

Public Hearing of the  
Board of TFD Fire Commissioners

**DRAFT** -- Meeting Minutes – February 18, 2016  
Thompsonville Fire Station, 35 N. Main Street

**1. Call to Order:** by Sec/Treasurer Commissioner Gaskell at 6:36 pm.

**2. Roll Call:** present was Chairperson Reidy, Comm. Magistri, Comm. Stone, and Comm. Gaskell. Comm. Brouillette was not present.

**3. Reading of the Ground Rules:**

Comm. Reidy said each person is allowed 5 minutes to speak. After the first round of comments is done, a person may speak for a second time for 5 minutes.

**4. Board of Fire Commissioners' Comments:**

None.

**5. Public Comments:**

Erlene Provencher, 94 S. River St., said the Charter Commission didn't have time at the last meeting to review the use of shall and must. We decided to let the Fire Commission decide. I recommend replacing the word shall with the word must. Comm. Reidy said we will need to hold a meeting because the Charter Commission would have to approve any changes the Board would like to make.

Acting Chief Provencher asked about Article XII subsection (a). Our department has a sign-out sheet for equipment. We wear our uniforms which are district property to funerals and other functions. It should be up to the Chief to decide about smaller scale items. The Board should decide about larger scale items. Comm. Reidy said funerals could be viewed as a function of the job. Comm. Magistri said I have an issue with employees borrowing equipment without notifying anyone. Comm. Reidy said we could include this in the Board's policy book. Acting Chief Provencher said accountability is maintained. Members seek permission before any equipment is signed out.

Marge Perry, 281 Washington Rd., asked about Article III Section 3.3 (b) ii. I don't think you can do that. If you are a member of the Board you are supervising the Chief and his subordinate. That is a state law. Jeff Cross said state law says you as employee cannot supervise yourself. Ms. Perry said supervising yourself and a family member supervising you are two different things. Mr. Cross said it also indicated family member. Ms. Perry said you can't remove an elected official for failure to attend meetings. Mr.

Cross said our legal counsel recommended that we put that in and see what happens. Another town has that as a law. Comm. Reidy said that is only for members of commissions. Ms. Perry said you cannot remove an elected official. It's giving people the wrong impression if you leave that in. I went through the same thing with the charter for the Town of Enfield. I don't like the section in Article VI about the Board verifying candidates for Commissioner. You are verifying a person who might run against you. The clerk could do the verifying.

Jeff Cross, 1116 Enfield St., said we would not have left these issues in the Charter if we did not feel they were appropriate. We did have advice from legal counsel. We referred CT statutory law.

Mike Helechu, 31 Elm Meadows, said I assume you will have an attorney review the documents and make recommendations. After that is done it would be a good idea for the Board of Commissioners to meet with the Charter Commission to discuss any changes the Board would like to make. That would help us in our final deliberation. Comm. Reidy said I think that has to happen before March 4. We have 15 days to make changes. Then the Charter Commission has 30 days to accept or reject any recommended changes. Mr. Helechu asked about Section 10.2. I think it is supposed to say any monies received by the District shall be received by the Treasurer or his/her designee. If the word and is used that means two people have to see the money coming in.

Comm. Magistri asked Article VI Section 6.1 (b). One of the requirements to be a voter was that person has to be a taxpayer. What was the intent for omitting this? Erline Provencher said it was because of the car tax. Also a person could sell their house to a family member and not pay taxes.

Mike Helechu said the Charter Commission was thinking about minority representation when certifying a candidate. Whether a person was eligible to run based on the makeup of the Board.

Comm. Magistri said an earlier draft included any person ceasing to live in the district would automatically cease to be a Commissioner. Keith Pliszka said Section 6.2 (b) says all candidates for Commissioner shall live in the District. Comm. Magistri asked is the intent at all times. Mr. Pliszka said yes. Mike Helechu said it says so in Section 6.4 (c).

Mr. Cross said this document was designed to link article to article to article. One article may imply something that may be supported in another article. In regards to use of district property, we intended to ensure that when someone in the TFD is representing the TFD in uniform that it is appropriate. We didn't want someone taking advantage of their position in the TFD to promote their political agenda. The employees have a responsibility to represent the TFD appropriately.

Comm. Stone said we added a severability clause to our Fire Marshal Ordinances to protect ourselves from having an invalid document at any point in time. Did the Charter Commission consider putting something like that in? Mike Helechu said you would have to get a legal opinion on that. Jeff Cross said we expected and were looking forward to the legal purview of this. We did not want to abuse the amount of pro bono work provided by our attorney. We wanted the taxpayers better representation and say in the entire process.

Marge Perry asked if a charter review process is included. Jeff Cross said no.

Comm. Magistri asked about Article X Section 10.1 (b). Should the Treasurer or the entire Board designate an entity to collect taxes? Or does the Treasurer act on behalf of the board? Comm. Stone said we had a public vote to select who our tax collector would be. Comm. Reidy said that was part of Chapter 105. Comm. Stone said it comes down to what the word designate means.

Mike Helechu said we put that wording in to leave the door open for the selection of any entity that could collect taxes. You are not limited to using the Town. Comm. Reidy said we will review Chapter 105 about this.

Comm. Magistri asked about Article IX Section 9.9 (d). You should change the word or to and. Because a \$50 dollar contract would require full disclosure to the voters. Comm. Stone said we are allowed to borrow up to one third of our budget. Comm. Reidy said I thought it was 3 percent. Comm. Stone said Section 10.3 (b) says up to 25 percent of the total budget. Comm. Magistri said that has nothing to do with what I am talking about. Comm. Reidy said we can discuss it tomorrow.

Jeff Cross said it was recommended to use a percentage and not a hard dollar value. The Board can borrow a total amount of up to 25 percent. Last year we received our check from the Town at the end August and it was only half the amount. We wanted to make sure there was plenty of money to do the base functions. Another 25 percent cannot be borrowed until the first 25 percent is paid back. Comm. Stone said last year we talked about borrowing money. There were several issues with that.

Keith Pliszka, 33 St. Thomas St., said the Charter Commission had a fixed amount but the taxpayers wanted a percentage. The loan has to be paid back within 120 days. Comm. Stone said we don't have the ability to get loans as a Chapter 105 entity.

Keith Pliszka said I believe the intention for Section 9.9 (d) was we didn't want the Board to keep renewing contracts. Jeff Cross said we wanted the taxpayers to know upfront if there is a renegotiation of a contract. We didn't want the Board tricked into thinking they reduced an expense when they really increased it. Any change to any contract that exceeds one year needs to be brought to the taxpayers so they know what you are committing to. Because that becomes a fixed expense in next year's budget. Comm. Stone asked would you consider exceptions to be that it doesn't go beyond our

discretionary budget. Mr. Cross said we are not trying to handicap the Board we just want to make sure there is full disclosure. Comm. Stone said it doesn't read easy that way. Something that's being interpreted now could be interpreted in a different way later on. Mr. Cross said that is why we were looking forward to an attorney reviewing this. We expressed our intent to Atty. Landolina and he reworded it to more appropriate language.

## **6. Adjourn**

**MOTION to adjourn** made by Comm. Gaskell, seconded by Comm. Reidy. All in favor by ayes at 7:21 pm.

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