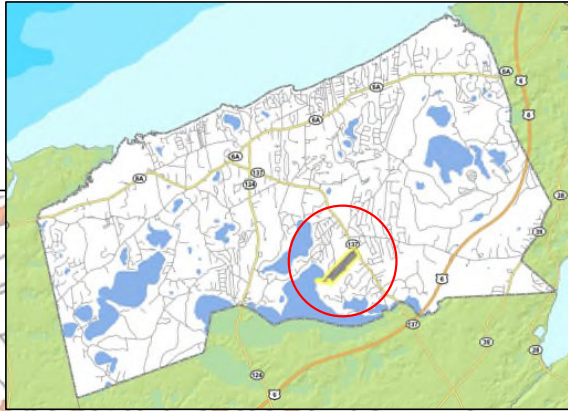
- New public beach & beach parking on Long Pond (possibly residents only)
- Recreation activities, e.g., swimming lessons, boating, sailing
- Conservation/open space, habitat & watershed protection
- Public watercraft storage (kayak, canoe, stand-up paddleboard)
- Partnership with Brewster Conservation Trust to develop extensive hiking/trail system of 100+ acres when combined with adjacent Robinson property
- Partnership with Massachusetts Audubon Society to develop on-site programs
- Appropriately scaled community housing near Route 137 (partnering with Brewster Affordable Housing Trust)

## SEA CAMPS POND PARCEL: Pledged Contributions

- |  |               |
|--|---------------|
| • Brewster Conservation Trust                            | \$1.5 million |
| • Massachusetts Audubon Society                          | \$1.0 million |
| • Brewster Water Department Enterprise Retained Earnings | \$250,000     |



# SEA CAMPS POND PARCEL: Maps

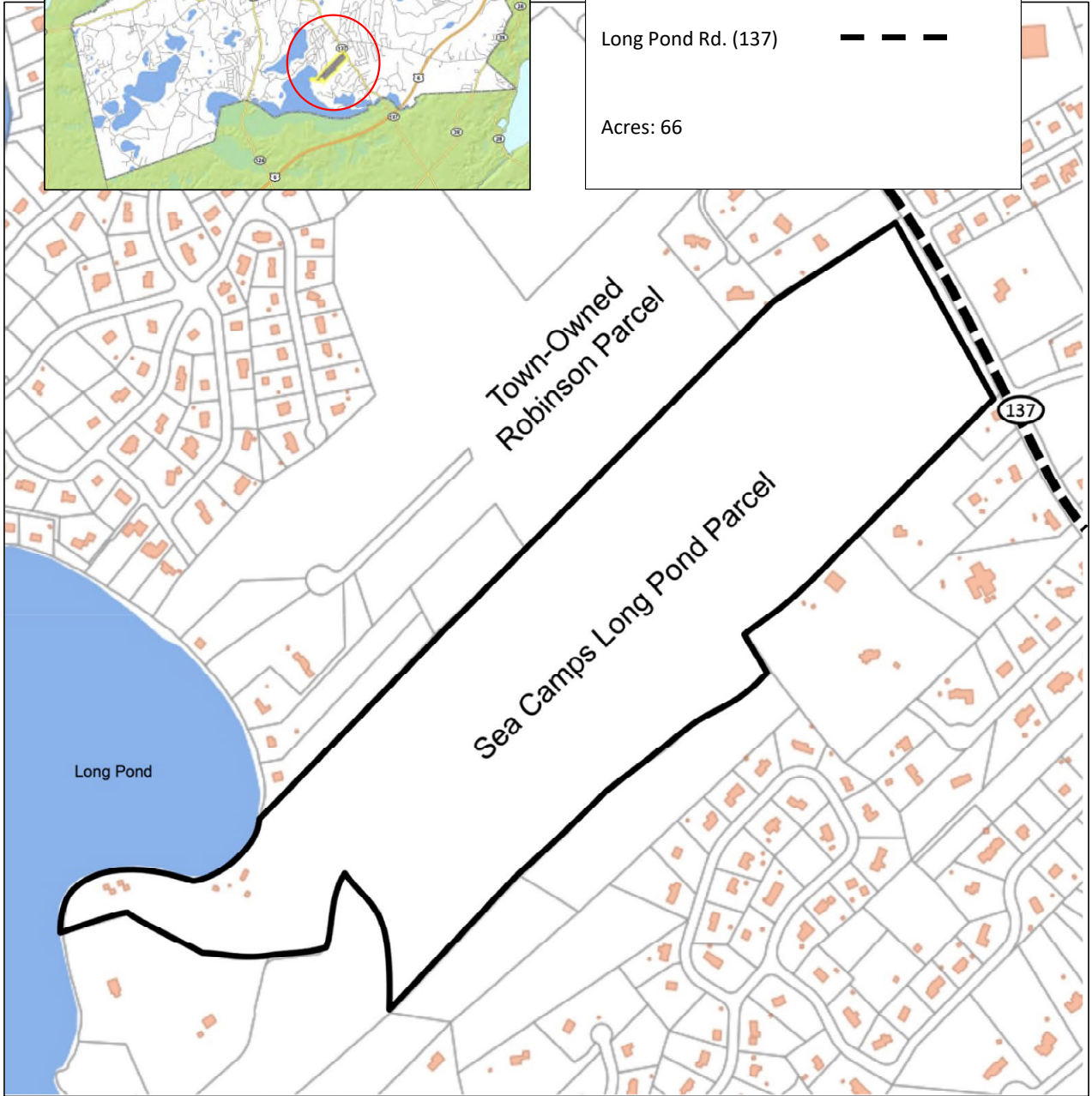


**LEGEND**

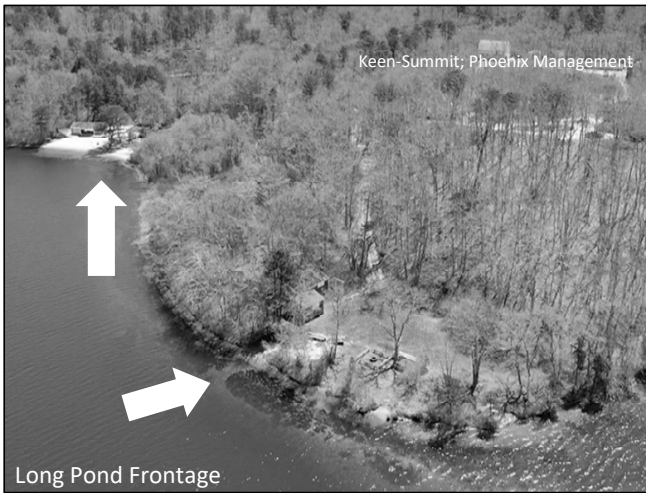
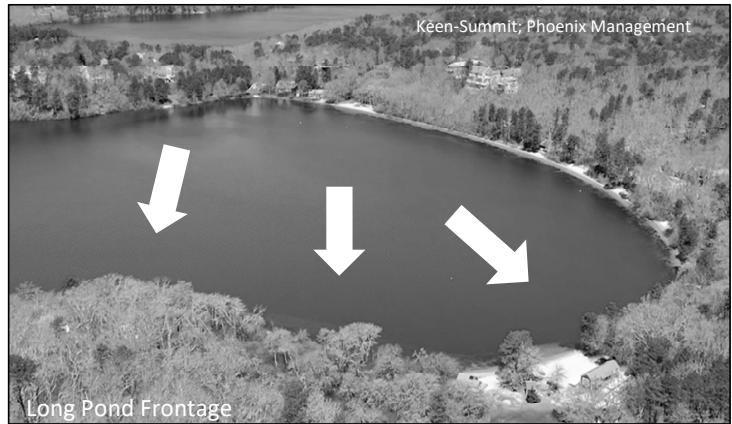
Pond Parcel Boundary      **————**

Long Pond Rd. (137)      **- - - -**

Acres: 66



# SEA CAMPS POND PARCEL: Photos



*Photos by Town of Brewster except where noted.*



### SEA CAMPS BAY PARCEL: Overview

<b>Address</b>	3057 Main Street, Brewster
<b>Owner</b>	Camp Wono, Inc.
<b>Size</b>	54.7 acres
<b>Parcel ID</b>	101-45
<b>Zoning</b>	RM (Residential Medium Density)
<b>Zoning Considerations</b>	Old King's Highway Historic District, soil conservancy district & wetlands
<b>Frontage</b>	824 feet (on Main Street)
<b>Shoreline</b>	~800 feet

### SEA CAMPS BAY PARCEL: Facilities

- Administration building
- 50+ cabins, cottages & dorms
- Beachfront
- Boathouse
- Dining hall with commercial kitchen area
- Olympic-sized swimming pool with swimming pavilion
- Art center
- Basketball courts
- 9 lighted tennis courts
- Fields for soccer, lacrosse, baseball, archery, field hockey & other sports
- 2 outdoor theatres
- Maintenance building & garage
- Woodworking shop

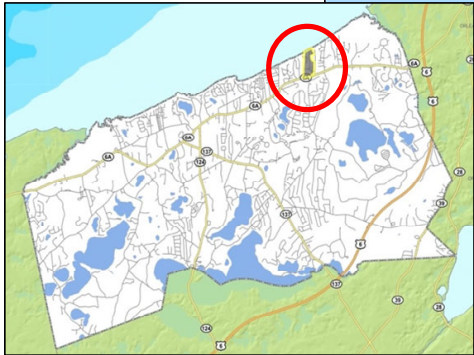
### SEA CAMPS BAY PARCEL: Potential Town Uses

- New public beach & beach parking (possibly residents only)
- Community center & group meeting spaces
- Expanded municipal recreation facilities: swimming pool, tennis, basketball, outdoor theatres, basketball, boating/sailing, playgrounds, trails
- Town offices
- Conservation, open space & habitat protection, coastal resiliency
- Partnership(s) to expand recreational activities & programs
- Bike trail spur from Cape Cod Rail Trail to beach
- Boat moorings

### SEA CAMPS BAY PARCEL: Pledged Contributions

- |                                 |               |
|---------------------------------|---------------|
| • Massachusetts Audubon Society | \$1.0 million |
| • Anonymous Private Donor       | \$750,000     |

**SEA CAMPS BAY PARCEL: Maps**

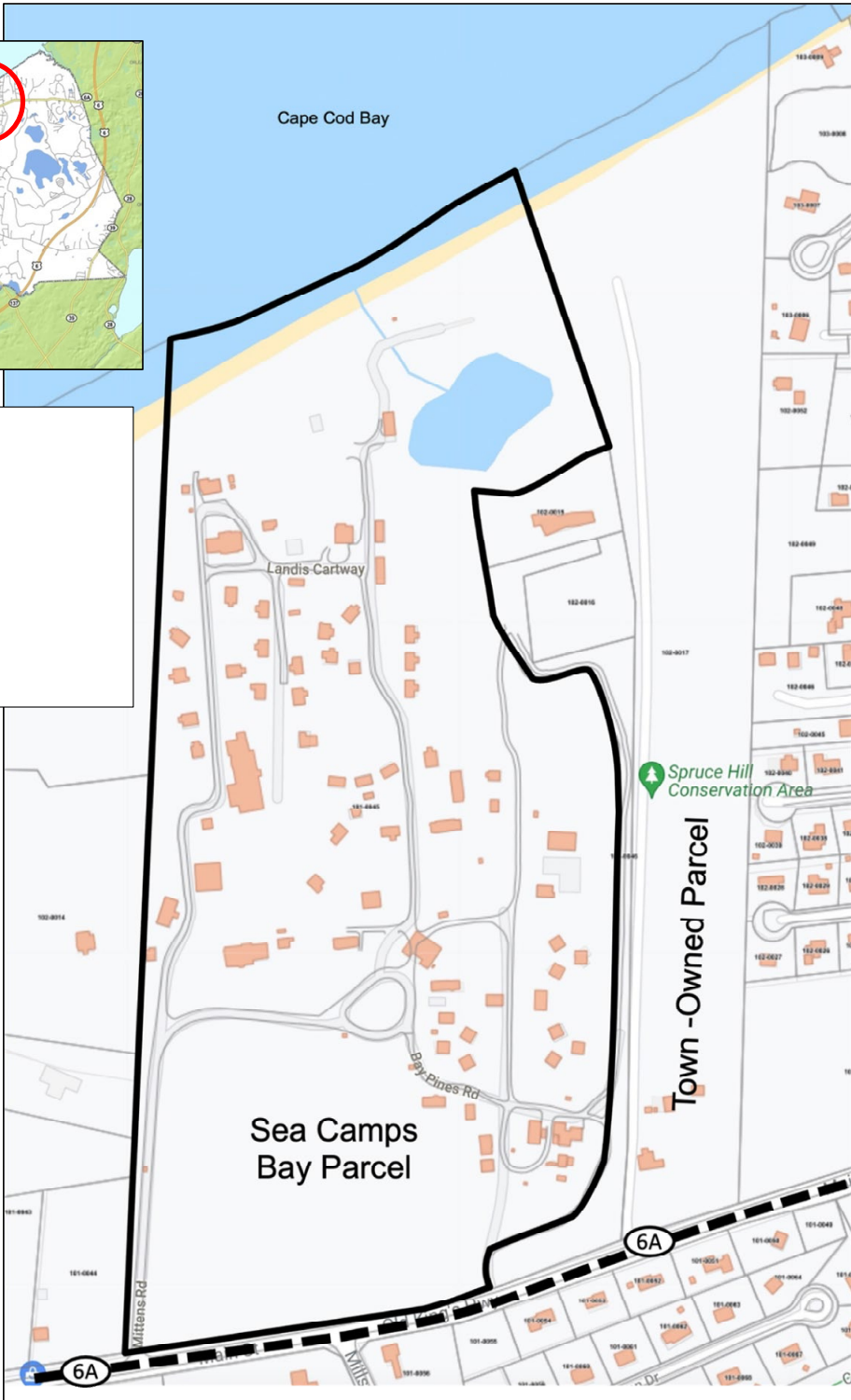


**LEGEND**

Bay Parcel Boundary

Main St. (6A)

Acres: 54.7



## SEA CAMPS BAY PARCEL: Photos



*Photos by Town of Brewster except where noted.*

## POTENTIAL USE OF EMINENT DOMAIN TO ACQUIRE THE CAPE COD SEA CAMPS

### ABOUT EMINENT DOMAIN

- Legal right of governments to acquire property for public purposes
- Requires just compensation to the owner of property
- Brewster Town Meeting has authorized at least 31 major eminent domain actions since 1918

### REQUIREMENTS FOR BREWSTER TO ACQUIRE THE SEA CAMPS IF EMINENT DOMAIN IS NEEDED

- Acquisition must be for public purpose (Done)
- Property must be identified (Done)
- Title research is required (Done)
- Brewster voters must authorize and appropriate funds (Town Meeting and local election)
- Property inspection is required
- Just compensation must be provided

### NEXT STEPS IF EMINENT DOMAIN ACQUISITION OF THE SEA CAMPS IS AUTHORIZED

- **Order of Taking:** The Select Board will adopt an Order of Taking.
- **Recording:** The Order of Taking is recorded by the Barnstable County Registrar of Deeds.
  - Once recorded, the Town of Brewster becomes the legal owner.
  - Recording permits the Town to provide compensation to the former owner.
- **Notice of Taking:** Notice is provided to others with an interest in the properties, e.g., a bank holding a mortgage.
- **Just Compensation to the Former Owner:** The Town will calculate fair compensation for the former owners based on carefully prepared appraisals and expert consultation.
  - **“Just Compensation”:** Fair market value of the property at the time the property is transferred. The Town acquired appraisals to determine just compensation.
- **Appeal:** The former owner has 3 years to appeal the Town’s action.
  - **Appeal process:** If appealed, a jury trial will be held. If the jury awards a higher amount than paid, Brewster voters would need to approve appropriation of the difference.

**REFERENCE:** Commonwealth of Massachusetts, General Laws Chapter 79: Eminent Domain  
<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIII/Chapter79>

## TOWN OF BREWSTER SPECIAL TOWN MEETING SEPTEMBER 25, 2021

Barnstable, ss

To: Roland W. Bassett, Jr. Constable of the Town of Brewster

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and inform the Town of Brewster inhabitants qualified to vote in Town affairs to meet at the Stony Brook Elementary School, 384 Underpass Road, on **Saturday, SEPTEMBER 25, 2021**, next, at 10:00 o'clock in the morning, then and there to act upon the following articles:

### **ARTICLE NO. 1: LAND ACQUISITION - 500 W.H. BESSE CARTWAY**

To see if the Town will authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, the parcel of land with the improvements thereon located at 500 W.H. Besse Cartway, Brewster, containing 66 acres, more or less, shown on Assessors Map 84 as Parcel 45, and described in a deed recorded with the Barnstable Registry of Deeds in Book 1388, Page 1185, for habitat protection, watershed protection, open space, conservation and passive recreation, active recreation, community housing, and/or general municipal purposes, and for the purpose of granting conservation easements and/or restrictions on such portions of the property that the Select Board may determine to provide for habitat protection, watershed protection, open space, conservation and passive recreation purposes, and to raise and appropriate, transfer from available funds, and/or borrow a sum to fund the foregoing acquisition and the payment of all costs incidental or related thereto; provided, however, that the appropriation authorized hereunder shall be contingent upon approval by the voters of a ballot question to exclude the amounts to pay for any bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called, and to authorize the Select Board to convey the foregoing conservation easements and/or restrictions to charitable corporations or trusts whose purposes include conservation of land or water areas on such terms and conditions as the Select Board deems appropriate, and, further, to authorize the Select Board and/or its designee to apply for, accept and expend any state and/or federal grants and/or loans or other public or private funds that may be available for the foregoing purposes and to take any and all actions and execute any and all documents necessary or convenient to accomplish the foregoing purposes; or take any other action in relation thereto.

(Board of Selectmen)

(Two-Thirds Vote Required)

### **COMMENT**

This article will authorize the Select Board to acquire the so-called Long Pond parcel located at 500 W.H. Besse Cartway for a number of potential public purposes. This 66 acre parcel is currently the largest privately held property in Brewster. It has almost 800 feet of frontage on Long Pond Road (Route 137) and about 1,200 feet of shoreline in the northeast corner of Long Pond. It is mainly comprised of wooded upland and is largely undeveloped. About half of the property is located in the Town's Zone II (aquifer recharge area), Brewster Water Protection District and Natural Resource Protection District. It is immediately adjacent to Long Pond Woodlands (the so-called Robinson property), 42 acres of conservation land purchased by the Town several years ago.

The acquisition of this land is contingent on approval of a debt exclusion ballot measure at the local election to be held on October 5, 2021. To date, the Town has secured pledges of \$1.5 million from the Brewster Conservation Trust and \$1 million from Mass Audubon to assist with the acquisition costs of this parcel. The Brewster Water Commission has also approved appropriating \$250,000 in available retaining earnings to help with acquisition expenses. While a number of potential future public uses are contemplated in the warrant article, if the Town acquires this parcel, we will undertake a resident engagement process that will inform the development of a Master Plan. It is anticipated that a majority of this property will be permanently protected with a conservation restriction. The Master Plan will provide specific details and, once completed, will be brought back to a future Town Meeting for voter consideration and approval.

**Selectmen: Yes 5, No 0, Abs 0**

**Finance Committee: Yes 7, No 0, Abs 0**

## **ARTICLE NO. 2: LAND ACQUISITION - 3057 MAIN STREET**

That the Select Board is authorized to acquire, by purchase, gift, and/or eminent domain, the parcel of land with the improvements thereon located at 3057 Main Street, Brewster, containing 54.7 acres, more or less, shown on Assessors Map 101 as Parcel 45, and described in a deed recorded with the Barnstable Registry of Deeds in Book 1388, Page 1188 (excluding therefrom the parcel shown on Assessors Map 101 as Parcel 46) and in Certificate of Title No. 30242, for habitat protection, watershed protection, open space, conservation and passive recreation, active recreation, community housing, community center and/or general municipal purposes, and for the purpose of granting conservation easements and/or restrictions on such portions of the property that the Select Board may determine to provide for habitat protection, watershed protection, open space, conservation and passive recreation purposes, and to raise and appropriate, transfer from available funds, and/or borrow a sum to fund the foregoing acquisition and all costs incidental or related thereto; provided, however, that the appropriation authorized hereunder shall be contingent upon approval by the voters of a ballot question to exclude the amounts to pay for any bonds or notes authorized for this purpose from the provisions of Proposition 2½, so called, and to authorize the Select Board to convey the foregoing conservation easements and/or restrictions to charitable corporations or trusts whose purposes include conservation of land or water areas on such terms and conditions as the Select Board deems appropriate, and, further, to authorize the Select Board and/or its designee to apply for, accept and expend any state and/or federal grants and/or loans or other public or private funds that may be available for the foregoing purposes and to take any and all actions and execute any and all documents necessary or convenient to accomplish the foregoing purposes; or take any other action in relation thereto.

(Board of Selectmen)

(Two-Thirds Vote Required)

### **COMMENT**

This article will authorize the Select Board to acquire the so-called Bay parcel located at 3057 Main Street for a number of potential public purposes. This 55 acre parcel is currently the 4<sup>th</sup> largest privately held property in Brewster. It is located within the Old King's Highway Historic District and has over 800 feet of frontage on Main Street (Route 6A). It has about 800 feet of shoreline on Cape Cod Bay and is adjacent to Town-owned conservation land and beach at Spruce Hill. Serving as the primary location for

Cape Cod Sea Camps operations for many years, this property has extensive recreation facilities including an Olympic-sized outdoor swimming pool, lighted tennis courts, outdoor theatres, fields for a variety of sports, basketball courts, and a boathouse and an arts center – both built within the last 10 years. This parcel has 50+ cabins and cottages as well as a dining hall, a health center, a historic administrative building, a maintenance area and a garage.

The acquisition of this property is contingent on approval of a debt exclusion ballot measure at the local election to be held on October 5, 2021. To date, the Town has secured pledges of \$1 million from Mass Audubon and \$750,000 from an anonymous private donor to assist with the acquisition costs of this parcel. Other organizations have expressed interest in potentially partnering with the Town in the future on this property, including YMCA Cape Cod and the Trustees of Reservations. While a number of potential future public uses are contemplated in the warrant article, if the Town acquires this parcel, we will undertake a resident engagement process that will inform the development of a Master Plan. The Master Plan, once completed, will be brought back to a future Town Meeting for voter consideration and approval.

**Selectmen: Yes 5, No 0, Abs 0**

**Finance Committee: Yes 7, No 0, Abs 0**

### **ARTICLE NO. 3: MAINTENANCE AND UPKEEP OF PROPERTIES**

To see if the Town will vote to transfer from free cash the sum of \$200,000 to pay costs associated with the maintenance, security, operations, repair and/or rehabilitation of the parcels of land and the improvements thereon located at 3057 Main Street and/or 500 W.H. Besse Cartway, with said moneys to be expended under the direction of the Select Board; or take any other action in relation thereto.

(Board of Selectmen)

(Majority Vote Required)

#### COMMENT

These funds will be used to cover interim operating expenses associated with the general maintenance of one or both properties the Town is seeking to acquire in Articles 1 and 2 in this warrant. Depending on which properties the Town ultimately acquires, the timing of when those acquisitions occur, and the extent to which public access to these properties will be provided in the near term will impact when further such appropriations will be necessary. The Town has developed an initial budget for maintaining the properties based on the information available at this time. This plan will be further refined and updated once the Town has access to additional information about the facilities. Property maintenance will also include utilizing some existing Town staffing resources. The Town may partner with other organizations to mitigate some of these interim expenses. The Master Plan process is intended to clearly define future ongoing operating expenses associated with one or both properties based on anticipated future uses and potential partnerships.

**Selectmen: Yes 5, No 0, Abs 0**

**Finance Committee: Yes 7, No 0, Abs 0**

You are hereby directed to serve this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hand and Seal of the **Town of Brewster** affixed this **3rd day of September 2021**.

---

Cynthia A. Bingham, Chair

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David C. Whitney, Vice Chair

---

Edward B. Chatelain, Clerk

---

Mary Chaffee

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Kari Hoffmann

I, Roland W. Bassett Jr, duly qualified Constable for the Town of Brewster, hereby certify that I served the Warrant for the Special Town Meeting of September 25, 2021, by posting attested copies thereof, in the following locations in the Town on the 3rd day of September 2021.

Brewster Town Offices	Café Alfresco
Brewster Ladies Library	Brewster Pizza House
The Brewster General Store	Millstone Liquors
U. S. Post Office	

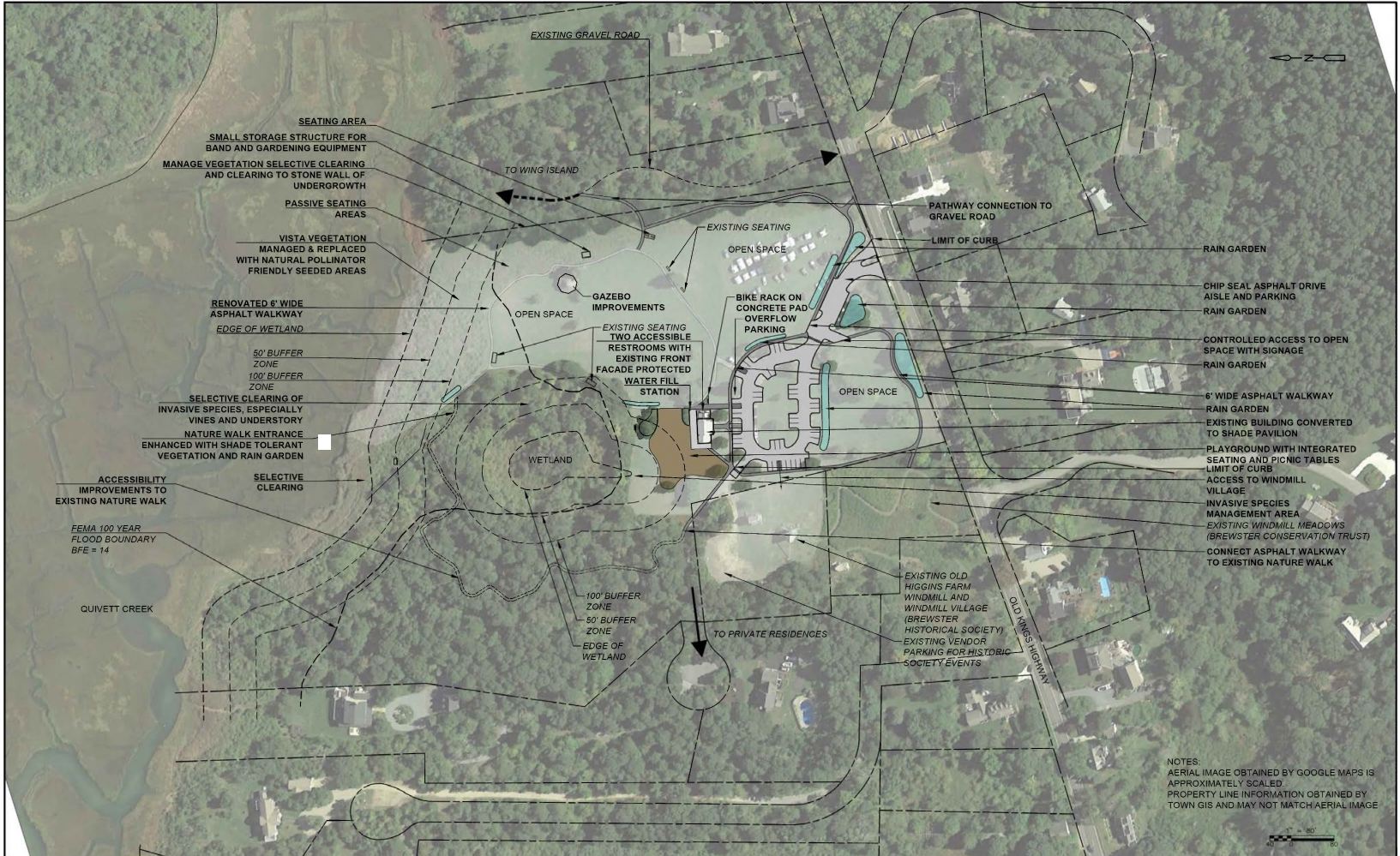
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Roland W. Bassett, Jr. Constable





DESIGN AND CONSTRUCTION OF THESE DOCUMENTS AND DESIGN PROVIDED BY PROFESSIONAL SERVICE, INCORPORATED HEREBY ARE THE PROPERTY OF CDM SMITH AND ARE NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF CDM SMITH.



DRUMMER BOY PARK  
TOWN OF BREWSTER, MA

RECOMMENDED MASTER PLAN  
APRIL 2021

FIGURE 4-1



## Town of Brewster

2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
Fax: (508) 896-8089

Office of:  
Select Board  
Town Administrator

### MEMORANDUM

**TO:** Select Board  
**FROM:** Peter Lombardi, Town Manager  
**RE:** List of Current Warrant Articles for Spring 2024 Town Meeting  
**DATE:** February 8, 2024

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Here is a summary of the articles currently anticipated for inclusion on the Spring 2024 Town Meeting warrants:

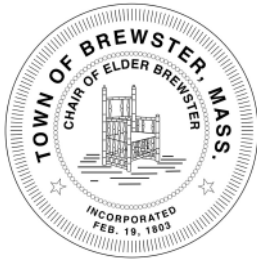
1. Outstanding Obligations
2. Budgetary Transfers
3. FY25 Cape Cod Regional Technical High School Operating Budget
4. FY25 Brewster Elementary School Operating Budget
5. FY25 Brewster Elementary School Operating Override
6. Assessment Formula for Nauset Regional Schools
7. FY25 Nauset Regional Schools Operating Budget
8. FY25 Nauset Regional Schools Operating Override
9. FY25 Town Operating Budget (General Fund)
10. FY25 Water Enterprise Fund Budget
11. FY25 Golf Enterprise Fund Budget
12. Community Preservation Act Funding (including standard reserve amounts)
13. CPA Land Acquisition: 3571 Main Street (Washington Chase Bog)
14. Capital and Special Project Expenditures
15. Special Revenue Fund: Cable Franchise Fee
16. Recreation Revolving Fund
17. Sea Camps Comprehensive Plan Article(s)
18. Private Road Betterment: Vesper Pond
19. Millstone Road Improvement Project: Temporary Easements
20. Drummer Boy Park Advisory Committee Report
21. Potential Citizens Petition: Resolution on Medicare for All Legislation\*\*
22. Potential Citizens Petition: Home Rule Petition for Pesticide Reduction\*\*
23. Potential Citizens Petition: Short Term Registration\*\*
24. Potential Citizens Petition: Short Term Regulations\*\*

\*\* not yet filed

**TOWN OF BREWSTER**  
**BUDGET & TOWN MEETING CALENDAR**  
**FISCAL YEAR 2025**  
*01.26.24 DRAFT*

1. **December 4, 2023:**  
FY25-29 General Fund budget forecast presentation to Select Board and Finance Committee, including recommended FY25 budget development guidelines.
2. **December 12, 2023:**  
FY25-29 Golf Enterprise Fund Financial Forecast presentation to Golf Commission.
3. **December 14, 2023:**  
FY25 budget development guidelines distributed to Department Heads & Schools.
4. **January 5, 2024:**  
FY25 budget requests & supplemental FY24 Capital Requests due to Town Administration and Finance Director.
5. **Weeks of January 10 & 17, 2024:**  
Preliminary operating budget requests reviewed by the Town Administration and Finance Director with Department Heads.
6. **January 31, 2024:**  
Finance Team presentation to Select Board and Finance Committee on FY24-28 Capital Improvement Plan, including supplemental FY24 Capital requests.
7. **February 5, 2024:**  
FY25 Town Operating Budget Overview delivered to the Select Board and Finance Committee.
8. **February 7 & 9, 2024:**  
Department Head FY25 budget presentations to Select Board and Finance Committee.
9. **February 15, 2024:**  
4<sup>th</sup> and Final Sea Camps Public Forum.
10. **February 26, 2024:**  
Priority Deadline for submittal of warrant articles for inclusion on the 2024 Annual Town Meeting warrant.
11. **March 2024:**  
FY25-29 Water Department Enterprise Fund Financial Forecast presented to Water Commissioners.
12. **March 27, 2024:**  
Deadline for proxy votes for private road betterments.

13. **March XX, 2024**  
Nauset Schools budget presentation to Select Board.
14. **March XX, 2024:**  
Nauset Schools budget presentation to Finance Committee.
15. **April 1, 2024:**  
Administrative deadline to finalize warrant articles for the May 2024 Special and Annual Town Meetings.
16. **April 6 & 10, 2024:**  
Sea Camps Pond Property Open House.
17. **April 10, 2024:**  
Deadline for Select Board's and Finance Committee's recommendations on the May 2024 Special and Annual Town Meeting warrant articles.
18. **April 16, 2024:**  
Deadline to send May 2024 Special & Annual Town Meeting warrants to the printer.
19. **April 20, 2024:**  
Deadline to post warrants.
20. **April 23, 2024:**  
Deadline for Select Board to place a ballot question on the Annual Town Election.
21. **April 26, 2024:**  
FY25 Budget and Town Meeting warrant book posted on the website for the general public and distributed at town buildings and other locations.
22. **Week of April 29, 2024:**  
Town Meeting public information session.
23. **May 11, 2024:**  
2024 Special and Annual Town Meeting held at Stony Brook Elementary School.
24. **May 28, 2024:**  
2024 Annual Town Election.



# Town of Brewster

2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
[www.brewster-ma.gov](http://www.brewster-ma.gov)

Office of:  
Select Board  
Town Manager

**TO:** Select Board

**FROM:** Conor Kenny, Town Project Manager

**RE:** Recommended Select Board Policy Revision: Policy 39 & 67

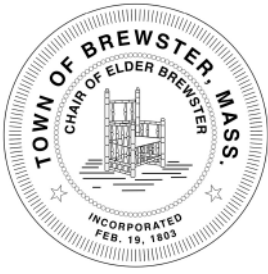
**DATE:** 2/16/2024

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For your review and approval is an updated version of Policy 39 of the Select Board Policy Handbook, in addition to a newly drafted policy – Policy 67. Policy 39 deals with the Town’s Government Access Channel, while Policy 67 deals with the use of metal detectors on Town land.

A number of policies in this handbook have recently been identified by Town Administration staff as being in need of revision. Policy 39 has not been amended since 2012 and, as a result, contains information pertaining to the Brewster Town Government Access Channel which is no longer accurate. The policy also does not, as currently written, adequately capture current BGTV procedures. The changes to this document have been drafted by Town Administration in conjunction with Suzanne Bryan, the Town’s Media Coordinator. The existing policy has also been included in this packet for reference.

Policy 67 is a newly drafted policy dealing with the policy and procedures for the use of metal detectors on Town land. The Town of Brewster owns various public properties across town, which may contain many historic artifacts. As a result, Town staff occasionally receive calls seeking information on the policy on the use of metal detectors for the purposes of searching for such artifacts. This policy makes clear that no person shall be permitted to use a metal detector, search for artifacts; disturb soil; remove rocks; or otherwise alter Town property without written permission from the Select Board/Town Administration. This new policy has been drafted by Town Administration in conjunction with the Natural Resources Director and the Conservation Administrator.



# Town of Brewster

Office of the Select Board  
2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
Website: [www.brewster-ma.gov](http://www.brewster-ma.gov)

Policy No: 39  
Date Approved: July 7, 2008  
Dates Amended: July 23, 2012  
February 26, 2024

## **POLICY AND PROCEDURES FOR BREWSTER TOWN GOVERNMENT ACCESS CHANNEL**

### **A. PURPOSE**

The Brewster Government Access Cable Television Channel (Channel 8) is intended solely to provide information to Brewster citizens about services, programs, activities, events and matters involving or affecting local government and the community. Brewster Government TV (BGTV) is not a 'public access channel'. It is not to be used for commercial or religious purposes, the promotion of commercial or religious organizations, or related events.

### **B. POLICY**

All public meetings of Town boards and committees shall be video and audio recorded at Brewster Town Hall. All public meetings of Town boards and committees which are recorded and/or televised shall be cablecast and/or webcast in their entirety, from opening to adjournment, without editing and without commentary. Committee site visits are exempt from this requirement. Other exemptions include but are not limited to business meetings, strategic planning retreats, and/or other such gatherings, with approval by the Town Manager or Assistant Town Manager.

Town officials may request video services and/or cablecasting or webcasting of pre-recorded segments. Requests shall be in writing and shall describe the nature of the request, whether it is for live or prerecorded broadcast and the length of the requested broadcast. Authorization is subject to approval of the Town Manager or the Assistant Town Manager. Applications for electronic bulletin board (EBB) items may be submitted to the Town Manager's Office by any Town Official or government agency. Items must be consistent with the intentions of this policy and shall be published to the electronic bulletin board at the discretion of the Town Manager or the Assistant Town Manager.

Programming produced by Channel 8 or other entities related to government facilities, services and/or operations, or to issues and events in the public interest, may be cablecast and/or webcast as deemed appropriate by the Town Manager or Assistant Town Manager.

Written permission for the use of copyrighted materials must be received in advance.

The Brewster Government Access Channel shall not be used to promote a candidate for elective office or advocate any position of a political nature; however, programming in the format of a candidate debate or candidate's forum may be shown provided that all candidates for the same office are given equal time.



The Brewster Government Access Channel shall not be used for commercial purposes, the promotion of commercial organizations, commercial events, or the sale of any product or service by for profit entities. Exceptions to this prohibited use are restricted to promotional content which is co-sponsored by the Town as deemed appropriate by the Town Manager or Assistant Town Manager, in line with the policy as stated above.

The Brewster Government Access Channel shall not be used to promote religious beliefs or philosophies.

### **C. ELIGIBLE ENTITIES**

Examples of entities permitted to broadcast materials are as follows: Town departments, Town boards and committees, regional government entities such as Barnstable County and state agencies.

Regulatory Boards/Committees that will be aired live on Channel 8 and re-aired at later dates/times:

- Select Board
- Conservation Commission
- Zoning Board of Appeals
- Board of Health
- Planning Board

Non-regulatory/Advisory Boards/Committees that will be re-aired on Channel 8:

- Finance Committee
- Community Preservation Committee
- Affordable Housing Trust
- Brewster School Committee

Boards/Committees that will be re-aired as space in the schedule permits:

- All others

All regulatory boards and committees will be re-aired on Channel 8. Non-regulatory boards and committees of public interest may also be re-aired at the discretion of the Town Manager's Office.

Public meetings of Town boards and committees being held in Room A of Town Hall will be broadcast live to Channel 8 and livestreamed on the web, unless otherwise directed by the Town Manager's Office.

Viewers are encouraged to access meeting videos online through the Town's video on demand (VOD) page. Citizens may request copies of meeting videos through the Media Coordinator. These files will be made available on a USB thumb drive, for a service fee of \$5 for each 32GB of media. Citizens may also request copies through electronic file sharing options, free of charge. BGTV does not provide meeting videos or other archived materials on CD or DVD.



BGTV equipment and staff are to be used solely for the purposes outlined in this policy unless otherwise directed by the Town Manager or Assistant Town Manager.

Approved by the Brewster Select Board

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Ned Chatelain, Chair

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Mary Chaffee, Vice Chair

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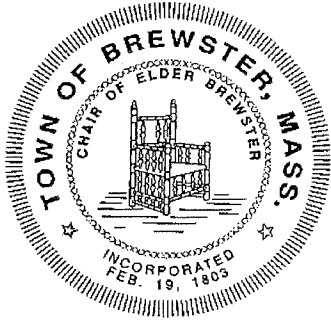
Kari Hoffmann, Clerk

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Cynthia Bingham

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David Whitney



**Board of Selectmen  
Town Administrator**

2198 Main Street  
Brewster, Massachusetts 02631-1898  
(508) 896-3701  
FAX (508) 896-8089

***POLICY NO.: 39***

***DATE OF ORIGINAL APPROVAL: 7/7/2008***

***DATE AMMENDED: 07/23/2012***

**POLICY STATEMENT**  
**BREWSTER TOWN GOVERNMENT ACCESS CHANNEL**

The Brewster Government Access Cable Television Channel (Channel 18) is intended solely to provide information to Brewster citizens about issues, services, programs, activities, and events involving or affecting local government and the community.

Any Town policy-making and regulatory board or commission including Town Meeting, may request live and delayed cablecast and webcast. Telecasting of those Boards and Committees listed on the attached sheet shall be automatic as a matter of routine. This list may be amended from time to time by the Town Administrator to reflect changes as the proceedings of different entities are approved for telecasting.

All other Selectmen-appointed advisory committees and commissions, not named on the attached list, but wishing to have meetings or events televised regularly shall submit a written request using the attached application form. Public meetings of other Town committees may be cablecast and/or webcast, if time and resources permit. Applications are also required for requesting video services and/or cablecasting or webcasting of pre-recorded items.. Authorization is subject to approval of the Town Administrator or the Assistant Town Administrator. All public meetings of Town boards and committees which are televised shall be cablecast and/or webcast in their entirety, without editing and without commentary.


Bulletin Board items may be submitted to the Town Administrator by any Brewster government agency or Brewster-based public service organization. Items must be consistent with the intentions of this policy and shall be cablecast at the discretion of the Town Administrator or the Assistant Town Administrator.

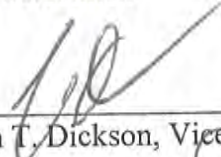
Programming produced by Channel 18 or other entities related to government facilities, services and/or operations, or to issues and events in the public interest, may be cablecast and/or webcast as deemed appropriate by the Town Administrator or Assistant Town Administrator.

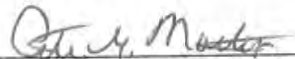
Written permission for the use of copyrighted materials must be received in advance. Programming may be modified or edited as deemed appropriate by the Town Administrator or Assistant Town Administrator.

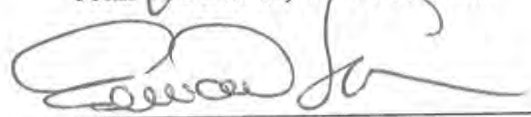
The Brewster Government Access Channel shall not be used to promote a candidate for elective office or advocate any position of a political nature; however, programming in the format of a debate or forum shall be presented subject to the provisions of this policy.

Approved this 23 day of July, 2012  
The Brewster Board of Selectmen

  
\_\_\_\_\_  
R. Dan Rabold, Chairman

  
\_\_\_\_\_  
John T. Dickson, Vice Chairman

  
\_\_\_\_\_  
Peter G. Norton

  
\_\_\_\_\_  
Edward S. Lewis, Clerk

  
\_\_\_\_\_  
James W. Foley



## Town of Brewster

Office of the Select Board  
2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
Website: [www.brewster-ma.gov](http://www.brewster-ma.gov)

Policy No: 67  
Date Approved: February 26, 2024

### **POLICY AND PROCEDURES FOR THE USE OF METAL DETECTORS ON TOWN LAND**

#### **A. PURPOSE**

The Town of Brewster owns various public properties across town, which may contain historic and pre-contact artifacts reflecting the heritage of those who have lived here before us.

This policy is based on Massachusetts General Laws, Chapter 9, Section 26B and 27C, which prohibits entry on land owned by the Town for the purpose of searching for traces of human culture or other remains at any land or water site by means of surveying, digging, sampling, excavating or removing surface or subsurface objects, or the entrance onto a site with that intent unless they have the permission of the Town and a permit from the State Archeologist.

Any person who enters upon land owned by the Commonwealth or any of its political subdivisions, including the Town of Brewster, for the purpose of searching for or removing such objects or who shall appropriate, deface, destroy or alter any historical artifacts without such approvals may be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months or both. G.L. c. 9, §27C.

This policy is based on the Code of Federal Regulations, (36 CFR 261.9) which states that "the following are prohibited [on properties owned or operated by the National Parks Service]: (g) Digging in, excavating, disturbing, injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resources, structure, site, artifact, or property (h) Removing any prehistoric, historic, or archaeological resources, structure, site, artifact, property."

This policy is also based on regulations promulgated by the Massachusetts Department of Conservation and Recreation with respect to properties under its control, 302 CMR 12.04, which states that "12. No person may use or offer for use metal detectors, except with permission from DCR personnel, for the purposes of locating lost personal property" and "21. No person may damage, disturb or remove any DCR property or resource, real, natural, personal, cultural or historic".

It is hereby declared that any such artifacts that may be found on land owned by the Town of Brewster should be protected to the same extent as the artifacts found on land owned by the Federal and State governments.

## **B. POLICY**

No person shall use a metal detector, search for artifacts, disturb soil, remove rocks, or otherwise alter Town property without written permission from the Select Board/Town Administration.

Notwithstanding anything in this policy, the Select Board/Town Administration may prohibit the use of metal detectors on any Town-owned land and no person shall use a metal detector on any such lands.

If the person is intending to search for "Specimens" as defined in G.L. c. 9, §26B, a permit from the State Archeologist shall also be required before any such activity is conducted.

If permission is given, the permit holder may enter the property identified in the application and may use a metal detector for the purposes and subject to the terms and conditions stated in the permit.

A copy of the permit shall be carried at all times and shall be made available upon request by any police officer, natural resource officer or other Town official.

The applicant may dig or probe for items, provided that only hand tools that can be used by one hand are used and the disturbance shall be limited to 4 inches wide and 12 inches deep. The applicant shall restore any disturbed area to its original condition by removing all evidence of digging and/or probing. Plants may not be dislodged or have their roots disturbed. The applicant shall be liable for any damage or destruction to the Town's property.

## **C. PROCESS**

The applicant must complete the application (Appendix B) and submit it to the Town Manager's Office for review and approval prior to engaging in any activity described in this policy. A use fee, as listed on the application, must also be submitted along with the application (to be returned to the applicant if the application is denied).

The permit shall be subject to such terms and conditions as the Select Board/Town Administration deem necessary to protect the Town's property and any Specimens that may be found thereon, and to protect the quiet enjoyment of other persons using the Town's property, which may include but not be limited to a requirement that the applicant obtain liability insurance in amounts satisfactory to the Town.

The issuance of a permit does not grant the right to exclusive use of the area subject to the permit and the permit holder shall not engage in any activity that creates a nuisance or disrupts or prevents the use of the property by other lawful users. Permit holders shall obey all orders and directions of Town of Brewster officials.

A permit may be revoked at the discretion of the Select Board/Town Administration.

All permits will be subject to the condition that the permit holder acknowledges that they are entering the property at their own risk, that the Town will not be subject to liability for any injuries or damage to personal property suffered by the permit holder and that the permit holder will indemnify, defend, and hold the Town harmless for any injuries or property damage caused by the permit holder.

The issuance confers no property rights upon the permit holder with respect to the use of the Town's land or any objects found thereon.

The issuance of a permit only grants the applicant authorization to enter the Town's property for the purposes set forth in the permit. Any actions taken in furtherance of such purposes must be conducted in accordance with all applicable laws and regulations and the issuance of a permit does not constitute or imply the waiver of any applicable law.

#### **D. EXEMPTION**

Metal detecting or searching for lost personal property within the coastal beach and flats and pond swim beaches (Lond Pond Landing and Fisherman's Landing at Sheep Pond) do not require approval, subject to any permission that may be required by State law, including but not limited to approval of the State Archeologist pursuant to G.L. c. 9, §27C. This does not include salt marsh, dune or other coastal resources. No impact to vegetated areas is allowed. Those wishing to disturb coastal beaches, flats or other resource areas subject to the jurisdiction of the Conservation Commission are required to contact the Conservation Administrator for guidance on conservation permitting and/or any Commission approval before engaging in such activity and nothing herein shall be deemed to waive any requirements that the Conservation Commission may impose on such work/activity.

#### **E. DISCOVERY OF ITEMS**

If Specimens are discovered, all activity shall cease and the discovery shall be reported to Town Administration within 48 hours of finding or by the close of the next business day, unless there is an imminent threat to the specimen, in which case it shall be immediately reported to Town Administration or the Police Department (if outside of normal business hours). The permit holder must submit a photo of the Specimen to the Town upon request. Town Administration, in consultation with the Natural Resources

Department and the State Archeologist if applicable, will determine whether to retain title and possession of the Specimen or allow its removal by the permit holder. The Specimen shall not be removed unless and until the Town makes its determination.

The permit holder may remove Specimens only if the Town waives its claim to such objects, in writing.

Any identifiable property found by the permit holder (such as jewelry or other tangible items that do not qualify as Specimens) must be turned over to the Brewster Police Department where applicable procedures for the disposition of lost property will be followed.

## **F. DEFINITIONS**

Specimen(s) - all relics, artifacts, remains, objects, or any other evidence of a historical, prehistorical, archeological, anthropological, or paleontological nature fifty years old or more which may be found below or on the surface of the earth, and which have scientific, historical or archeological value, including but not limited to objects of antiquity, aboriginal, colonial or industrial relics, and archeological or paleontological samples. See G.L. c. 9, §27B.

Metal Detector – any electronic device designed to detect the presence of metal objects below the surface of the ground.

Approved by the Brewster Select Board

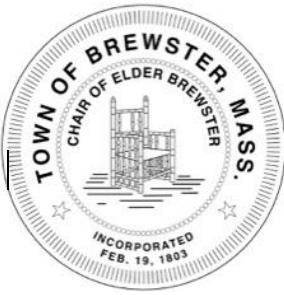
\_\_\_\_\_  
Ned Chatelain, Chair

\_\_\_\_\_  
Mary Chaffee, Vice Chair

\_\_\_\_\_  
Kari Hoffmann, Clerk

\_\_\_\_\_  
Cynthia Bingham

\_\_\_\_\_  
David Whitney



**Town of Brewster**  
2198 Main Street  
Brewster, MA 02631-1898  
Phone: (508) 896-3701  
www.brewster-ma.gov

Date Adopted: 12/16/13  
Amended: 06/10/2022  
Amended: 06/05/2023  
Amended: 02/26/2024

## **BREWSTER SELECT BOARD POLICY #45**

### **PUBLIC MEETING PARTICIPATION BY REMOTE TECHNOLOGY POLICY**

#### **A. PURPOSE**

1. The Massachusetts Attorney General's Regulations, 940 CMR 29.10, permit remote participation by public body members in certain circumstances. This policy defines how the Town of Brewster will utilize remote meeting participation by public bodies.
2. The Town will strive to provide opportunities to the public for both in-person and remote participation at board and committee meetings to the greatest extent practicable and to provide flexibility to board and committee member in accordance with the following policy.

#### **B. MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION**

1. Brewster has adopted the provisions of 940 CMR 29.10(2), so a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence the person chairing the meeting, determines that the member's physical attendance would be unreasonably difficult.
2. The chair shall be responsible for ensuring that a quorum is physically present at the meeting location. Members should select a chair who expects to be able to be physically present at most meetings.
3. Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.
4. A quorum of the body, including the chair or, in the chair's absence the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec. 20(d).
5. Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23(d).
6. The All Citizens Access Committee shall be exempt from these provisions.



### **C. FREQUENCY OF REMOTE MEETING PARTICIPATION**

1. Individual members of any public body shall be permitted to participate remotely in meetings but must be physically present for at least 50% of meetings of that public body in a given fiscal year.
2. Members of regulatory boards (Select Board, Planning Board, Zoning Board of Appeals, Board of Health, Conservation Commission, and Historic District Commission) must be physically present for at least 75% of meetings of that public body in a given fiscal year.
3. The Select Board may exercise their right to initiate proceedings for removal, consistent with Section 5-1-1(b) of the Town Charter, if committee members fail to meet these minimum in-person attendance requirements.

### **D. TECHNOLOGY**

1. Remote participants shall use Town video conferencing media (e.g., Zoom).
2. When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
3. The chair or, in the chair's absence the person chairing the meeting, will determine how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged wherever possible to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location.
4. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.
5. All board and committee meetings will be broadcast on BGTV Channel 18 and/or livestreamed on the Town website to the greatest extent practicable, and video recordings will be available.

### **E. REMOTE PARTICIPATION PROCEDURES**

1. As a courtesy, a member needing to participate remotely in a meeting should notify the chair, or the person chairing the meeting, as soon as possible.
2. At the start of the meeting, the chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
3. All votes taken during any meeting in which a member participates remotely shall be by roll call.

4. A member participating remotely may participate in an executive session but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.
5. When feasible, the chair, or in the chair's absence the person chairing the meeting, shall distribute to remote participants in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

#### **F. EXTENUATING CIRCUMSTANCES**

While every effort must be made to meet the requirements of this policy, the Town Manager or his/her designee may determine at their discretion to allow meetings to be held in remote format only. These determinations will be made based on certain extenuating circumstances which may include, but are not limited to weather, technology issues, natural disasters, health risks, emergency orders, etc.

Approved by the Brewster Select Board

\_\_\_\_\_  
David Whitney, Chair

\_\_\_\_\_  
Ned Chatelain, Vice Chair

\_\_\_\_\_  
Kari Hoffmann, Clerk

\_\_\_\_\_  
Mary Chaffee

\_\_\_\_\_  
Cindy Bingham

**For Your Information (FYIs)**  
**February 26, 2024**

1. Cape Cod and Islands Water Protection Fund letters to State Officials regarding funding
2. Health and Human Services Reports
  - a. Lower Cape Outreach Council
  - b. Elder Services of Cape Cod and the Islands
3. Information from our Legislation regarding Fractional Ownership and Transfer Fee Tax
4. Protect Our Cape Cod Aquifer (POCCA) Pesticide Reduction Information
5. MassPRIM – Pension Reserves Investment Management January Report
6. Community Blood Drive- March 4, 2023

# CAPE COD AND ISLANDS WATER PROTECTION FUND

January 18, 2024

Via E-mail

Senator Lydia Edwards  
Representative James Arciero  
Chairs of the Joint Committee on Housing  
24 Beacon Street  
Boston, MA 02133

Re: The Affordable Homes Act

Dear Senator Edwards and Representative Arciero,

I am writing to you on behalf of the Executive Committee of the Cape Cod and Islands Water Protection Fund (Fund) Management Board. Since its inception, the Fund has awarded approximately \$140 million in subsidies to 34 projects in 10 Cape Cod towns for wastewater and water quality projects. The impact of the Fund subsidy on the ability of towns to advance water pollution abatement efforts is unprecedented. Continued implementation of wastewater projects is critically important to achieving the goals of the Affordable Homes Act and encouraging development and redevelopment of housing in appropriate locations that will not exacerbate current water quality issues.

A cash flow model developed in 2021 by PFM Financial Advisors LLC to support administration of the Fund was supportive of providing a 25% subsidy to eligible projects. While revenues have been consistent with projections, project costs listed on the 2022, 2023, and now draft 2024 Clean Water Intended Use Plans (IUPs) have increased drastically from what was projected. The draft 2024 IUP includes more than four times the project costs anticipated in the initial modeling.

The certainty of the 25% subsidy has helped garner community support for implementation of wastewater projects and has resulted in significant action to improve water quality across Cape Cod. The increased cost of these projects and the local commitment to construction of infrastructure exceeds the ability of the Fund to maintain a 25% subsidy for towns absent additional revenue sources. We respectfully request you consider including a bond fund authorization to supplement the Fund revenue and ensure continued progress to develop wastewater infrastructure and support housing development and redevelopment.

# CAPE COD AND ISLANDS WATER PROTECTION FUND

Thank you for your consideration.

Sincerely,



Kevin Galligan

Chair, Cape Cod and Islands Water Protection Fund Management Board

cc: State Senator Julian Cyr  
State Senator Susan Moran  
State Representative Kip Diggs  
State Representative Sarah Peake  
State Representative Dylan Fernandes  
State Representative Chris Flanagan  
State Representative David Vieira  
State Representative Steven Xiarhos

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

January 25, 2024

Bonnie Heiple, Commissioner  
Massachusetts Department of Environmental Protection  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Dear Commissioner Heiple,

I am writing to you on behalf of the Executive Committee of the Cape Cod and Islands Water Protection Fund (Fund) Management Board. Since its inception, the Fund has awarded approximately \$140 million in subsidies to Cape Cod towns for eligible wastewater and water quality projects listed on the Clean Water Intended Use Plan (IUP). The impact of the Fund subsidy on the ability of towns to advance water pollution abatement efforts is unprecedented.

A cash flow model developed in 2021 by PFM Financial Advisors LLC to support administration of the Fund was supportive of providing a 25% subsidy to eligible projects. While revenues have been consistent with projections, project costs listed on the 2022, 2023, and now draft 2024 IUPs have increased drastically from what was projected. The draft 2024 IUP includes more than four times the project costs anticipated in the initial modeling.

The certainty of the 25% subsidy has helped garner community support for implementation of wastewater projects and has resulted in significant action to improve water quality across Cape Cod. The increased cost of these projects and the local commitment to construction of infrastructure exceeds the ability of the Fund to maintain a 25% subsidy absent additional revenue sources.

At their meeting on Thursday, January 18, 2024, the Executive Committee voted to endorse the attached strategy for meeting the Funds needs. In part, the strategy proposes utilizing funds received by the Clean Water Trust from the federal Bipartisan Infrastructure Law (BIL). On behalf of the Executive Committee, I respectfully request your consideration of this approach and ask for an opportunity to meet to discuss potential application of the BIL funds for this purpose.

Sincerely,

Kristy Senatori  
Executive Director

cc: Kevin Galligan, Chair, Cape Cod and Islands Water Protection Fund Management Board  
Susan Perez, Executive Director, Massachusetts Clean Water Trust  
Nate Keenan, Deputy Director, Massachusetts Clean Water Trust



The following strategy was endorsed by the Executive Committee of the Cape Cod and Islands Water Protection Fund Management Board on January 18, 2024.

**Issue Statement:**

The Cape Cod and Islands Water Protection Fund (the Fund) is challenged by increased project activity to maintain the 25% principal forgiveness central to its success spurring town projects. While the revenue projections associated with the 2.75% surcharge assessed on overnight stays have met or exceeded expectations, the increased demand on the Fund beyond what was projected or anticipated is creating pressure to reduce the principal forgiveness percentage.

Given the importance of the 25% forgiveness rate to local willingness to move forward with projects, there is a need to supplement the resources available to the Fund through 2029.

**Proposed approach:**

Additional funds are needed prior to April 2024 to support the expected level of principal forgiveness for the projects appearing on the DEP draft 2024 Clean Water Intended Use Plan (IUP). These projects will go to town meetings in the Spring of 2024 and towns and voters must have clarity on financing terms. A short-term solution to maintain the 25% subsidy for projects listed on the 2024 IUP is needed to ensure these projects are supported by voters. The funding needed to support the Fund and ensure the Fund's Management Board can maintain a 25% subsidy for projects listed in the 2025-2029 IUPs can be addressed separately.

1. Funding for 2024 Cape Cod IUP projects. Seek approval from the Clean Water Trust to apply funds received from the federal Bipartisan Infrastructure Law (BIL) legally required to be used for principal forgiveness at 9% to qualifying Cape projects (Barnstable, Dennis, Falmouth, Harwich, Mashpee, Yarmouth, and Sandwich projects) in disadvantaged communities appearing on the 2023 and 2024 IUPs. The use of BIL funds for forgiveness will replace money from the Fund and allow the aggregate forgiveness for Cape IUP projects to be fully funded at 25%. Those Cape projects (Wellfleet, Chatham, and Provincetown projects) not in towns that meet the disadvantaged definition can be fully funded at 25% using Fund proceeds.

To achieve this objective, a majority vote of the Board of the Clean Water Trust will be needed to establish an allocation of \$32.5 million in BIL funds to the disadvantaged communities of Cape Cod at 9%. No state appropriation is needed for this option to be implemented although it does require a willingness from the CWT Board to vary the application of the disadvantaged community criteria. In addition, the CWT will need to consider this allocation as additional and incremental to any principal forgiveness that would otherwise be allocated by the CWT to these same communities.

2. Funding for 2025 through 2029 Cape Cod IUP projects. Pursue bond fund authorization in the amount of \$292 million to support a projected \$350 million per year (a total of \$1.75 billion) in new IUP project activity from 2025-2029.

The projects identified on the following page are listed on the 2023 and draft 2024 Clean Water IUPs in municipalities designated as disadvantaged communities.

2023 IUP:

<b>Town</b>	<b>Project</b>	<b>SRF ID</b>	<b>Eligible Cost</b>	<b>2023 IUP Cost</b>
Barnstable	Sewer Extension and Vacuum Sewer Removal	7291	\$1,120,000	\$1,120,000
Barnstable	2023 Wastewater Pump Station improvements	7302	\$3,320,000	\$3,320,000
Barnstable	Park City Wind Route Sewer Expansion	7305	\$30,900,000	\$30,900,000
Barnstable	FY24-25 BWPCF Improvements	7346	\$6,121,800	\$6,121,800
Harwich	Harwich Rt 28 Sewer Construction Project	10378	\$8,099,590	\$8,099,590
Harwich	Harwich Phase 3 Sewer Extension	7290	\$48,927,000	\$41,900,410
Mashpee	Phase 1 Treatment and Collection System	7334	\$12,000,000	\$12,000,000
Yarmouth	Phase I - WRRF and Collection System	8349	\$207,244,000	\$50,000,000

Draft 2024 IUP:

<b>Town</b>	<b>Project</b>	<b>SRF ID</b>	<b>Eligible Cost</b>	<b>2024 Draft IUP Cost</b>
Barnstable	Nitrogen Removal Improvements & New Headworks Facility	16677	\$155,265,000	\$30,000,000
Barnstable	Rt 28 West Sewer Expansion Project	16683	\$59,650,000	\$10,000,000
Barnstable	Phinney's Lane Neighborhoods Sewer Expansion	16754	\$38,766,000	\$10,000,000
Dennis	Phase 1 - WRRF and Collection System	16676	\$188,600,000	\$50,000,000
Falmouth	TASA Phase 1 Collection and Recharge	16728	\$41,300,000	\$41,300,000
Harwich	Rt 28 Sewer Project	16674	\$6,500,000	\$6,500,000
Mashpee	Phase 2 Treatment and Collection System	16791	\$80,000,000	\$50,000,000
Sandwich	Sandwich High School WWTF Upgrades	16718	\$9,100,000	\$9,100,000



**Lower Cape Outreach Council, Inc.**  
**REPORT TO THE TOWN OF BREWSTER**  
**FISCAL YEAR 2024**

Quarter:	1. Jul - Sept.	2. Oct - Dec	3. Jan - Mar	4. Apr - Jun	Year to Date
<b>Service Provided</b>					
<b>Cash Assistance</b>	\$35,420.26	\$44,935.86			\$80,356.12
# of Households **	72	94			166
<b>Food: Value in \$</b>	<b>\$34,500.00</b>	<b>\$34,430.00</b>			<b>\$68,930.00</b>
# of Orders **	264	322			586
# of Adults	268	247			515
# of Children	180	191			371
# of Seniors	132	148			280
<b>Thanksgiving Baskets in \$</b>	<b>\$0.00</b>	<b>\$2,800.00</b>			<b>\$2,800.00</b>
# of Orders **	0	28			28
# of People					0
<b>Clothing Value in \$</b>	<b>\$337.50</b>	<b>\$0.00</b>			<b>\$337.50</b>
# of Orders **	4.75	0			4.75
# of Adults	7	0			7
# of Children	2	0			2
# of Seniors	2	0			4
<b>Holiday Toys Value in \$</b>	<b>\$0.00</b>	<b>\$3,225.00</b>			
# of Families **	0	43			
# of Children	0	107			
** Total Units of Service	341	487	0	0	785
Value per Unit of Service	\$206.19	\$175.34	#DIV/0!	#DIV/0!	\$194.23
<b>TOTAL CASH VALUE</b>	<b>\$70,257.76</b>	<b>\$85,390.86</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$152,423.62</b>

**Brewster Nutrition Program  
 First Half of FY 2024  
 Average Cost  
 15.78 per meal**

July 1, 2023 to December 31, 2023

	Home Delivered Meals Served	Congregate Meals Served	Total Meal Cost	Reimbursement from Town of Brewster	State, Federal, & E.S.C.I. Cost
July	881	77	\$ 15,117.24	760.00	\$ 14,357.24
August	1011	104	\$ 17,594.70	760.00	\$ 16,834.70
September	855	81	\$ 14,770.08	760.00	\$ 14,010.08
October	961	90	\$ 16,584.78	760.00	\$ 15,824.78
November	706	80	\$ 12,403.08	760.00	\$ 11,643.08
December	884	64	\$ 14,959.44	760.00	\$ 14,199.44
<b>Total</b>	<b>5298</b>	<b>496</b>	<b>\$ 91,429.32</b>	<b>\$ 4,560.00</b>	<b>\$ 86,869.32</b>

**Archived:** Thursday, February 22, 2024 3:07:42 PM

**From:** [Cyr, Julian \(SEN\)](#)

**Sent:** Friday, February 16, 2024 1:06:10 PM

**To:** [Ned Chatelain](#) [Peter Lombardi](#)

**Cc:** [Flanagan, Christopher - Rep. \(HOU\)](#) [Patron, Kathleen \(SEN\)](#) [Holcomb, Michael \(SEN\)](#) [Felix, William \(HOU\)](#) [Mary Chaffee](#) [Kari Hoffmann](#) [Cynthia Bingham](#) [David Whitney](#)

**Subject:** follow up: Brewster Select Board legislative briefing

**Importance:** Normal

**Sensitivity:** None

**Attachments:**

[Summary Fractional Ownership for MVC from LS.docx](#)  [28292.docx](#)  [35513.docx](#) 

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Hi Peter and Ned,

It was a pleasure to join Chris to speak at last week's meeting of the Select Board. As a follow-up to our conversation regarding Governor Healey's \$4.1 billion Affordable Homes Act, I am sharing with model home rule legislation to establish a real estate transfer fee adopted by Chatham and Nantucket.

The attached bills, H.2915 *An Act authorizing a real property transfer fee in the town of Chatham*, and H.4151 *An Act authorizing the town of Nantucket to impose a real estate transfer fee for affordable and workforce housing*, are broadly similar in intent and both seek to impose a transfer fee at a rate of 0.5% of real property sales valued at more than \$2 million. Other towns have advanced home rules with a lower \$1 million threshold (Provincetown, Truro). As when I spoke before the Select Board last week, I would encourage Brewster to take a close look at filing their own Home Rule Petition for a transfer fee on luxury real estate.

As Chris and I work with our colleagues to advance a local option transfer fee, it is helpful for our communities to show broad-based local support for this new policy tool. In addition, filing a Brewster specific transfer fee home rule petition will also work to ensure that any statewide local-option transfer fee has enough flexibility in implementation that local communities can establish a fee at the rate that best suits their local market and needs.

I have also attached a document prepared by staff at the Martha's Vineyard Commission outlining the emergent issue of Fractional Ownership Platforms and work done on the Island to regulate these entities in local bylaws. Fractional Ownership Platforms are web-based companies that sell partial ownership shares in vacation homes, often creating an LLC for the co-owners and professionally managing the homes. While at the moment the presence of these companies is limited, to the best of my knowledge, to a select number of luxury homes in the region, as we learned with Airbnb and VRBO they can spread quickly. One Fractional Ownership Platform, Pasco, has already rated Barnstable County as number 7 of 15 top places to invest in a second home. It may be worth the time of Town staff and Board members to begin thinking about the implications of this issue.

Thank you for your continued partnership and your steadfast work on behalf of all the residents of Brewster.

Respectfully,  
Julian

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Julian Cyr  
State Senator  
Cape and Islands District  
State House, Room 111  
Boston, MA 02133  
617-722-1570  
[www.SenatorCyr.com](http://www.SenatorCyr.com)

Article links:

<https://therealdeal.com/2022/12/13/pacasos-austin-allison-on-the-who-what-and-why-of-co-ownership/>

<https://www.nantucketcurrent.com/a-new-twist-in-pacaso-s-bid-to-operate-timeshares-on-nantucket>

<https://www.kpcw.org/park-city/2022-10-28/park-city-becomes-first-in-country-to-regulate-co-owned-homes>

### Summary:

**Timeshares** are a vacation product in which a visitor purchases the right to use a commercial vacation property for a specific amount of time annually (usually a week, or several weeks over the course of a year). With market trends blurring the lines between commercial and residential vacation property uses, municipalities wishing to restrict the operation of these entities to commercial districts or to regulate their use in residential districts must have specific bylaws addressing Timeshares.

**Fractional Ownership Platforms** are web-based commercial entities selling partial (frequently 1/8, sometimes smaller) ownership shares in vacation homes on the open market. An LLC for the co-owners is created, and the platform professionally manages the residence. Homes may or may not have been previously used as vacation homes and may be located in single-family residential zoning districts. Co-owners build equity, which makes this product very appealing.

Fractional Ownerships have similar use patterns as vacation timeshares and are generally limited to 2–14-day stays. However, because Fractional Ownership exclusively uses an “ownership model” (co-owned by the unrelated fractional owners), traditional municipal Timeshare bylaws regulating “Timeshares”, or “Private Clubs” intended to regulate such use may not apply unless they contain specific wording referencing co-ownership:

**Municipalities wishing to regulate or restrict commercial Fractional Ownership are finding it necessary to either (1) add specific language referencing “Fractional Ownership” and “Interval Use” to their existing Timeshare bylaws or (2) draft and adopt a combination Timeshare/Fractional Ownership/Interval use bylaw.** See attached resources from Park City, St Helena, and Newport Beach for model bylaws.

**Edgartown MA** has coined the term “FOITS”= **Fractional Ownership + Interval use + Timeshare** to describe a bylaw that covers all these bases. (Docs with Edgartown’s proposed FOITS bylaw, and Tisbury’s adopted FOITS bylaw will be provided attached separately.)

## Pacaso

The most well-known platform for Fractional Ownership is Pacaso <https://www.pacaso.com/> a west-coast based company that is expanding its business model to the eastern seaboard.

- Pacaso has purchased one home on Nantucket, and had identified a second as a “Prospect Purchase” on their website <https://www.pacaso.com/listings/nantucket-ma>
- Pacaso has created a Cape Cod landing page <https://www.pacaso.com/listings/cape-cod-ma> indicating its intention to expand in this region

## Nantucket’s Timeshare bylaw and Pacaso

- Pacaso recently purchased and listed shares for 11A Meadow Lane on Nantucket
- The Town of Nantucket notified Pacaso they could not operate the 11A Meadow Lane property as a Fractional Ownership property, under Nantucket’s existing Timeshare bylaw: “timeshare” is defined in the town code here: <https://ecode360.com/11471477>
- After communication with Pacaso’s legal team, who challenged the designation of Pacaso as a “Timeshare”, the Town chose not to issue a cease and desist order.
- **The Town of Nantucket has since filed a warrant article for Annual Town Meeting that would update its existing Timeshare bylaw to include “Fractional Ownership” as a prohibited use of homes in residential zones.**

Martha’s Vineyard: Lifestyle Asset Group manages a fractional ownership in Aquinnah.

<https://www.lifestyleassetgroup.com/properties/aquinnah>

## The Future of Fractional Ownership platforms

Although Pacaso places an emphasis on “luxury homes” other Fractional Ownership companies, such as **Ember** <https://emberhome.com/listings/> target a younger demographic by focusing on lower-priced properties. **Nestment** creatively uses the model to build equity for aspiring homeowners currently shut out of the housing market

<https://techcrunch.com/2023/02/21/nestment-raises-3-5m-in-pre-seed-funding-to-allow-friends-and-family-to-co-buy-homes/>

- **With the ability to purchase homes over-asking-price by selling ownership shares, this business model can easily out-compete local residents trying to purchase year-round homes if there is no bylaw to restrict or regulate operation in residential districts.**
- **According to the New England representative for Granicus** (one of the largest Short Term Rental monitoring/regulating software companies), **Granicus is currently developing monitoring and compliance software for Fractional Ownership.** This is a good indication of the expected expansion of the Fractional Ownership model throughout the second-homeownership real estate market.
- **STRs:** Although fractional use by co-owners is limited to 2-14 days at a time and co-owners can “gift” stays to other individuals of their choosing, Fractional Ownership

platforms are distinct and different from Short Term Rentals, and thus are not governed by STR ordinances, nor are they are not subject to the STR tax.

- **However, there is no innate prohibition in the co-ownership platform model (unless otherwise specified) that would prohibit the properties from being turned into Short Term Rentals by the co-owners. Proliferation of this type of co-ownership into residential property has potential to become a digital vehicle for investor owned STRs.**
- **A platform, ReAlpha, just launched with this goal:**  
<https://commercialobserver.com/2023/03/proptech-firm-launches-fractional-ownership-platform-short-term-vacation-rentals/>

Links and Resources for model bylaws:

**Park City, Utah ordinance** <https://www.parkcity.org/departments/planning/code-amendments/fractional-ownership-use-of-single-family-dwellings>

\*note: Park City's ordinance was considered a municipal model for how to manage FOITS while still allowing them in certain districts, but the Utah state legislature recently barred all municipalities from regulating Fractional Ownership.

<https://www.parkcity.org/home/showpublisheddocument/72835/638040280229600000>

#### **Sonoma, Ca ordinance**

Full ban, becoming common in smaller resort localities in CA such as Carmel and St. Helena

<https://sonomacity.civicweb.net/document/51706/ALTERNATIVE%20PC%20VERSION%20-%20JAN%2012%20->

[%20Timeshare%20Urgenc.DOCX?handle=9C576F29ED12443697DE16F859ED23FA](https://sonomacity.civicweb.net/document/51706/ALTERNATIVE%20PC%20VERSION%20-%20JAN%2012%20-%20Timeshare%20Urgenc.DOCX?handle=9C576F29ED12443697DE16F859ED23FA)

#### **Newport Beach Fractional Ownership Report (includes multiple municipal bylaws)**

[https://ecms.newportbeachca.gov/Web/0/edoc/2832653/Fractional%20Ownership%20Report\\_FINAL.pdf](https://ecms.newportbeachca.gov/Web/0/edoc/2832653/Fractional%20Ownership%20Report_FINAL.pdf)

#### **Newport Beach, CA ordinance**

May 9, 2023 Newport Beach City Council voted unanimously to move forward an amendment to the city's timeshare bylaw that adds specific descriptions of Fractional Ownership platforms and interval use to their Timeshare bylaw, and prohibits those uses from residential districts.

There are 12 existing Fractional Ownership properties in Newport Beach which would become legal non-conforming. Public hearing starts at 59:23 on the recording here:

[https://www.youtube.com/watch?v=eSPZ6PPaiRw&ab\\_channel=CityofNewportBeach](https://www.youtube.com/watch?v=eSPZ6PPaiRw&ab_channel=CityofNewportBeach)

**HOUSE . . . . . No. 2915**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Sarah K. Peake*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a real property transfer fee in the town of Chatham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/11/2023</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>6/20/2023</i>

**HOUSE . . . . . No. 2915**

By Representative Peake of Provincetown, a petition (accompanied by bill, House, No. 2915) of Sarah K. Peake (by vote of the town) that the town of Chatham be authorized to establish a real property transfer fee in said town. Revenue. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4060 OF 2021-2022.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act establishing a real property transfer fee in the town of Chatham.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. For purposes of this act, the words and phrases set forth in this section shall  
2 have the following meanings:

3 “Affordable housing” is defined for purposes of this Act as housing developments that  
4 meet the needs of households with incomes up to 100 per cent area median household income as  
5 most recently determined by the United States Department of Housing and Urban Development,  
6 adjusted for household size.

7 “Attainable housing” is defined for purposes of this Act as housing developments that  
8 meet the needs of households with incomes up to 200 per cent of the area median household



9 income as most recently determined by the United State Department of Housing and Urban  
10 Development, adjusted for household size.

11 "Housing Fund" shall refer to any special purpose fund or funds authorized and  
12 established pursuant to the provisions of Chapter forty-four of the General Laws or any other  
13 general or special law for the purpose of creating and preserving affordable housing and/or  
14 attainable housing in the Town.

15 "Purchaser, shall refer to the transferee, grantee or recipient of any real property interest.

16 "Purchase price", all consideration paid or transferred by or on behalf of a purchaser to a  
17 seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall  
18 include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other  
19 property paid or transferred by or on behalf of the purchaser to discharge or reduce any  
20 obligation of the seller; the principal amount of all notes or their equivalent, or other deferred  
21 payments, given or promised to be given by or on behalf of the purchaser to the seller or his  
22 nominee; the outstanding balance of all obligations of the seller which are assumed by the  
23 purchaser or to which the real property interest transferred remains subject after the transfer,  
24 determined at the time of transfer, but excluding real estate taxes and other municipal liens or  
25 assessments which are not overdue at the time of transfer; the fair market value, at the time of  
26 transfer, of any other consideration or thing of value paid or transferred by or on behalf of the  
27 purchaser, including, but not limited to, any property, goods or services paid, transferred or  
28 rendered in exchange for such real property interest.

29 "Real property interest", shall refer to any present or future legal or equitable interest in  
30 or to real property, and any beneficial interest therein, including the interest of any beneficiary in

31 a trust which holds any legal or equitable interest in real property, the interest of a partner or  
32 member in a partnership or limited liability company, the interest of a stockholder in a  
33 corporation, the interest of a holder of an option to purchase real property, the interest of a buyer  
34 or seller under a contract for purchase and sale of real property, and the transferable development  
35 rights created under chapter 183A of the General Laws; but shall not include any interest which  
36 is limited to any of the following: the dominant estate in any easement or right of way; the right  
37 to enforce any restriction; any estate at will or at sufferance; any estate for years having a term of  
38 less than 30 years; any reversionary right, condition, or right of entry for condition broken; and  
39 the interest of a mortgagee or other secured party in any mortgage or security agreement.

40 "Seller", shall refer to the transferor, grantor or immediate former owner of any real  
41 property interest.

42 "Time of transfer" of any real property interest shall mean the time at which such transfer  
43 is legally effective as between the parties thereto, and, in any event, with respect to a transfer  
44 evidenced by an instrument recorded with the appropriate registry of deeds or filed with the  
45 assistant recorder of the appropriate registry district, not later than the time of such recording or  
46 filing.

47 "Town" shall refer to the Town of Chatham acting by and through its Select Board.

48 SECTION 2. There is hereby imposed a fee equal to one half per cent (1/2%) of the  
49 purchase price paid upon the transfer of any real property interest in any real property situated in  
50 the Town of Chatham for consideration of two million dollars (\$2,000,000) or more. Said fee  
51 shall be the liability of the purchaser of such real property interest, and any agreement between  
52 the purchaser and the seller or any other person with reference to the allocation of the

53 responsibility for bearing said fee shall not affect such liability of the purchaser. The fee shall be  
54 paid to the Town of Chatham, or its designee, and shall be accompanied by a copy of the deed or  
55 other instrument evidencing such transfer, if any, and an affidavit signed under oath or under the  
56 pains and penalties of perjury by the purchaser or his legal representative and the seller or his  
57 legal representative, attesting to the true and complete purchase price and the basis, if any, upon  
58 which the transfer is claimed to be exempt in whole or in part from the fee imposed hereby. The  
59 Town, or its designee, shall promptly thereafter execute and issue a certificate indicating that the  
60 appropriate fee has been paid or that the transfer is exempt from the fee, stating the basis for the  
61 exemption. The register of deeds for Barnstable County, and the assistant recorder for the  
62 registry district of Barnstable County, shall neither record nor register, or receive or accept for  
63 recording or registration, any deed, except a mortgage deed, to which has not been affixed such a  
64 certificate executed by the Town or its designee. Failure to comply with this requirement shall  
65 not affect the validity of any instrument. The Town shall deposit all fees received hereunder with  
66 the Town treasurer. The treasurer, upon consultation with and direction from the Town board or  
67 officer authorized to expend and make distributions from a Housing Fund, shall deposit such fees  
68 in the Housing Fund for the purpose of creating and preserving affordable and/or attainable  
69 housing in the Town. The fee imposed hereunder shall be due simultaneously with the time of  
70 the transfer upon which it is imposed. Notwithstanding the foregoing, whenever there is a  
71 conveyance of real property interests and a conveyance of personal property related thereto at or  
72 about the same time, the allocations of payments between real estate and personal property  
73 agreed to by the purchaser and seller shall not determine the amount of the fee due pursuant to  
74 this section; instead, the Town may require payment of the fee referred to in real property  
75 interests so conveyed as determined by the Town.

76 SECTION 3. At any time within seven days following the issuance of the certificate of  
77 payment of the fee imposed by section two, the purchaser or his legal representative may return  
78 said certificate to the Town or its designee for cancellation, together with an affidavit signed  
79 under oath or under the pains and penalties of perjury that the transfer, with respect to which  
80 such certificate was issued, has not been consummated, and thereupon the fee paid with respect  
81 to such transfer shall be forthwith returned to the purchaser or his legal representative.

82 SECTION 4. The following transfers of real property interests shall be exempt from the  
83 fee established by section two. Except as otherwise provided, the purchaser shall have the burden  
84 of proof that any transfer is exempt under this section and any otherwise exempt transfer shall  
85 not be exempt in the event that such transfer (by itself or as part of a series of transfers) was  
86 made for the primary purpose of evading the fee imposed by Section 6(b).

87 (a) Transfers to the government of the United States, the commonwealth, and any of their  
88 instrumentalities, agencies, or subdivisions, including but not limited to transfers to the Town of  
89 Chatham.

90 (b) Transfers which, without additional consideration, confirm, correct, modify, or  
91 supplement a transfer previously made.

92 (c) Transfers made as gifts without consideration. In any proceedings to determine the  
93 amount of any fee due hereunder, it shall be presumed that any transfer for consideration of less  
94 than fair market value of the real property interest transferred was made as a gift without  
95 consideration to the extent of the difference between the fair market value of the real property  
96 interest transferred and the amount of consideration claimed by the seller to have been paid or  
97 transferred, if the purchaser shall have been at the time of transfer the spouse, the lineal

98 descendant, or the lineal ancestor of the seller, by blood or adoption, and otherwise it shall be  
99 presumed that consideration was paid in an amount equal to the fair market value of the real  
100 property interest transferred, at the time of transfer.

101 (d) Transfer to the trustees of a trust in exchange for a beneficial interest received by the  
102 purchaser in such trust; distributions by the trustees of a trust to the beneficiaries of such trust.

103 (e) Transfers by operation of law without actual consideration, including but not limited  
104 to transfers occurring by virtue of the death or bankruptcy of the owner of a real property  
105 interest.

106 (f) Transfers made in partition of land and improvements thereto, under chapter two  
107 hundred and forty-one of the General Laws.

108 (g) Transfers to any charitable organization as defined in clause Third of section five of  
109 chapter fifty-nine of the General Laws, or any religious organization, provided that the real  
110 property interest so transferred will be held by the charitable or religious organization solely for  
111 its public charitable or religious purposes.

112 (h) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and  
113 transfers of the property subject to a mortgage to the mortgagee in consideration of the  
114 forbearance of the mortgagee from foreclosing said mortgage.

115 (i) Transfers made to a corporation or partnership or limited liability company at the time  
116 of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of  
117 section three hundred and fifty-one or seven hundred and twenty-one of the Internal Revenue  
118 Code of 1986, as amended; provided, however, that such transfer shall be exempt only in the

119 event that (1) with respect to a corporation, the transferor retains an interest in the newly formed  
120 corporation which is equivalent to the interest the transferor held prior to the transfer, or (2) with  
121 respect to a partnership or limited liability company, the transferor retains after such formation  
122 rights in capital interests and profit interests within such partnership or limited liability company  
123 which are equivalent to the interest the transferor held prior to the transfer.

124 (j) Transfers made to a stockholder of a corporation in liquidation or partial liquidation of  
125 the corporation, and transfers made to a partner of a partnership or to a member of a limited  
126 liability company in dissolution or partial dissolution of the partnership or limited liability  
127 company; but the transfer shall be exempt only if (i) with respect to a corporation, the transferee  
128 receives property (including real property interests and other property received) which is the  
129 same fraction of the total property of the transferor corporation as the fraction of the  
130 corporation's stock owned by the transferee prior to the transfer or (ii) with respect to a  
131 partnership or limited liability company, the transferee receives property (including real property  
132 interests and other property received) which is the same fraction of the property of the  
133 partnership or limited liability company as the fraction of the capital and profit interests in the  
134 transferor formerly owned by the transferee.

135 (k) Transfers consisting of the division of marital assets under the provisions of section  
136 thirty-four of chapter two hundred and eight of the General Laws or other provisions of law.

137 (l) Transfers of property consisting in part of real property interests situated in Chatham  
138 and in part of other property interests, to the extent that the property transferred consists of  
139 property other than real property situated in Chatham; provided that the purchaser shall furnish

140 the Town with such information as it shall require or request in support of the claim of  
141 exemption and manner of allocation of the consideration for such transfers.

142 (m) Transfers of minority interests in corporations, trusts, partnerships, or limited liability  
143 companies which are publicly traded, which trades are not part of a series of transfers which  
144 together constitute a transfer of control of a corporation, trust, partnership, or limited liability  
145 company.

146 (n) Intra-family transfers of property between parties of the following relationships: (1)  
147 between current spouses; (2) between parents and their children or stepchildren; (3) between full  
148 siblings; and (4) where the grantor transfers the real property to be held in a revocable or  
149 irrevocable trust, where at least one of the designated beneficiaries is a parent, full sibling, child,  
150 or stepchild of the grantor.

151 SECTION 5. (a) The Town treasurer shall keep a full and accurate account stating when,  
152 from or to whom, and on what account money has been paid or received relative to the activities  
153 of the Housing Fund. Said account(s) shall be subject to examination by the director of accounts  
154 or his/her agent pursuant to section forty-four of chapter thirty-five of the General Laws.

155 (b) Schedules of beneficiaries of trusts, list of stockholders of corporations and lists of  
156 partnerships filed with the Town for the purpose of determining or fixing the amount of the fee  
157 imposed under section two or for the purpose of determining the existence of any exemption  
158 under section four shall not be public records for the purposes of section ten of chapter sixty-six  
159 of the General Laws.

160 SECTION 6. A purchaser who fails to pay all or any portion of the fee established by  
161 section two on or before the time when the same is due shall be liable for the following  
162 additional payments in addition to said fee:

163 (a) Interest: The purchaser shall pay interest on the unpaid amount of the fee to be  
164 calculated from the time of transfer at a rate equal to fourteen per cent per annum.

165 (b) Penalties: Any person who, without fraud or willful intent to defeat or evade a fee  
166 imposed by this chapter, fails to pay all or a portion of the fee within thirty days after the time of  
167 transfer, shall pay a penalty equal to five per cent of the outstanding fee as determined by the  
168 Town for each month or portion thereof thereafter that the fee is not paid in full; provided,  
169 however, that in no event shall the amount of any penalty imposed hereunder exceed twenty five  
170 per cent of the unpaid fee due at the time of transfer. Whenever the Town determines that all or a  
171 portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the  
172 fee imposed by this chapter, a penalty equal to the full amount of said fee as determined by the  
173 Town shall be paid by the seller in addition to said fee.

174 SECTION 7. (a) The Town Clerk shall notify the purchaser and the seller by registered or  
175 certified mail of any failure to discharge in full the amount of the fee due under this Act and any  
176 penalty or interest assessed. The Town shall grant a hearing before the Select Board on the  
177 matter of the imposition of said fee, or of any penalty or interest assessed, if a petition requesting  
178 such hearing is received by the Town Clerk within thirty days after the mailing of said notice.  
179 The Select Board shall notify the purchaser and the seller in writing by registered or certified  
180 mail of its determination concerning the deficiency, penalty, or interest within fifteen days after  
181 said hearing. Any party aggrieved by a determination of the Select Board concerning a



182 deficiency, penalty or interest may, after payment of said deficiency, appeal to the district or  
183 superior court within three months after the mailing of notification of the determination of the  
184 Select Board. Upon the failure to timely petition for a hearing, or appeal to said courts, within the  
185 time limits hereby established, the purchaser and seller shall be bound by the terms of the  
186 notification, assessment, or determination, as the case may be, and shall be barred from  
187 contesting the fee, and any interest and penalty, as determined by the Town. Every notice to be  
188 given under this section by the Town shall be effective if mailed by certified or registered mail to  
189 the purchaser or the seller at the address stated in a recorded or registered instrument by virtue of  
190 which the purchaser holds any interest in real property, the transfer of which gives rise to the fee  
191 which is the subject of such notice; and if no such address is stated or if such transfer is not  
192 evidenced by an instrument recorded or registered in the public records in Barnstable County,  
193 such notice shall be effective when so mailed to the purchaser or seller in care of any person  
194 appearing of record to have a fee interest in such land, at the address of such person as set forth  
195 in an instrument recorded or registered in Barnstable County.

196 (b) All fees, penalties and interest required to be paid pursuant to this chapter shall  
197 constitute a personal debt of the purchaser and may be recovered in an action of contract or in  
198 any other appropriate action, suit or proceeding brought by the Town; said action, suit or  
199 proceeding shall be subject to the provisions of chapter two hundred and sixty of the General  
200 Laws.

201 (c) If any purchaser liable to pay the fee established by this act neglects or refuses to pay  
202 the same, the amount, including any interest and penalty thereon, shall be a lien in favor of the  
203 Town upon all property and rights to property, whether real or personal, belonging to such  
204 purchaser. Said lien shall arise at the time of transfer and shall continue until the liability for such

205 amount is satisfied. Said lien shall in any event terminate not later than six years following the  
206 time of transfer. Said lien shall not be valid as against any mortgagee, pledgee, purchaser or  
207 judgment creditor unless notice thereof has been filed by the Town (i) with respect to real  
208 property or fixtures, in the registry of deeds for Barnstable County, or (ii) with respect to  
209 personal property, in the office in which a security or financing statement or notice with respect  
210 to the property would be filed in order to perfect a nonpossessory security interest belonging to  
211 the person named in the relevant notice, subject to the same limitations as set forth in section  
212 fifty of chapter sixty two C of the General Laws.

213 (d) Purchasers or sellers applying for an exemption under subsections (a) through (n) of  
214 section four shall be required at the time of application for exemption to execute an agreement  
215 legally binding on the applicant: (1) assuming complete liability for any fee, plus interest and  
216 penalties if any, waived on account of an allowed exemption subsequently determined to have  
217 been invalid, and (2) submitting to the jurisdiction of the trial court of the commonwealth sitting  
218 in Barnstable County. Fees, plus interest and penalties if any, shall be calculated as of the date of  
219 the initial property transfer. Execution of the above-described agreement shall not be required of  
220 any mortgagee, pledge, purchaser, or judgment creditor unless notice of the agreement has been  
221 recorded or filed by the Town.

222 In any case where there has been a refusal or neglect to pay any fee, interest or penalties  
223 imposed by this act, whether or not levy has been made, the Town, in addition to other modes of  
224 relief, may file a civil action in a district or superior court of Barnstable County to enforce the  
225 lien of the Town under this section with respect to such liability or to subject any property of  
226 whatever nature, of the delinquent, or in which he has any right, title or interest, to the payment  
227 of such liability.

228           The Town may issue a waiver or release of any lien imposed by this section. Such waiver  
229 or release shall be conclusive evidence that the lien upon the property covered by the waiver or  
230 release is extinguished.

231           SECTION 8. The fee described by Section two shall be of ten-year duration from the date  
232 this legislation takes effect. This fee may continue for additional five-year periods upon a  
233 majority vote at Town Meeting reauthorizing the fee. The fee described by Section two 1) may  
234 be decreased or increased, 2) the threshold transfer consideration amount may be revised, or 3)  
235 the fee may be eliminated by a two-thirds vote of Town Meeting. In the event that Town Meeting  
236 does not renew the fee at the ten-year anniversary, or any subsequent five year anniversary, or  
237 Town Meeting votes to eliminate the fee, the balance of any fees previously collected shall be  
238 used to satisfy any outstanding liabilities or obligations incurred by the Town of Chatham or the  
239 Housing Fund as a result of imposition of the fee, and the remainder may be expended without  
240 further appropriation at the direction of the Select Board for affordable or attainable housing  
241 purposes. In the event that the liabilities and obligations of the Town of Chatham or the Housing  
242 Fund exceed the amounts transferred to the Town, the fee shall remain in full force and effect  
243 until such liabilities and obligations have been satisfied.

244           SECTION 9. The provisions of this act are severable, and if any provision hereof,  
245 including without limitation any exemption from the fee imposed hereby, shall be held invalid in  
246 any circumstances such invalidity shall not affect any other provisions or circumstances. This act  
247 shall be construed in all respects so as to meet all constitutional requirements. In carrying out the  
248 purposes and provisions of this act, all steps shall be taken which are necessary to meet  
249 constitutional requirements whether or not such steps are required by statute.

250           SECTION 10. If the Town has determined that a fee is due by asserting the application of  
251 the evasion of fee doctrine described in Section six (b), then the purchaser shall have the burden  
252 of demonstrating by clear and convincing evidence as determined by the Town that the transfer,  
253 or series of transfers, possessed both: (i) a valid, good faith business purpose other than  
254 avoidance of the fee set forth in Section two and (ii) economic substance apart from the asserted  
255 fee avoidance benefit. In all such cases, the purchaser shall also have the burden of  
256 demonstrating by clear and convincing evidence as determined by the Town that the asserted  
257 non-fee-avoidance business purpose is commensurate with the amount of the fee pursuant to  
258 Section two to be thereby avoided.

259           SECTION 11. This act shall take effect ninety (90) days following the date of passage.

**HOUSE . . . . . No. 4151**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Dylan A. Fernandes*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Nantucket to impose a real estate transfer fee for affordable and workforce housing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/3/2023</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/3/2023</i>

**HOUSE . . . . . No. 4151**

By Representative Fernandes of Falmouth, a petition (subject to Joint Rule 7B) of Dylan A. Fernandes and Julian Cyr relative to authorizing the town of Nantucket to impose a real estate transfer fee for affordable and workforce housing. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4201 OF 2021-2022.]

**The Commonwealth of Massachusetts**

In the One Hundred and Ninety-Third General Court  
(2023-2024)

An Act authorizing the town of Nantucket to impose a real estate transfer fee for affordable and workforce housing.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. For purposes of this act, the words and phrases set forth in this section shall  
2 have the following meanings:

3 “Affordable Housing Restriction” is a recorded instrument held by a qualified holder  
4 which encumbers and/or restricts a real property interest so that the real property interest is  
5 perpetually or for a term of at least thirty (30) years limited to use as a residence occupied by a  
6 low or moderate income household which earns less than a specified income level, the upper  
7 limit of which may not exceed one hundred seventy-five percent (175%) of the Nantucket  
8 median income. A “qualified holder” is a governmental body or charitable corporation or trust  
9 which qualifies under the terms of Massachusetts General Laws Chapter 184 (“Chapter 184”) to

10 hold an affordable housing restriction. Without limiting the generality of the foregoing,  
11 “Affordable Housing Restriction” includes but is not limited to any instrument which conforms  
12 to the requirements of (i) a Nantucket Housing Needs Covenant as described in Chapter 301 of  
13 the Acts of 2002 and defined in the Town of Nantucket Code.

14 "Eligible Applicants", shall refer to non-profit and for-profit corporations and  
15 organizations, individuals, and public entities.

16 "Purchaser", shall refer to the transferee, grantee or recipient of any real property interest.

17 "Purchase price", all consideration paid or transferred by or on behalf of a purchaser to a  
18 seller or his nominee, or for his benefit, for the transfer of any real property interest, and shall  
19 include, but not be limited to, all cash or its equivalent so paid or transferred; all cash or other  
20 property paid or transferred by or on behalf of the purchaser to discharge or reduce any  
21 obligation of the seller; the principal amount of all notes or their equivalent, or other deferred  
22 payments, given or promised to be given by or on behalf of the purchaser to the seller or his  
23 nominee; the outstanding balance of all obligations of the seller which are assumed by the  
24 purchaser or to which the real property interest transferred remains subject after the transfer,  
25 determined at the time of transfer, but excluding real estate taxes and other municipal liens or  
26 assessments which are not overdue at the time of transfer; the fair market value, at the time of  
27 transfer, of any other consideration or thing of value paid or transferred by or on behalf of the  
28 purchaser, including, but not limited to, any property, goods or services paid, transferred or  
29 rendered in exchange for such real property interest.

30 "Real property interest", shall refer to any present or future legal or equitable interest in  
31 or to real property, and any beneficial interest therein, including the interest of any beneficiary in

32 a trust which holds any legal or equitable interest in real property, the interest of a partner or  
33 member in a partnership or limited liability company, the interest of a stockholder in a  
34 corporation, the interest of a holder of an option to purchase real property, the interest of a buyer  
35 or seller under a contract for purchase and sale of real property, and the transferable development  
36 rights created under chapter 183A of the General Laws; but shall not include any interest which  
37 is limited to any of the following: the dominant estate in any easement or right of way; the right  
38 to enforce any restriction; any estate at will or at sufferance; any estate for years having a term of  
39 less than 30 years; any reversionary right, condition, or right of entry for condition broken; and  
40 the interest of a mortgagee or other secured party in any mortgage or security agreement.

41 "Seller", shall refer to the transferor, grantor or immediate former owner of any real  
42 property interest.

43 "Time of transfer" of any real property interest shall mean the time at which such transfer  
44 is legally effective as between the parties thereto, and, in any event, with respect to a transfer  
45 evidenced by an instrument recorded with the appropriate registry of deeds or filed with the  
46 assistant recorder of the appropriate registry district, not later than the time of such recording or  
47 filing.

48 "Town" shall refer to the Town of Nantucket acting by and through the Board of  
49 Selectmen.

50 SECTION 2. There is hereby imposed a fee equal to one half per cent (1/2%) of the  
51 purchase price upon the transfer of any real property interest in any real property situated in  
52 Nantucket County. Said fee shall be the liability of the seller of such real property interest, and  
53 any agreement between the purchaser and the seller or any other person with reference to the



54 allocation of the responsibility for bearing said fee shall not affect such liability of the seller. The  
55 fee shall be paid to the Town of Nantucket, or its designee, and shall be accompanied by a copy  
56 of the deed or other instrument evidencing such transfer, if any, and an affidavit signed under  
57 oath or under the pains and penalties of perjury by the purchaser or his legal representative and  
58 the seller or his legal representative, attesting to the true and complete purchase price and the  
59 basis, if any, upon which the transfer is claimed to be exempt in whole or in part from the fee  
60 imposed hereby. The Town, or its designee, shall promptly thereafter execute and issue a  
61 certificate indicating that the appropriate fee has been paid or that the transfer is exempt from the  
62 fee, stating the basis for the exemption. The register of deeds for Nantucket County, and the  
63 assistant recorder for the registry district of Nantucket County, shall not record or register, or  
64 receive or accept for recording or registration, any deed, except a mortgage deed, to which has  
65 not been affixed such a certificate executed by the Town or its designee. Failure to comply with  
66 this requirement shall not affect the validity of any instrument. The Town shall deposit all fees  
67 received hereunder with the Town treasurer. The treasurer shall deposit such fees in the  
68 Affordable Housing Trust Fund. The fee imposed hereunder shall be due simultaneously with the  
69 time of transfer of the transfer upon which it is imposed. Notwithstanding the foregoing,  
70 whenever there is a conveyance of real property interests and a conveyance of personalty related  
71 thereto at or about the same time, the allocations of payments between real estate and personalty  
72 agreed to by the purchaser and seller shall not determine the amount of the fee due pursuant to  
73 this section; instead, the Town may require payment of the fee referred to in real property  
74 interests so conveyed as determined by the Town.

75 SECTION 3. At any time within seven days following the issuance of the certificate of  
76 payment of the fee imposed by section two, the seller or his legal representative may return said

77 certificate to the Town or its designee for cancellation, together with an affidavit signed under  
78 oath or under the pains and penalties of perjury that the transfer, with respect to which such  
79 certificate was issued, has not been consummated, and thereupon the fee paid with respect to  
80 such transfer shall be forthwith returned to the seller or his legal representative.

81 SECTION 4. The following transfers of real property interests shall be exempt from the  
82 fee established by section 10. Except as otherwise provided, the seller shall have the burden of  
83 proof that any transfer is exempt under this section and any otherwise exempt transfer shall not  
84 be exempt in the event that such transfer (by itself or as part of a series of transfers) was made  
85 for the primary purpose of evading the fee imposed by Section 10.

86 (a) Transfers to the government of the United States, the commonwealth, and any of their  
87 instrumentalities, agencies or subdivisions, including but not limited to transfers to the Town of  
88 Nantucket, the County of Nantucket.

89 (b) Transfers which, without additional consideration, confirm, correct, modify or  
90 supplement a transfer previously made.

91 (c) Transfers made as gifts without consideration. In any proceedings to determine the  
92 amount of any fee due hereunder, it shall be presumed that any transfer for consideration of less  
93 than fair market value of the real property interest transferred was made as a gift without  
94 consideration to the extent of the difference between the fair market value of the real property  
95 interest transferred and the amount of consideration claimed by the seller to have been paid or  
96 transferred, if the purchaser shall have been at the time of transfer the spouse, the lineal  
97 descendant, or the lineal ancestor of the seller, by blood or adoption, and otherwise it shall be

98 presumed that consideration was paid in an amount equal to the fair market value of the real  
99 property interest transferred, at the time of transfer.

100 (d) Transfer to the trustees of a trust in exchange for a beneficial interest received by the  
101 purchaser in such trust; distributions by the trustees of a trust to the beneficiaries of such trust.

102 (e) Transfers by operation of law without actual consideration, including but not limited  
103 to transfers occurring by virtue of the death or bankruptcy of the owner of a real property  
104 interest.

105 (f) Transfers made in partition of land and improvements thereto, under chapter two  
106 hundred and forty-one of the General Laws.

107 (g) Transfers to any charitable organization as defined in clause Third of section five of  
108 chapter fifty-nine of the General Laws, or any religious organization, provided that the real  
109 property interest so transferred will be held by the charitable or religious organization solely for  
110 its public charitable or religious purposes.

111 (h) Transfers to a mortgagee in foreclosure of the mortgage held by such mortgagee, and  
112 transfers of the property subject to a mortgage to the mortgagee in consideration of the  
113 forbearance of the mortgagee from foreclosing said mortgage.

114 (i) Transfers made to a corporation or partnership or limited liability company at the time  
115 of its formation, pursuant to which transfer no gain or loss is recognized under the provisions of  
116 section three hundred and fifty-one or seven hundred and twenty-one of the Internal Revenue  
117 Code of 1986, as amended; provided, however, that such transfer shall be exempt only in the  
118 event that (1) with respect to a corporation, the transferor retains an interest in the newly formed

119 corporation which is equivalent to the interest the transferor held prior to the transfer, or (2) with  
120 respect to a partnership or limited liability company, the transferor retains after such formation  
121 rights in capital interests and profit interests within such partnership or limited liability company  
122 which are equivalent to the interest the transferor held prior to the transfer.

123 (j) Transfers made to a stockholder of a corporation in liquidation or partial liquidation of  
124 the corporation, and transfers made to a partner of a partnership or to a member of a limited  
125 liability company in dissolution or partial dissolution of the partnership or limited liability  
126 company; but the transfer shall be exempt only if (i) with respect to a corporation, the transferee  
127 receives property (including real property interests and other property received) which is the  
128 same fraction of the total property of the transferor corporation as the fraction of the  
129 corporation's stock owned by the transferee prior to the transfer or (ii) with respect to a  
130 partnership or limited liability company, the transferee receives property (including real property  
131 interests and other property received) which is the same fraction of the property of the  
132 partnership or limited liability company as the fraction of the capital and profit interests in the  
133 transferor formerly owned by the transferee.

134 (k) Transfers consisting of the division of marital assets under the provisions of section  
135 thirty-four of chapter two hundred and eight of the General Laws or other provisions of law.

136 (l) Transfers of property consisting in part of real property interests situated in Nantucket  
137 County and in part of other property interests, to the extent that the property transferred consists  
138 of property other than real property situated in Nantucket county; provided that the purchaser  
139 shall furnish the Town with such information as it shall require or request in support of the claim  
140 of exemption and manner of allocation of the consideration for such transfers.

141 (m) The first \$2 million of the sale price of any transfer or series of transfers of real  
142 property interests in a single transaction. Said exemption may be adjusted as determined by the  
143 affirmative vote of two-thirds of voters at an annual or special town meeting.

144 (n) Transfers of minority interests in corporations, trusts, partnerships or limited liability  
145 companies which are publicly traded, which trades are not part of a series of transfers which  
146 together constitute a transfer of control of a corporation, trust, partnership or limited liability  
147 company.

148 SECTION 5. (a) The Town treasurer shall keep a full and accurate account stating when,  
149 from or to whom, and on what account money has been paid or received relative to the activities  
150 of the Trust Fund and the Housing Fund. Said account shall be subject to examination by the  
151 director of accounts or his agent pursuant to section forty four of chapter thirty five of the  
152 General Laws.

153 (b) Schedules of beneficiaries of trusts, list of stockholders of corporations and lists of  
154 partnerships filed with the Trust Fund for the purpose of determining or fixing the amount of the  
155 fee imposed under section ten or for the purpose of determining the existence of any exemption  
156 under section twelve shall not be public records for the purposes of section ten of chapter sixty-  
157 six of the General Laws.

158 SECTION 6. A seller who fails to pay all or any portion of the fee established by section  
159 two on or before the time when the same is due shall be liable for the following additional  
160 payments in addition to said fee:

161 (a) Interest: The seller shall pay interest on the unpaid amount of the fee to be calculated  
162 from the time of transfer at a rate equal to fourteen per cent per annum.

163 (b) Penalties: Any person who, without fraud or willful intent to defeat or evade a fee  
164 imposed by this chapter, fails to pay all or a portion of the fee within thirty days after the time of  
165 transfer, shall pay a penalty equal to five per cent of the outstanding fee as determined by the  
166 Town for each month or portion thereof thereafter that the fee is not paid in full; provided,  
167 however, that in no event shall the amount of any penalty imposed hereunder exceed twenty five  
168 per cent of the unpaid fee due at the time of transfer. Whenever the Town determines that all or a  
169 portion of a fee due under this chapter was unpaid due to fraud with intent to defeat or evade the  
170 fee imposed by this chapter, a penalty equal to the amount of said fee as determined by the Town  
171 shall be paid by the seller in addition to said fee.

172 SECTION 7. (a) The Town shall notify the purchaser and the seller by registered or  
173 certified mail of any failure to discharge in full the amount of the fee due under this Act and any  
174 penalty or interest assessed. The Town shall grant a hearing on the matter of the imposition of  
175 said fee, or of any penalty or interest assessed, if a petition requesting such hearing is received by  
176 the Town within thirty days after the mailing of said notice. The Town shall notify the purchaser  
177 and the seller in writing by registered or certified mail of its determination concerning the  
178 deficiency, penalty or interest within fifteen days after said hearing. Any party aggrieved by a  
179 determination of the Town concerning a deficiency, penalty or interest may, after payment of  
180 said deficiency, appeal to the district or superior court within three months after the mailing of  
181 notification of the determination of the Town. Upon the failure to timely petition for a hearing, or  
182 appeal to said courts, within the time limits hereby established, the purchaser and seller shall be  
183 bound by the terms of the notification, assessment or determination, as the case may be, and shall  
184 be barred from contesting the fee, and any interest and penalty, as determined by the Town. All  
185 decisions of said courts shall be appealable. Every notice to be given under this section by the

186 Town shall be effective if mailed by certified or registered mail to the purchaser or the seller at  
187 the address stated in a recorded or registered instrument by virtue of which the purchaser holds  
188 any interest in land, the transfer of which gives rise to the fee which is the subject of such notice;  
189 and if no such address is stated or if such transfer is not evidenced by an instrument recorded or  
190 registered in the public records in Nantucket County, such notice shall be effective when so  
191 mailed to the purchaser or seller in care of any person appearing of record to have a fee interest  
192 in such land, at the address of such person as set forth in an instrument recorded or registered in  
193 Nantucket County.

194 (b) All fees, penalties and interest required to be paid pursuant to this chapter shall  
195 constitute a personal debt of the seller and may be recovered in an action of contract or in any  
196 other appropriate action, suit or proceeding brought by the Town; said action, suit or proceeding  
197 shall be subject to the provisions of chapter two hundred and sixty of the General Laws.

198 (c) If any seller liable to pay the fee established by this act neglects or refuses to pay the  
199 same, the amount, including any interest and penalty thereon, shall be a lien in favor of the Town  
200 upon all property and rights to property, whether real or personal, belonging to either such  
201 purchaser or such seller. Said lien shall arise at the time of transfer and shall continue until the  
202 liability for such amount is satisfied. Said lien shall in any event terminate not later than six years  
203 following the time of transfer. Said lien shall not be valid as against any mortgagee, pledgee,  
204 purchaser or judgment creditor unless notice thereof has been filed by the Town (i) with respect  
205 to real property or fixtures, in the registry of deeds for Nantucket County, or (ii) with respect to  
206 personal property, in the office in which a security or financing statement or notice with respect  
207 to the property would be filed in order to perfect a nonpossessory security interest belonging to

208 the person named in the relevant notice, subject to the same limitations as set forth in section  
209 fifty of chapter sixty two C of the General Laws.

210 (d) Sellers applying for an exemption under subsections (a) through (o) of section four  
211 shall be required at the time of application for exemption to execute an agreement legally  
212 binding on sellers and separately legally binding upon any Legal Representative of the sellers (1)  
213 assuming complete liability for any fee, plus interest and penalties if any, waived on account of  
214 an allowed exemption subsequently determined to have been invalid, and (2) submitting to the  
215 jurisdiction of the trial court of the commonwealth sitting in Nantucket County. Fees, plus  
216 interest and penalties if any, shall be calculated as of the date of the initial property transfer.  
217 Execution of the above-described agreement shall not be required of any mortgagee, pledge,  
218 purchaser or judgment creditor unless notice of the agreement has been recorded or filed by the  
219 Town.

220 In any case where there has been a refusal or neglect to pay any fee, interest or penalties  
221 imposed by this act, whether or not levy has been made, the Town, in addition to other modes of  
222 relief, may direct a civil action to be filed in a district or superior court of the commonwealth to  
223 enforce the lien of the Town under this section with respect to such liability or to subject any  
224 property of whatever nature, of the delinquent, or in which he has any right, title or interest, to  
225 the payment of such liability.

226 The Town may issue a waiver or release of any lien imposed by this section. Such waiver  
227 or release shall be conclusive evidence that the lien upon the property covered by the waiver or  
228 release is extinguished.



229 SECTION 8. The fee described by Section 2 shall be of ten-year duration from the date  
230 this legislation take effect. This fee may continue for five-year periods by a majority vote at  
231 Town Meeting reauthorizing the fee. The fee described by Section 2 may be 1) decreased, or 2)  
232 eliminated by a two-thirds vote of Town Meeting. The threshold exemption described in Section  
233 4 (m) may similarly be raised by an affirmative two-thirds vote of Town Meeting. In the event  
234 that Town Meeting does not renew the fee at the ten-year anniversary, or any subsequent five  
235 year anniversary, or Town Meeting votes to eliminate the fee, the balance of any fees previously  
236 collected shall be transferred to the Town of Nantucket and held by the Treasurer in a separate  
237 account, and shall first be used to satisfy any outstanding liabilities or obligations incurred by the  
238 Town of Nantucket or the Affordable Housing Trust as a result of imposition of the fee, and the  
239 remainder may be expended without further appropriation by the Board of Selectmen for  
240 affordable housing purposes. In the event that the liabilities and obligations of the Town of  
241 Nantucket or the Affordable Housing Trust exceed the amounts transferred to the Town, the fee  
242 shall remain in full force and effect until such liabilities and obligations have been satisfied.

243 SECTION 9. The provisions of this act are severable, and if any provision hereof,  
244 including without limitation any exemption from the fee imposed hereby, shall be held invalid in  
245 any circumstances such invalidity shall not affect any other provisions or circumstances. This act  
246 shall be construed in all respects so as to meet all constitutional requirements. In carrying out the  
247 purposes and provisions of this act, all steps shall be taken which are necessary to meet  
248 constitutional requirements whether or not such steps are required by statute.

249 SECTION 10. If the Town has determined that a fee is due by asserting the application of  
250 the evasion of fee doctrine described in Section 2, then the seller shall have the burden of  
251 demonstrating by clear and convincing evidence as determined by the Town that the transfer, or

252 series of transfers, possessed both: (i) a valid, good faith business purpose other than avoidance  
253 of the fee set forth in Section 2 and (ii) economic substance apart from the asserted fee avoidance  
254 benefit. In all such cases, the transferee shall also have the burden of demonstrating by clear and  
255 convincing evidence as determined by the Town that the asserted non-fee-avoidance business  
256 purpose is commensurate with the amount of the fee pursuant to Section 2 to be thereby avoided.

257 SECTION 11. This act shall take effect ninety (90) days following the date of passage.

**Archived:** Thursday, February 22, 2024 3:23:32 PM

**From:** [Donna Kalinick](#)

**Sent:** Friday, February 16, 2024 10:18:09 AM

**To:** [Erika Mawn](#)

**Subject:** FW: Re:

**Importance:** Normal

**Sensitivity:** None

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**From:** Ned Chatelain <[nchatelain@brewster-ma.gov](mailto:nchatelain@brewster-ma.gov)>

**Sent:** Friday, February 16, 2024 10:13 AM

**To:** Peter Lombardi <[plombardi@brewster-ma.gov](mailto:plombardi@brewster-ma.gov)>; Donna Kalinick <[dkalinick@brewster-ma.gov](mailto:dkalinick@brewster-ma.gov)>

**Subject:** Fw: Re:

For FYI's in an upcoming packet.

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**From:** Ned Chatelain <[nchatelain@brewster-ma.gov](mailto:nchatelain@brewster-ma.gov)>

**Sent:** Friday, February 16, 2024 10:10 AM

**To:** POCCA CAPE COD <[pocccapecod@gmail.com](mailto:pocccapecod@gmail.com)>

**Subject:** Re: Re:

Thank you Laura.

Have a great weekend.

Ned

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**From:** POCCA CAPE COD <[pocccapecod@gmail.com](mailto:pocccapecod@gmail.com)>

**Sent:** Friday, February 16, 2024 9:29 AM

**To:** Ned Chatelain <[nchatelain@brewster-ma.gov](mailto:nchatelain@brewster-ma.gov)>

**Subject:** Re:

Thank you again Ned ~

Please share the attached documents with your board and beyond as you wish.

Thank you very much.

Best,

Laura Kelley

Dear Brewster Select Board Members,

At the Orleans Fall Town Meeting, residents voted 68% in favor of a [Pesticide Reduction Home Rule Petition](#). Then the Barnstable County Assembly of Delegates adopted the foregoing Resolution No. 12 at its regular meeting on October 18, 2023 by a roll call vote with delegates representing 100.00% of the population of Barnstable County voting in the affirmative.

For more information, please see the attached handout, also to the Orleans Town website, search

“pesticide reduction” and click on numerous documents on the landing page that contains: the warrant article, support letters, news articles, studies, database, FAQ’s, presentations, etc.

<https://www.town.orleans.ma.us/1335/Pesticide-Home-Rule-Petition-2023>

I respectfully request The Brewster Select Board support its Cape Cod neighbor Orleans’s by bringing this Pesticide Reduction Home Rule Petition warrant article to the Brewster Annual Town Meeting in 2024 and championing pesticide reduction to town residents.

Thank you for taking this into high consideration. The more Cape Cod towns involved will send a strong message to the State Legislature that these reductions are necessary to help protect the health and integrity of our surrounding waters, environment and ultimately ourselves.

On Wed, Feb 14, 2024 at 5:14 'a0PM POCCA CAPE COD <[poccacapecod@gmail.com](mailto:poccacapecod@gmail.com)> wrote:

Thank you very much Ned ~

You gave a clear message.

I look forward to this opportunity for Brewster ~

See you then.

Best,  
Laura Kelley

On Tue, Feb 13, 2024 at 12:40 'a0PM Ned Chatelain <[nchatelain@brewster-ma.gov](mailto:nchatelain@brewster-ma.gov)> wrote:

Good morning Laura.

Thank you for coming to the meeting last night and for providing follow up materials. The NRAC is currently studying the home rule petition and will be addressing it at their March 14 meeting. Their recommendation will go to the Select Board for our consideration at our March 26<sup>th</sup> meeting. The warrant closes April 8th, so if the board decides to refer the article to Town Meeting, we will have the option to do so on the 26th.

I hope that helps. Please feel free to reach out with any further questions.

Ned

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**Laura Kelley**

774.353.6511

*POCCA Cape Cod ~ Protect Our Cape Cod Aquifer ~*

*Helping to protect our quality of life on Cape Cod*

President: [Protect Our Cape Cod Aquifer \(POCCA\)](#)

Facebook: [POCCA Cape Cod](#)

## **ARTICLE 24. HOME RULE PETITION FOR A PESTICIDE REDUCTION BYLAW**

To see if the Town will vote to authorize and direct the Select Board to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation, authorizing the Town to adopt a Pesticide Reduction Bylaw (the bylaw), the text of which is set forth below, and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation in order to secure passage; and vote to adopt the bylaw as follows:

### **CHAPTER \_\_\_\_ PESTICIDE REDUCTION BYLAW**

#### **§1. Purpose.**

The purpose of this bylaw is to reduce toxic pesticide use in and on public and private property in the Town of Orleans in order to promote a healthy environment and to protect the public from the hazards of pesticides, and for implementation of sustainable land and building management practices on all public and private property.

#### **§2. Findings.**

- A. Scientific studies associate exposure to pesticides with asthma, cancer, developmental and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects, and disruption of the endocrine system.
- B. Infants, children, pregnant women, the elderly, and people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure.
- C. Pesticides are harmful to pets and wildlife, including threatened and endangered species, soil microbiology, plants, and natural ecosystems.
- D. Toxic runoff from chemical fertilizers and pesticides pollute streams, lakes, estuaries, and drinking water sources.
- E. The use of pesticides is not necessary to create and maintain green lawns and landscapes given the availability of viable alternatives practices and products.
- F. People have a right not to be involuntarily exposed to pesticides in the air, water or soil that inevitably result from chemical drift and contaminated runoff.
- G. Sustainable land and building management practices that emphasize non-chemical methods of pest prevention and management, and least-toxic pesticide use as a last resort, will eliminate the use of and exposure to pesticides while controlling pest populations.

- H. Sustainable land and building management practices complement other important goals of Orleans' maintenance and administration, such as energy conservation and security.
- I. Orleans embraces a precautionary approach to the use of pesticides in order to adequately protect people and the environment from the harmful effects of pesticides.
- J. Application of chemicals simply for aesthetic/cosmetic purposes has harmful consequences for our ecosystem, children and pets. Pollinators are directly harmed by applications particularly the indiscriminate (and long-term ineffective) spraying of pesticides.

### **§3. Authority.**

This bylaw is adopted under authority granted by the Home Rule amendment to the Massachusetts Constitution and the provisions of any Special Legislation passed by the Legislature.

### **§4. Definitions.**

For the purposes of this bylaw, the following definitions shall apply:

Allowed Materials List - The list of acceptable pesticides is limited to the following:

- 1) All non-synthetic (natural) materials, with the exception of prohibited non-synthetic materials under 7 CFR 205.602;
- 2) Any synthetic material listed at 7 CFR 205.601 that is labeled for turf uses, subject to discretionary authority to require disclosure of inert ingredients; and
- 3) 25b listed pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Inert ingredient - Any substance (or group of substances with similar chemical structures if designated by the Environmental Protection Agency) (EPA) other than an active ingredient that is intentionally included in any pesticide product (40 CFR 152.3(m)) [7 CFR 205.2 Terms defined.], and are not classified by the EPA Administrator as inserts of toxicological concern. [7 U.S.C. 6502(21) Definitions]

Non-synthetic (natural) materials - A substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process as defined in section 6502(21) of the Organic Foods Production Act. For the purposes of this part, 'non-synthetic' is used as a synonym for natural as the term is used in the regulations. [7 CFR 205.2 Terms defined.]

Pesticide — Any substance or mixture of substances intended for: (i) preventing, destroying, repelling, or mitigating any pest; (ii) use as a plant regulator, defoliant, or desiccant; or (iii) use as a spray adjuvant such as a wetting agent or adhesive. The term

'pesticide' includes insecticides, herbicides, fungicides, and rodenticides, but does not include cleaning products other than those that contain pesticidal agents.

Synthetic materials - A substance that is formulated or manufactured by a chemical process or by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes. [7 U.S.C. 6502(21) Definitions]

#### **§5. Prohibitions.**

The application of any Pesticide that is not on the Allowed Material List is prohibited, except as permitted in this bylaw.

#### **§6. Exceptions.**

A. The application of the following Pesticides is allowed:

1. Indoor pest sprays and insect baits (excluding rodent baits)
2. Insect repellants for personal and household use
3. Pet: Flea and tick sprays, powders, and pet collars
4. Kitchen, laundry, and bath disinfectants and sanitizer
5. Products labeled primarily to kill mold and mildew
6. Usage for commercial farming and nurseries.

B. Pesticides for the treatment of invasive plants for ecological restoration (see Massachusetts Invasive Plant Advisory Group current lists of Invasive, Likely Invasive, and Potentially Invasive <https://www.massnrc.org/mipag/>) may be used upon the grant of a waiver by the Town Manager or authorized designee.

C. If an emergency public health situation warrants the use of Pesticides, which would otherwise not be permitted under this bylaw, the Town Manager or authorized designee shall have the authority to grant a temporary waiver on a case-by-case basis after an evaluation of all alternative methods and materials.

#### **§7. Enforcement.**

The enforcement authority shall be the Town Manager, or any town officials as designated by the Select Board to oversee and enforce the provisions of this bylaw.

#### **§8. Penalties.**

Any person who violates any provision of this bylaw shall be punished by a fine of one hundred dollars (\$100.00) for the first offense and three hundred dollars (\$300.00) for each offense thereafter. Each day or portion thereof during which a violation continues shall constitute a separate offense and a violation of each provision of the bylaw shall constitute a separate offense.

If the offender is a commercial applicator, the right to do business in Orleans may be revoked.

**§9. Severability.**

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

Provided, that this bylaw is subject to the Town obtaining special legislation from the Great and General Court of the Commonwealth of Massachusetts authorizing the Pesticide Reduction Bylaw as aforesaid; or to take any other action relative thereto. (Select Board)

(Simple Majority Vote Required)

**PROPOSED MOTION**

I move this article be accepted and adopted as printed in the warrant and that the Select Board be authorized to petition the Great and General Court for special legislation as set forth therein and that the Pesticide Reduction Bylaw be adopted subject to the approval of the special legislation.

**SUMMARY**

The article authorizes the Select Board to file special legislation authorizing the adoption of the proposed bylaw as the application of pesticides in Orleans is currently primarily regulated by state and federal law. This article also proposes the adoption of a bylaw that seeks to reduce toxic pesticide use in and on public and private property in order to promote a healthy environment and to protect the public from the hazards of pesticide use. It does not prohibit businesses from selling products containing pesticides to anyone.

<b>SB:</b>	5 – YES	0 – NO	0 – ABSTAIN
<b>FC:</b>	3 – YES	3 – NO	1 – ABSTAIN



# Protect our People, Waters and Environment

## Article 24: Pesticide Reduction Home Rule Petition

### Fall Town Meeting October 16, 2023

Our natural environment is what brings people here and makes us want to stay in this special place. Now and in the future it is our most valuable environmental resource and economic asset. It directly affects every resident, property owner, visitor, and business in Orleans.

The purpose of this Home Rule Petition is to reduce toxic pesticide use in the Town of Orleans in order to protect the public from the hazards of pesticides, promote a healthy environment for all and safeguard our economy. This is not a ban of all pesticides but a reduction of the most harmful.

Toxic chemicals from pesticides seep into the soil and groundwater, also become airborne, and can be found thousands of feet from the application site. They contaminate the air we breathe, the waters we recreate in, the aquifer from which we drink, and the soils in which we grow food for humans, animals and wildlife. People have the right not to be exposed to pesticides from other's properties.

Many studies associate pesticides with serious negative health effects including leukemia, non-Hodgkin's lymphoma: cancers of the brain, breast, prostate, testes and ovaries: heart disease, stroke, diabetes, Parkinson's, Alzheimer's, ADHD, autism and other autoimmune diseases, as well as birth defects and reproductive harm.

Butterflies, bees and insects are the 'building blocks of the food chain' and their numbers are declining rapidly, up to 2% per year. They pollinate 75-80% of crops and wild plants. They keep our soils healthy and are the major food source for our birds and amphibians. Their importance in the environment cannot be understated.

Climate change is one critical example where scientific evidence indicates that pesticides contribute significantly to greenhouse gas emission, and create a vicious cycle of pollution and dependency.

All are unintended consequences but unfortunately, all are deadly real. We see locally and globally how polluted environments have a drastic and negative impact on the health of communities and their economies. Individually we can have an immediate impact on protecting our family, friends and environments by volunteering to change our behavior by using safe, effective products, and practices, and educating our neighbors and ourselves in their use. The solution is free and costs the town and taxpayers nothing.

Help preserve this special place we love by supporting this Home Rule Petition at Fall Town Meeting, so we can send a strong message to our State Legislature.

For updated information, please visit:

<https://www.town.orleans.ma.us/1335/Pesticide-Home-Rule-Petition-2023>



Pesticide Home Rule Petition 2023 |  
Orleans, MA  
[www.town.orleans.ma.us](http://www.town.orleans.ma.us)

**Support:**

Association to Preserve Cape Cod (APCC)  
Barnstable County Assembly of Delegates  
Orleans Agricultural Advisory Council  
Orleans Board of Health  
Orleans Board of Water and Sewer Commissioners  
Orleans Conservation Commission  
Orleans Conservation Trust (OCT)  
Orleans Energy and Climate Action Committee  
Orleans Farmers' Market  
Orleans Open Space Committee  
Orleans Pond Coalition (OPC)  
Orleans Shellfish and Waterways Committee  
Friends of Crystal Lake  
Protect Our Cape Cod Aquifer (POCCA)  
Provincetown Farmers' Market  
Sustainable Cape  
Truro Farmers' Market

Join supporters  
3,500+  
signatures so far!





# Protect our People and our Environment

## Pesticide Reduction Initiative Orleans, Massachusetts

**“We can’t solve problems by using the same kind of thinking we used when we created them.”**

**-Albert Einstein**



Pesticide Home Rule Petition 2023 |  
Orleans, MA

[www.town.orleans.ma.us](http://www.town.orleans.ma.us)



**Why are we doing this and asking for your support?**

**The purpose of this Home Rule Petition is to reduce use of the most toxic pesticides in the Town of Orleans in order to protect the public and wildlife from the hazards of pesticides, promote a healthy environment for all and safeguard our economy.**

**The reason we have to do a Home Rule Petition is that in 2013 the State took away the right for Orleans to make its own decisions of what chemicals are allowed in our environment.**





## **Why is this an Economic Issue?**

- **Our natural environment and especially our waters are what brings people here and makes us want to stay in this special place.**
- **Now and in the future they are our most valuable environmental resource and economic asset.**
- **It directly affects every resident, property owner, visitor, and business in Orleans.**







## **How do pesticides travel off property?**

- **Toxic chemicals from pesticides seep into the soil and groundwater; also become airborne, and can be found thousands of feet from the application site.**
- **They contaminate the air we breathe, the waters we recreate in, the aquifer from which we drink, and the soils in which we grow food for humans, animals and wildlife.**
- **Chemicals can travel approximately 1 foot per day through our sandy soils to our single source shared aquifer which can range from 0-30 feet deep**



## What are the potential health effects?

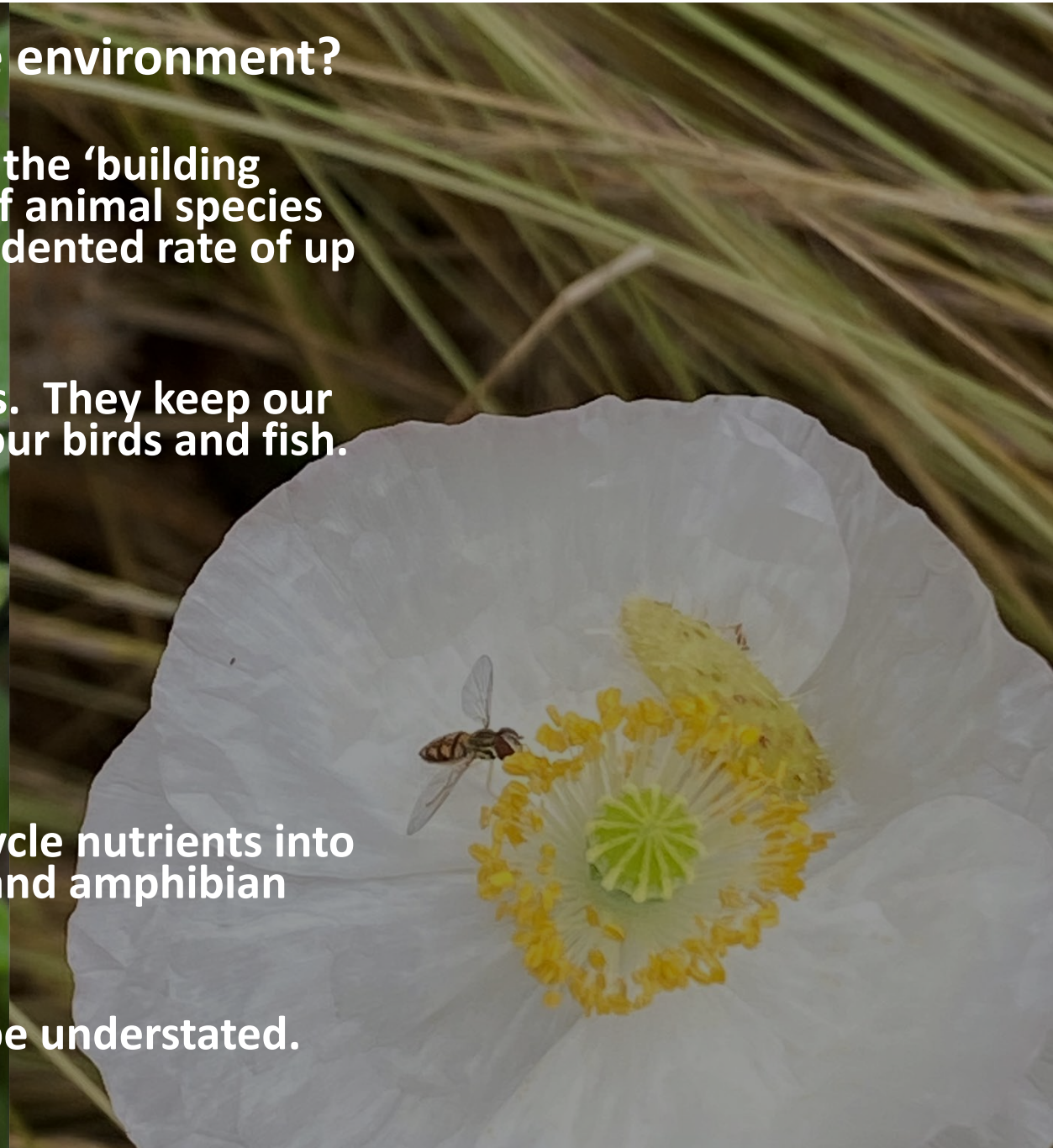
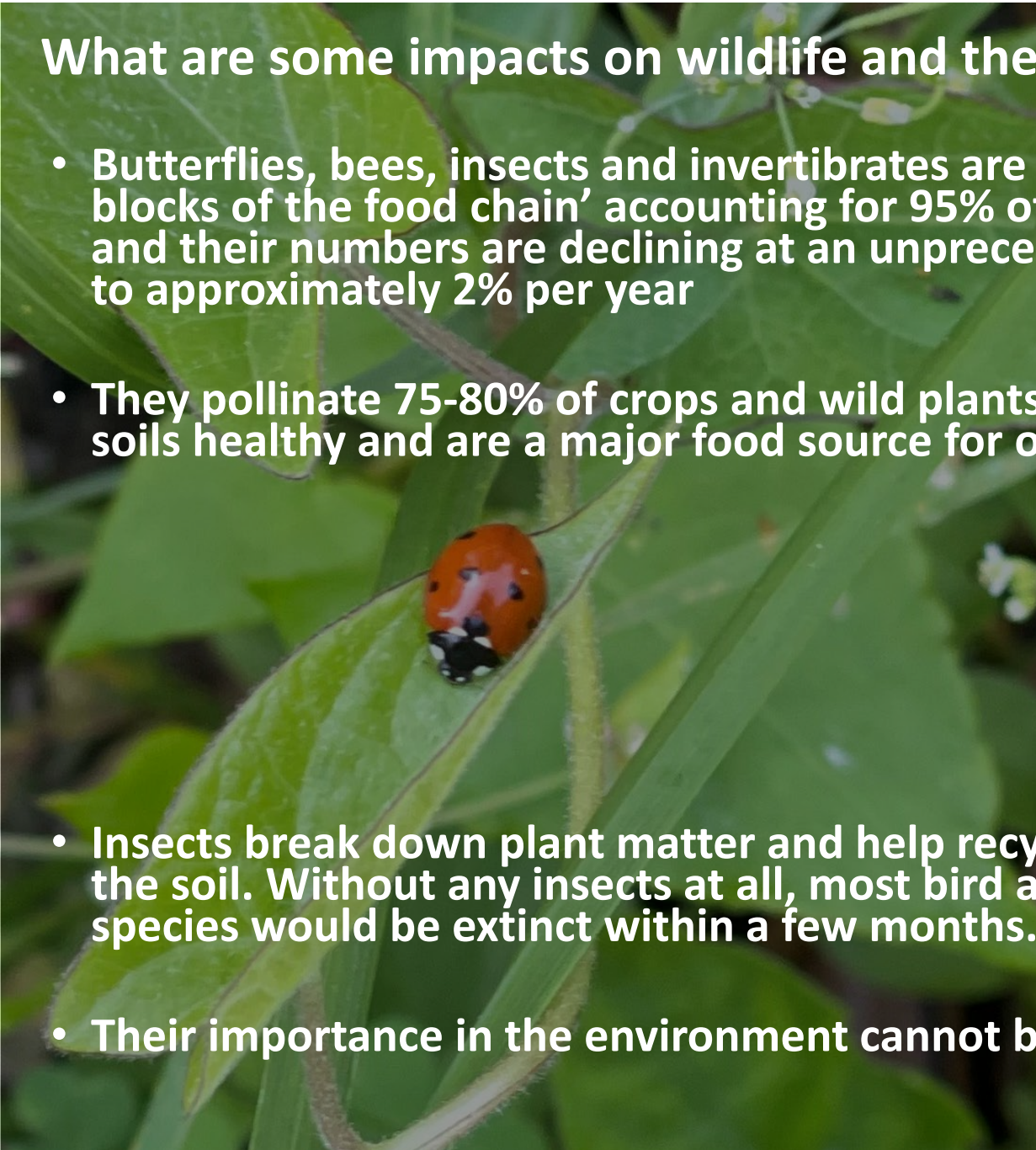
- Many studies associate pesticides with serious negative health effects including leukemia, non-Hodgkin's lymphoma: cancers of the brain, breast, prostate, testes and ovaries: heart disease, stroke, diabetes, Parkinson's, Alzheimer's, ADHD, autism and other autoimmune diseases, as well as birth defects and reproductive harm.





## What are some impacts on wildlife and the environment?

- Butterflies, bees, insects and invertebrates are the 'building blocks of the food chain' accounting for 95% of animal species and their numbers are declining at an unprecedented rate of up to approximately 2% per year
- They pollinate 75-80% of crops and wild plants. They keep our soils healthy and are a major food source for our birds and fish.
- Insects break down plant matter and help recycle nutrients into the soil. Without any insects at all, most bird and amphibian species would be extinct within a few months.
- Their importance in the environment cannot be understated.





## Climate Change

- **Climate change is one critical example where scientific evidence indicates that pesticides contribute significantly to greenhouse gas emission, and create a vicious cycle of pollution and dependency.**





## What are the consequences?

- Negative impacts on the health of people, pets, wildlife, environment, businesses, property values and economy are all unintended consequences but unfortunately, all are deadly real.
- We see locally and globally how polluted environments have a drastic and negative impact on the health of communities, their tourism and economies.





- What can we do?
- Individually we can have an immediate impact on protecting our family, friends and environments by volunteering to change our behavior.
- Use natural, nonsynthetic, safe, effective products and practices, and educate our neighbors and ourselves in their use.
- The solution is free and costs the town and taxpayers nothing.





## What are the exceptions?

- Indoor pest sprays and baits
- Insect repellants for personal and household use

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- Flea and tick sprays, powders, and pet collars
- Kitchen, laundry and bath disinfectants and sanitizers
- Products that kill mold and mildew
- Usage for commercial farming and nurseries.
- Treatment of Invasive Plants for Ecological Restoration with approved waiver
- Emergencies







## What is Allowable?

- **All nonsynthetic (natural) materials. With exception of Dept. of Agriculture material list 7 CFR 205.602**
- **Any synthetic material listed on Dept. of Agriculture 7 CFR 205.601 that is labeled for turf uses, subject to discretionary authority to require disclosure of inert ingredients; and**
- **Minimal risk pesticides on Environmental Protection Agency 25b list. Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).**

## Enforcement? & Penalties?

- **Town Manager will decide reasonable enforcement structure and fines.**



**We ask for your support to send a strong message.**

- **Help preserve this special place we love now and for your future generations by supporting this Home Rule Petition at Orleans's Fall Town Meeting October 16th, so we can send a strong message to our State Legislature.**

**“A society grows great when old men (and women) plant trees in whose shade they shall never sit.”**

**-Greek Proverb**

**For updated information, please visit:**

**<https://www.town.orleans.ma.us/1335/Pesticide-Home-Rule-Petition-2023>**



Pesticide Home Rule Petition 2023 |  
Orleans, MA  
www.town.orleans.ma.us



## Pension Reserves Investment Management Board

53 State Street, Suite 600  
Boston, Massachusetts 02109

Deborah B. Goldberg, Treasurer and Receiver General, Chair  
Michael G. Trotsky, CFA, Executive Director and Chief Investment Officer

### Town of Brewster State Retirees Benefits Trust Fund January 01, 2024 to January 31, 2024

	<u>Month To Date</u>	<u>Fiscal Year To Date</u>	<u>Calendar Year To Date</u>
<b>Your beginning net asset value for the period was:</b>	4,140,115.18	3,790,975.25	4,140,115.18
Your change in investment value for the period was:	777.23	169,917.16	777.23
Your exchanges from (to) the Cash Fund for the period were:	60,000.00	240,000.00	60,000.00
<b>Your ending net asset value for the period was:</b>	<b><u>4,200,892.41</u></b>	<b><u>4,200,892.41</u></b>	<b><u>4,200,892.41</u></b>
<b>Net Change in Investment Value represents the net change through investment activities as follows:</b>			
Gross Investment Income:	5,348.01	54,649.65	5,348.01
Less Management Fees:	(862.85)	(11,126.93)	(862.85)
Net Investment Income:	<u>4,485.16</u>	<u>43,522.72</u>	<u>4,485.16</u>
Net Fund Unrealized Gains/Losses:	(13,624.15)	88,450.97	(13,624.15)
Net Fund Realized Gains/Losses:	<u>9,916.22</u>	<u>37,943.47</u>	<u>9,916.22</u>
<b>Net Change in Investment Value as Above:</b>	<b><u>777.23</u></b>	<b><u>169,917.16</u></b>	<b><u>777.23</u></b>

As of January 31, 2024 the net asset value of your investment in the SRBT Fund was: **\$4,200,892.41**

If you have any questions regarding your statement, please contact the Client Services team at [clientservice@mapension.com](mailto:clientservice@mapension.com).  
A detailed statement of your account is attached to this summary sheet.



## Pension Reserves Investment Management Board

53 State Street, Suite 600  
Boston, Massachusetts 02109

Deborah B. Goldberg, Treasurer and Receiver General, Chair  
Michael G. Trotsky, CFA, Executive Director and Chief Investment Officer

### Town of Brewster

#### Cash Investment

January 01, 2024 to January 31, 2024

	<u>Month To Date</u>	<u>Fiscal Year To Date</u>	<u>Calendar Year To Date</u>
<b>Your beginning net asset value for the period was:</b>	0.00	0.00	0.00
Your investment income for the period was:	0.00	0.00	0.00
Your total contributions for the period were:	60,000.00	240,000.00	60,000.00
Your total redemptions for the period were:	0.00	0.00	0.00
Your total exchanges for the period were:	(60,000.00)	(240,000.00)	(60,000.00)
Your state appropriations for the period were:	0.00	0.00	0.00
<b>Your ending net asset value for the period was:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

As of January 31, 2024 the net asset value of your investment in the Cash Fund was:

**\$0.00**

If you have any questions regarding your statement, please contact the Client Services team at [clientservice@mapension.com](mailto:clientservice@mapension.com).  
A detailed statement of your account is attached to this summary sheet.





## Pension Reserves Investment Management Board

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Michael G. Trotsky, CFA, Executive Director and Chief Investment Officer

PHTF90200002  
Commonwealth Of Massachusetts

### Town of Brewster

#### Investment Detail

1/31/2024

	<b>Investments</b>	<b>Units Of Participation</b>	<b>Cost</b>	<b>Price</b>	<b>Market Value</b>	<b>Unrealized Gain/Loss</b>
15,398.298	HCST OPEB MASTER TRUST		3,947,327.62	272.8154	4,200,892.41	253,564.79
	<b>Total Investment:</b>		<b>3,947,327.62</b>		<b>4,200,892.41</b>	<b>253,564.79</b>



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PHTF90200002  
Commonwealth Of Massachusetts

### Town of Brewster Statement of Change In Net Assets 01/31/2024

	Current Period		Fiscal Year		Year To Date	
	<u>1/1/2024</u>	<u>1/31/2024</u>	<u>7/1/2023</u>	<u>1/31/2024</u>	<u>1/1/2024</u>	<u>1/31/2024</u>
NET ASSETS - BEGINNING OF PERIOD		4,140,115.18		3,790,975.25		4,140,115.18
DISBURSEMENTS:						
CASH FUND EXCHANGES		60,000.00		240,000.00		60,000.00
RECEIPTS:						
CONTRIBUTIONS:						
PARTICIPANTS		60,000.00		240,000.00		60,000.00
INVESTMENT INCOME:						
UNREALIZED GAIN/LOSS-INVESTMENT		-13,624.15		88,450.97		-13,624.15
MASTER TRUST ALLOCATED EXPENSES		-82.04		-2,076.28		-82.04
MASTER TRUST CHANGE IN REALIZED G/L		9,916.22		37,943.47		9,916.22
MASTER TRUST INVESTMENT INCOME		5,348.01		54,649.65		5,348.01
MT ALL INVESTMENT MANAGER FEES		-780.81		-9,050.65		-780.81
UNIT EXCHANGES		60,000.00		240,000.00		60,000.00
<b>Total Receipts</b>		<b>120,777.23</b>		<b>649,917.16</b>		<b>120,777.23</b>
<b>Total Disbursements:</b>		<b>60,000.00</b>		<b>240,000.00</b>		<b>60,000.00</b>
<b>Net Assets - End of Period:</b>		<b>4,200,892.41</b>		<b>4,200,892.41</b>		<b>4,200,892.41</b>

## STATEMENT EXPLANATION

Below you will find a description of each item posted to your statement.

### CAPITAL ACCOUNT

<b>Summary of Account Activity:</b>	A summary statement produced for your investment in the State Retiree Benefits Trust Fund (SRBTF) includes both month-to-date and fiscal year-to-date information. This statement is also furnished to the Public Employee Retirement Administration Commission (PERAC).
<b>Your beginning net asset value for the period:</b>	The total balance of your investment as of the opening date of the statement period.
<b>Your change in investment value for the period:</b>	The total increase or decrease in your investment includes net investment income, realized gains or losses, and unrealized gains or losses.
<b>Your total exchanges from (to) cash fund:</b>	Movement of funds occurring on the first business day of each month between your Cash Fund and Capital Account (SRBTF).
<b>Your ending net asset value for the period:</b>	The total balance of your investment as of the closing date of the statement period.
<b>Gross investment income:</b>	Represents your allocable share of the SRBTF's income associated with securities and other investments (i.e. real estate), except for realized and unrealized gains or losses. It is principally interest, dividends, real estate income, and private equity income.
<b>Management fees:</b>	Represents your allocable share of the SRBTF's expenses related to PRIM's investment advisors, consultants, custodian and operations expenses.
<b>Net investment income:</b>	Represents your allocable share of the SRBTF's gross investment income, less Management Fees.
<b>Net fund unrealized gains/losses:</b>	Represents your allocable share of the SRBTF's increase or decrease in value, attributed to a change in value of securities or other investments held in the PRIT Fund, relative to original cost. These gains or losses are "unrealized" because the investments have not yet been sold.
<b>Net fund realized gains/losses:</b>	Represents your allocable share of the SRBTF's increase or decrease in value attributed to the PRIT Fund's sale of securities or other investments (i.e. real estate property). Whether you "realize" a gain or loss depends upon the price at which the investment was sold in relation to its original purchase price.

### CASH FUND

<b>Your beginning net asset value for the period:</b>	The total balance of your investment as of the opening date of the statement period.
<b>Your investment income for the period:</b>	Interest earned for the period.
<b>Your total contributions for the period:</b>	Sum of all funds (i.e. wires and/or checks) sent into your SRBTF account during the statement period. Cash contributed any day during the month except the first business day will remain in your Cash Fund until the first business day of the following month, when it will then be exchanged into the General Allocation Account (SRBTF).
<b>Your total redemptions for the period:</b>	Sum of all funds sent by wire from the PRIT Fund's custodian bank to your government entity during the statement period. A redemption made be made at any time throughout the month as long as your Cash Fund balance equals or exceeds the amount you wish to redeem.
<b>Your ending net asset value for the period:</b>	The total balance of your investment as of the closing date of the statement period.

If you have any questions regarding your statement, please contact the Client Services team at [clientservice@mapension.com](mailto:clientservice@mapension.com).



CAPE COD  
HEALTHCARE

Nicholas G. Xiarhos  
Blood Donor Center

WHAT'S DONATED HERE, STAYS HERE.

# BLOOD DRIVE

Monday, March 4<sup>th</sup>

10:40 am – 5 pm

**Brewster Police Department**

**631 Harwich Rd**



**Stop & Shop gift card for all donors.**

**Appointments are required.**



To make an appointment please visit our donor portal at  
<https://srt.capecodhealth.org/donorportal>

For information about the Nicholas G. Xiarhos Blood Donor Program, please visit  
[www.capecodhealth.org/give-blood](http://www.capecodhealth.org/give-blood)

Like us on Facebook:  
[www.facebook.com/capecodbloodcenter](http://www.facebook.com/capecodbloodcenter)

**Every pint of blood donated to us stays on Cape Cod to serve your community and save the lives of your family, friends and neighbors.**