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FINANCE COMMITTEE MINUTES

The March 10, 2011 meeting of the Orleans Finance Committee was convened by Chairman Larry Hayward at 7:00 p.m. in the Nauset Room of the Orleans Town Hall. Present constituting a quorum were Chairman, Mr. Larry Hayward, Vice Chairman, Ms. Gwen Holden Kelly, Acting Secretary Ed Barr, Members, Mr. Dale Fuller, Mr., Mr. John Hodgson, Mr. Rick Sigel, Mr. Paul Rooker. Absent; Mr. Mark Carron

Guests:

Mr. John Kelly, Town Administrator

Ms. Susan Brown, Acting Asst. Water Supt. for Administration

Mr. Todd Bunzick Acting Water Supt. (Operations)

Mr. Jon Fuller, Selectman Liaison

Public Comment:

None

#450 Budget Review Water Department Budget Total \$1.068, 915

Mr. Barr introduced Mr. Kelly, Ms. Brown and, after mixing Budnick with Bunzick, Mr. Todd Bunzick. Mr. Kelly explained that with the passing of Lou Briganti he had appointed Ms. Brown and Mr. Bunzick to their acting roles and felt they were more familiar with day-to-day activities of the department while he would present to overview of the budget to the Committee.

Mr. Kelly started by stating the budget is one that reflects the department is in transition and proposes no new programs or initiatives. Starting on Appendix A John offered to walk through it line by line. He noted that electric was down as a result of reduced costs and the change in the membranes. Repair and maintenance is for a leak detection program is down as a result of a joint effort with Harwich in which equipment and resources are shared. Station supplies are the chemicals for the process and costs are up slightly. Equipment replacement is for a new "fail safe" back hoe used under emergency conditions to repair water main breaks. Water Main Improvement is a reoccurring maintenance expense used to replace old, and often undersized, water mains pre-failure. Mr. Kelly indicated this would be cut from next year's budget. Engineering is up to address new storage tank regulations and update the water department master plan and will require outside consulting resources.

Mr. Barr asked if the reduction in the cost of electricity was all attributable to lower electric costs or reduced consumption as a function of the new membranes or both. The short answer is the figure is for both but there is a suspicion that the combination of new more energy efficient pumps and the lower pressures required by the new membranes were major contributors to the reduction.

Mr. Barr asked if the new membranes were performing as expected in terms of performance and failure rates and Mr. Bunzick indicated there have been no failures in the new membranes to date. Mr. Barr asked if Lou's anticipation for the possible reduction in the number of modules was going to come to fruition. Sue and Todd hedged their answers and stated it was too early to tell.

Mr. Hodgson asked for information on the condition and usage of the backhoe. Mr. Bunzick responded that the machine is in fair shape but he can not afford to have it fail. Mr. Hodgson asked about arranging fail safe systems with other towns for borrowing equipment in case of emergency. M. Kelly stated that we have a back hoe in the highway department and that serves as our backup. He went on to opine that it is not practical for the middle of the night emergencies to think in terms of using the highway department's



equipment. He said this is one of the most important pieces of equipment the water department has and we need to make sure we don't have any problem being able to service the system as needed. Sue Brown spoke to the multi-use needs of the back hoe. First it is used to excavate the trench of a water break where ever it may occur then goes back to the water shed on Rt. 28 in South Orleans to load clean fill to refill the hole then back to the site of the break. All this by way of illustrating the need for a reliable piece of equipment. Mr. Hodgson pressed, is the one we have not in good condition? Does it not start? Mr. Bunzick responded, no, it runs we take good care of it. He said there are about 4,000 hours on the machine.

Mr. Fuller chimed in with a reading from the vehicle schedule which showed the backhoe had 3,200 hours of usage and listed in good condition. At this point Ms. Brown took the committee by surprise when she responded, I guess I am going to throw a wrench into the discussion because our intention is not to replace it next year. We plan to replace a vehicle that we can not use it is garaged right now... our one ton dump truck. She indicated that Todd had priced out a larger dump truck and they now planned to use this budget allocation to purchase a new dump truck.

Mr. Barr asked if this was the issue that was discussed at the January 5, 2011 meeting of the Water and Sewer Commissioners (and reported to the Finance Committee during our meeting of January 13, 2011) during which it was stated that the Water and Sewer commissioner may have to come to the FinComm with a transfer request to fund the replacement of a dump truck before town meeting. In his liaison report to the committee Mr. Barr indicated that, after considerable discussion in the W&S Commissioners meeting, it was decided that the Water Dept. would make do with the current dump truck for another year as the back hoe was considered of greater priority.

Mr. Kelly stated that at the time the budget was prepared they were going back and forth regarding the truck but were unable to get the information together in time to include it in the budget proposal so they included the original plan to address the backhoe. Mr. Kelly indicated the need for a change to the budget proposal because the price of the truck under discussion, which is priced by state contract, is \$92 after allowance for trade in value. He said the capital outlay description would be changed to reflect the purchase of a dump truck but the dollar amount would stay at \$100K and the difference after trade in allowances would be put back in the Water Dept. enterprise fund at the end of the year.

Mr. Hodgson asked if we had researched the possibility of purchase of a used truck. Mr. Kelly said that we have done this in the past but it resulted in trading one headache for another. Additionally, as it is a purchase over \$25K, it would have to be bid. In his opinion it is a hit or miss proposition and timing and the source of the vehicle is a difficult variable as contractors often respond to these kind of bid requests and are dumping trucks that have seen hard usage and may be near the end of life. He claims the truck that is proposed will have an expected life of 12 years versus the uncertainty of the life remaining in a used truck.

Mr. Hayward asked if the truck is purchased this year would the Water Dept. seek to replace the back hoe next year. Mr. Kelly said that needs to be worked out as the frequency of replacement of equipment needs to fit into a schedule that can be covered by revenues in the Water Dept. enterprise fund which has been set up to cover all expenses.

Mr. Sigel wondered if the issue of reliability of backhoes could be accommodated by physically housing them at the same location or by making suitable arrangements to have access to the highway dept backhoe in the event of an emergency. In this way if there was a startup issue in an emergency the backup alternative would be at the same location. Mr. Fuller noted the highway backhoe actually may be less reliable as it shows 100 hours more usage than the water departments.

Mr. Barr asked if there had been any attempt to get compensation from the trucks manufacturer as it is apparently widely known that this particular model has a history of this kind of problem and probably



should have been the subject of a recall. Mr. Bunzick replied that the person who has serviced the truck had done extensive Internet research on the subject without success. It is known the truck has problems with injectors which are \$6K to replace but it is unknown if that will solve the problem. Mr. Bunzick is not aware of the existence of any potential class action on the issue.

Mr. Fuller asked about the \$5K engineering expense for Eastham. Ms. Brown indicated it was for an engineer to assist in the establishment of a wholesale price for sale of water to Eastham and to assess the changes that may be required in our DEP permit should we decide to supply Eastham with water at some future date.

Mr. Hayward asked about the decision not to replace mains. He wondered if we were at risk due to size and age. Mr. Bunzick replied most of the small mains go back to the mid 1960's and are threaded pipe of 20 foot lengths with coupling. New pipes are longer and do not have the coupling problems. Mr. Hayward asked about the number and characteristics of pipe failures. Mr. Bunzick said we have 15 to 30 breaks per year and most problems are related to the inability of cast iron pipes to flex with rapid changes in temperature. Pipes that are pre-1972 are cast iron and those are the ones that are being replaced on a scheduled basis.

Mr. Barr asked if the \$4.5K in Appendix A for engineering for storage tank regulations was for the repair and repainting of tank two or was it something different. Ms. Brown replied that the tank two engineering costs are included in the CIP for it but the Appendix A item is to cover the DEP requirement that the tanks be inspected annually by a professional engineer.

Mr. Fuller asked about the \$12K request in Appendix C for roof repairs. Mr. Bunzick and Ms. Brown replied some of this is a reoccurring expense for replacement and repair of perimeter fence but most of it is for repair of the roofing over wells some of which dates back to the 1960's. Ms. Holden-Kelly asked if we should expect to see this item in future years to which Mr. Bunzick answered in the affirmative.

Mr. Hayward asked if there would be a separate article for replacement of the membranes, the amount of the article, if this was the last of the series and about the life expectancy of the new membranes. Mr. Kelly indicated it would be the last of the series of three proposed and included as a debt exclusion item at a cost of \$285K. The new membranes are warranted for ten years which is twice the length of the warranty on the prior system. He said we hope to get more than a ten year life from them.

Mr. Barr asked about account number 539 for process test and wondered if these expenses were connected to the process test or the test lab that is being established under the business plan that has been discussed in W&S commission meeting. Ms. Brown indicated this account is connected to the process of supply not the other water testing lab.

Mr. Rooker asked about how it is determined what goes into the water reserve fund. Mr. Kelly said that the water department operates under a special fund created in 1953 to set up the water district. While the town collects for water bills, the water department is to operate as a 100% self funded enterprise. All revenues go into the water department special fund and none goes into general revenue. All expenses are allocated to the water department so the general fund is made whole. Ms. Brown indicated we try to maintain a balance of \$1M in the reserve for emergencies. Mr. Kelly showed up the spread sheet started by Lou Briganti to track and forecast revenue and expenses and indicated that Ms. Brown will pick up responsibility for maintaining this in the future.

Mr. Hodgson asked if the debt for the filters was covered by the fund and Ms. Brown indicated that it was. Mr. Kelly said there were few occasions when we used other financing mechanisms in the past but even then the costs were allocated back to the water department.



Approval of Minutes:

After brief discussion we agreed to consolidate the corrections sent and those members had with them for the meeting of February 28, 2011 via email and review a correct copy at our next meeting. Mr. Barr reported he had completed the minutes for the special meeting of March 9, 2011 and was working on the minutes for the public hearing and the joint budget review. He indicated he would send drafts to the committee in advance of the March 17th meeting.

Budget Reviews:

Budgets on Hold from prior meetings:

Gwen Holden Kelly distributed an update of budgets voted on to date and suggested we move to vote on outstanding departmental budgets. Mr. Hayward suggested we start with department 122 which was on hold pending receipt of additional information regarding the request for \$25K to implement the DPW reorganization. Mr. Hayward mentioned the question was asked and answered a number of times the night before and expressed the opinion that he did not think we would get a more definitive answer than had been given the night before at the public hearing on the budget.

Mr. Fuller expressed the opinion that \$25K was not sufficient to fund the external hire that had been discussed the night before. Ms. Holden-Kelly said it was her understanding from the prior night discussion that the \$25K would be moved from an expense budget account to a salary budget account in accordance with our prior discussion of this issue but the actual implementation of the reorganization was still an open issue that would be further discussed by the Board of Selectman.

Mr. Barr indicated he had done an Internet search to determine the salary ranges for comparable positions and, while he could not find exact matches to mixes assumed by the job titles on the proposed organization charts, he did find matches to what he suspects will be close in terms of the qualifications required. He reviewed the duties and required qualifications of an Environmental Engineer. Mr. Barr said if one assumes the \$80K or so paid to Lou Briganti were combined with the incremental \$25K in the budget request it would be adequate to go into the open market and hire someone with the credentials he assumed we would require.

Ms. Holden-Kelly agreed the information was interesting but, since we don't know what will be proposed for implementation, it is difficult to know if the \$25K is or is not enough to accomplish the objective. Mr. Hodgson asked so why are we voting on it. Mr. Hayward said the question had been asked and answered in the public hearing and indicated if there is not enough to implement the plan that everyone will endorse either the plan will not be implemented or the Town Administrator will have to come to the Finance Committee with a transfer request.

Mr. Sigel concurred with Mr. Hodgson's opinion. He does not think the information we are getting is tracking with the budget request. There was discussion at the public hearing of the need to go outside to hire but that intention is not supported with the allocation of money to do so. In his mind the only alternative possible, given the funds requested for implementation, would be for internal allocation to the salary of an existing employee. Mr. Sigel would prefer to vote on the true cost of the proposed external hire versus an insufficient budget that may need a supplemental appropriation before the accepted plan can be implemented. He expressed his discomfort with the lack of clarity about what the direction the reorganization will take and wondered aloud about why we need to vote on something that has not been explained to his satisfaction.



Mr. Barr indicated he had to back off his prior position approving the \$25K as incremental to the salary previously paid to the water superintendent but, since Mr. Briganti passed away before the budget was developed, his salary was not in the budget and the \$25K would in fact not be enough for an external hire. Mr. Fuller responded the water department budget did in fact contain the \$86K previously budgeted for Mr. Briganti and continued that the organization still contemplates a manager for the water and sewer superintendent so we are back to the issue of the \$25K not being enough to fund an external hire.

On a motion by Mr. Hayward to approve the budget as submitted and seconded by Ms. Holden-Kelly the committee voted 2-4-1 with Mr. Hayward and Ms. Holden-Kelly voting aye, Messrs. Barr, Sigel, Hodgson and Fuller voting nay and Mr. Rooker abstaining.

Budget Approvals:

Chairman Hayward moved that the Finance Committee approve the following budget:

• #124 Media Operations in the amount of \$95,096 The motion was seconded by Mr. John Hodgson and approved 7-0-0.

Chairman Hayward moved that the Finance Committee approve the following budget:

• #161 Town Clerk in the amount of \$127,607 The motion was seconded by Ms. Holden-Kelly and approved 7-0-0.

Vice Chairman Holden-Kelly moved that the Finance Committee approve the following budget:

• #171 Conservation in the amount of \$89,434
The motion was seconded by Chairman Hayward and approved 7-0-0.

Vice Chairman Holden-Kelly moved that the Finance Committee approve the following budget:

• #175 Planning/Community Development in the amount of \$133,947 The motion was seconded by Mr. Hodgson and approved 7-0-0.

Vice Chairman Holden-Kelly moved that the Finance Committee approve the following budget:

• #210 Police/Communications in the amount of \$2,141,641 The motion was seconded by Mr. Fuller and approved 7-0-0.

Vice Chairman Holden-Kelly moved that the Finance Committee approve the following budget:

#211 Police Building in the budget revision amount of \$100,428
 The motion was seconded by Mr. Fuller and approved 7-0-0.

Mr. Fuller moved that the Finance Committee approve the following budget:

• #220 Fire/Rescue in the amount of \$2,174,626 The motion was seconded by Mr. Rooker and approved 7-0-0.



Mr. Fuller moved that the Finance Committee approve the following budget:

• #221 Fire Building in the amount of \$134,363 The motion was seconded by Mr. Hayward and approved 7-0-0.

Mr. Sigel moved that the Finance Committee approve the following budget:

• #241 Building Department in the amount of \$226,492 The motion was seconded by Mr. Hodgson and approved 7-0-0.

Mr. Sigel moved that the Finance Committee approve the following budget:

• #242 Building Code Board of Appeals in the amount of \$243 The motion was seconded by Mr. Fuller and approved 7-0-0.

Mr. Fuller moved that the Finance Committee approve the following budget:

• #294 Tree in the amount of \$81,595 The motion was seconded by Mr. Hayward and approved 7-0-0.

Mr. Fuller moved that the Finance Committee approve the following budget:

• #295 Harbormaster/Shellfish in the amount of \$289,730 The motion was seconded by Ms. Holden-Kelly and approved 7-0-0.

Mr. Hayward moved that the Finance Committee approve the following budget:

• #421 Highway in the amount of \$770,277 The motion was seconded by Mr. Sigel and approved 7-0-0.

Mr. Hayward moved that the Finance Committee approve the following budget:

• #423 Snow Removal in the amount of \$88,281 The motion was seconded by Mr. Hodgson and approved 7-0-0.

Mr. Hayward moved that the Finance Committee approve the following budget:

• #431 Snow Removal in the amount of \$440.958 The motion was seconded by Mr. Hodgson and approved 7-0-0.



Chairman Hayward moved that the Finance Committee approve the following budget:

• #543 Veterans Benefits in the budget revision amount of \$64,492 The motion was seconded by Ms. Holden-Kelly and approved 7-0-0.

Mr. Rooker moved that the Finance Committee approve the following budget:

• #649 Jonathan Young Windmill in the amount of \$6,849 The motion was seconded by Chairman Hayward and approved 7-0-0.

Mr. Rooker moved that the Finance Committee approve the following budget:

• #650 Parks & Beaches in the amount of \$1,140,815 The motion was seconded by Chairman Hayward and approved 7-0-0.

The Parks and Beaches budget was approved after considerable discussion related to the \$25,000 reduction in the proposed budget for seasonal labor based on the length of beach closings in the prior year. Chairman Hayward opined this was a double edge sword...while reducing expenses the reductions came at the expense of ORV revenues. Mr. Fuller indicated this was only half of the \$50,000 surplus this department turned back at the end of the last season. .Mr. Hodgson asked if the budget included any funding for the plover issue as this was a stated goal of the Selectman yet, to his knowledge, the only action taken on it was a letter to other towns requesting a joint effort to address the issue. Mr. Hodgson wondered in there was a need for a budgetary item to accomplish the goal. Ms. Holden-Kelly stated her belief that it would be a legislative matter and may not require funding at the departmental level.

Tabled without a vote for reconsideration:

Vice Chairman Holden-Kelly moved that the Finance Committee approve the following budget:

• #213 Fuel in the amount of \$160,322

The motion was seconded by Mr. Hayward and after discussion tabled for reconsideration when fuel contract prices are known.

Without a motion

- #510 Health in the amount of \$260,687
 Was tabled for reconsideration when pending clarification of the impact of flu vaccine reductions...
 - #840 Other Assessments

in the amount of (waiting for final requests)

• #131 Finance Committee in the amount of \$115,850
Was tabled for reconsideration pending return of member Carron from a business trip.



- #914 Employee Health and Medicare in the budget revision amount of \$2,068,868 Was tabled for reconsideration at the March 17, 2011 meeting of the committee.
- #710 Principal, Notes and Bonds in the budget revision amount of \$2,519,212
 Was tabled for reconsideration pending clarification of the revised amount.

Annual Report of Finance Committee:

Chairman Hayward reopened the discussion of the direction content of the annual report should take. He acknowledge the input received from the members to date, stated he was working on a draft and would have something to present to the committee at our next meeting, then went round the room to solicit additional input.

Mr. Barr restated his concern for the impact of unfunded mandates on the tax rate and asked if a study had ever been done to calculate how much of the town budget is truly discretionary spending. He opined that our message should include a call to the electorate to get excited about the "death of a thousand cuts" we are experiencing as a function of the never ending additions to unfunded mandates.

Mr. Sigel repeated his belief that this year's report should have a different tone than those of the past. While we should acknowledge the reality of unfunded mandates, Mr. Sigel believes the emphasis should be on controlling what we can control.

Ms. Holden-Kelly said she had sent her comments to the chair but indicated she believes we need to focus on the overarching issues and site specific examples that point to the macro issues.

Mr. Rooker cited the demographics of the town 50% over age 65 and 25% over age 75 and the impact of a 6.5% tax increase on a population of people on fixed incomes while, at the same time, holding our public employees to wage increases of 1%. He asked why this is happening and said we can not continue on this course... something has got to give.

Mr. Fuller in alluding to his position on zero based budgeting, said he stated his opinions two years ago and they had not changed.

Mr. Sigel said he thought Mr. Rooker's comments were in the right direction. He said the message could almost be put into a FAQ format and used to provide the community with the kind of information we get by our attendance at meetings but the average resident does not often hear. As an example he cited the discussion that came out in the review of the school budget that indicated the 83% salary content of the OES budget was a function of employees hired in the 60's and at the top of their salary grade.

Mr. Hodgson said he thought the message should be personalized and related a conversation he had with a resident with a \$30,000 tax bill. Mr. Hodgson said his initial thought was this guy must be loaded until the man told him he was about to sell because he can no longer afford to live here. Mr. Hodgson thinks we need to assess the impact of what we are doing on the potential of the town becoming an enclave of second homes for the rich.



Ms. Holden-Kelly, while not disagreeing with the content of the discussion, expressed concern about laying these issues out without also providing some suggestions for solutions. She said she does not think people want to hear about problems without also hearing some things that we could do.

Mr. Rooker said he thinks there has not been sufficient articulation of the problem and there is value in laying out the problem even though he admits to not having a solution.

Mr. Fuller said he thought the problem was, while the tax implications of budget proposals are put before the voters in the warrant, the presentations are often expressed in terms of short term implications of \$5 here and \$5 there sooner or later adds up to real money. The voters are often not thinking of the longer term impact of their purchases.

Other Business:

Chairman Hayward asked the committee for their reactions to the Budget hearing of the night before. Mr. Sigel suggested we should discuss the wisdom of coupling the school budget review on the same night as the budget hearing. Mr. Jon Fuller said this was the only night the schools were available. Mr. Hodgson suggested we schedule the date for nest year's school budget review now.

Mr. Sigel indicated he and one other member would not be in town on the 17th asked about the meeting scheduled for March 17th. He expressed his concern that we would have a quorum. Mr. Hayward said he was anxious to press on and believed we should not cancel the meeting until it was clear we had to do so. He indicated he was pressing to try to fill the vacancy on the committer before the traditional start for new members of July 1st. He said he thought it would be useful to get someone on board now so they could learn how we operate before going into a new budget year. He asked the committee to recruit people they think might be interested. Mr. Hodgson and Ms. Holden-Kelly expressed reservations about adding someone at the end of the budget season. They thought a new person now would slow down our deliberations as we would have to spend valuable time bringing the new person up to speed.

Board, Committee and Department Reports:

Affordable Housing - Rick Sigel, no report

Board of Health – Ed Barr reported that the VNA has offered to purchase flu vaccine and serve as a buffer against the state reduction of the town's allocation. We will draw on the VNA supply to supplement what we get from the state.

Board of Selectman meeting of March 2, 2011 – Larry Hayward reported town counsel Michael Ford participated in an extensive discussion of the reassignment of the developer of the Rt. A affordable housing project from McShane to HECH (Harwich Ecumenical Council for the Homeless, Inc) which would become the developer while McShane would continue in its role as builder. Mr. Hayward said this is still not for sure but it was the preferred direction to ensure the project moves forward. The BOS would still have to approve the change.

He continued there was a lot of discussion about Hubler and Putnam. Mr. Ford reported on restrictions on the bonding that may impact on the ability to long term lease these properties for commercial purposes. There was also a discussion of the need to correct \$40,000 in code violations at the Hubler property before anything could be done with it. There was some discussion about a possible article for \$78,000 to fund the clean up of the Putnam property. Mr. Kelly announced that the grant money that was theoretically supposed to fund the acquisition of this property will not be available until May or June as the grantor is



waiting for the town to submit a required management report. Mr. Hayward said there was extensive discussion about how these two land acquisitions differed from prior acquisitions in that they were handled outside of the CPA and the need for the grants to go to retire the debt.

There was also discussion about the possibility of warrant articles to fund Quinn Bill payments and to endorse new fee schedules for town services.

Water and Sewer – Ed Barr reported the meeting scheduled for March 2nd was cancelled.

Community Preservation Committee - Mark Carron was absent.

Nauset Regional School Committee

Orleans Elementary School Committee – John Hodgson did not issue a report as we all attended the budget review. Mr. Sigel reported that he responded to the invitation to visit OES and found it a worthwhile exercise to see how creative the school is in using the resources that are available to the point of only carpeting one side of a room at a time because that is all the funding they had left. Dale Fuller mentioned that the reason the invitations were late was because the town was reluctant to give out our email addresses. Mr. Hayward said we should emphasize to our liaison committee chairs to contact us for communication on these type events.

Renewable Energy Committee - Paul Rooker -nothing to report.

Adjournment:

There being no further business before the committee on a motion by Mr. Barr seconded by Mr. Sigel the committer voted for adjournment at 9:57 p.m.

Respectfully submitted

Edwin W. Barr Acting Secretary

Next Meeting:

March 17, 2011 at 6:30 in the Nauset Room at the Town Office Building

Future Agenda Topics:

- Get detail on unfunded Retirement liabilities
- o Get details on unfunded Insurance liabilities
- o Invite Mark Budnick in to give report on expenditures
- Invite Ken Hull in to review drop in valuation/fluctuation
- o Debrief on the Town Hearings on Budget and Capital Plan issues
- Discuss Finance Committee WEB site opportunities
- o Review the importance of an MIS audit
- o Review the merits of the towns participation in the RTA
- o It was suggested that the committee add on to the list of future topics rolling salaries into Job Description Both Chief's get paid under the Civil Defense Budget.
- o Look at Methane Gas flare how could we take advantage of this fuel?



- It was suggested that the committee add reviewing the Unfunded Liability and the creation of "Trust Funds" to their list to follow-up.
- It was suggested that the committee add reviewing the Unfunded Liability and the creation of "Trust Funds" to their list to follow-up.
- It was asked to place the Putnam Property review on the follow-up list. Questions on why the extra money is needed should be reviewed.
- Look into Snow Storm "wet" application vs. salt
- Look into storm water remediation issues/concerns.
- Look into options on how to leave the Old Kings Highway Historical Commission?