

Thompsonville Fire District Charter Revision Committee
Regular Meeting Minutes – March 30, 2017 – 6:30 p.m.
35 N. Main Street – Enfield, CT

1. Call to Order:

Chairperson Stone called the meeting to order at 6:35 p.m.

2. Roll Call:

Present were Pat Compositor, Keith Pliszka, Jeff Cross, Erline Provencher, Chair Mike Stone. Also in attendance was liaison Commissioner Patrick Gaskell.

Before meeting went to discussion of the Public Hearing Comments, a motion was made to add to the agenda the approval of previous meeting minutes:

MOTION to amend this evening's agenda to add under Roll Call "Approval of previous meeting minutes." Made by Mike Stone, seconded by Erline Provencher. Passed unanimously by ayes.

MOTION to approve the minutes of February 16, 2017. Made by Pat Compositor, seconded by Keith Pliszka. No discussion. Passed unanimously by ayes

MOTION to approve the minutes of February 18, 2017. Made by Mike Stone, seconded by Keith Pliszka. No discussion. Passed 4-0-1 abstained.

MOTION to approve the minutes of the March 9th Public Hearing. Made by Pat Compositor, seconded by Keith Pliszka. Discussion: Mike Stone mentioned that he paid to have this transcribed so it copied everything. He cleaned it up with the conversation that should not be in there but all comments regarding the Charter were 100% there. The transcript didn't pick up the beginning of Mike's (Helechu) comments because the room was very loud. Once he started talking, the room quieted down. Erline mentioned that she formatted the transcript to align with the formatting of previous minutes. Motion passed unanimously by ayes.

3. Discussion of Public Hearing Comments:

Labor Contracts

Prior to this meeting Jeff Cross had texted Mike Stone for a copy of Chapter 105 to bring to the meeting.

Jeff said that the number one issue that many people brought up was the voting on the labor contracts and he was wondering where in the Statue this was mentioned.

Keith Pliszka brought forward a seven page handout of Sec. 7-474 that was pulled from the Connecticut General Statutes and presented a copy to all members. An excerpt from his 7 page printout that was discussed follows (paragraph (d) and (e):

2011 Connecticut Code Title 7 Municipalities Chapter 113 Municipal Employees Sec. 7-474. Negotiations and agreements between municipality and employee representatives. Federal approval. Elective binding arbitration; procedure; apportionment of costs.

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Paragraph (d) “If the municipal employer is a district, school board, housing authority or other authority established by law, or is a private nonprofit organization which has a valid contract with any town, city, borough or district to extinguish fires and to protect its inhabitants from loss of fire, which by statute, charter, special act or ordinance has sole and exclusive control over the appointment of and the wages, hours and conditions of employment of its employees, such as district, school board, housing authority, other authority or corporation, or its designated representatives, shall represent such municipal employer in collective bargaining and shall have the authority to enter into collective bargaining agreements with the employee organization which is the exclusive representative of such employees, and such agreements shall be binding on the parties thereto, provided, where any provision of any such agreement require federal approval, such provisions shall be binding upon receipt of such approval, and no such agreement or any part thereof shall require approval of the legislative body of the municipality.”

Jeff asked Keith if this was included under Fire, Sewer, and other Districts under Chapter 105 as the copy of Chapter 105 he had did not include the section 7-474. Keith said it was and referred to paragraph (d) on page 2 of 7 and referenced (e) on page 3 of his handout:

Paragraph (e) “No provision of any general statute, charter, special act or ordinance shall prevent negotiations between a municipal employer and an employee organization, which has been designated or recognized as the exclusive representative of employees in an appropriate unit, from continuing after the final date for making or setting the budget of such municipal employer. An agreement between a municipal employer and an employee organization shall be valid and in force under its terms when entered into in accordance with the provisions of sections 7-467 to 7-477, inclusive, and signed by the chief executive officer or administrator as a ministerial act. Such terms may make any such agreement effective on a date prior to the date on which such agreement is entered. No publication thereof shall be required to make it effective, The procedure for the making of an agreement between the municipal employer and an employee organization provided by said sections shall be the exclusive method for making a valid agreement for municipal employees represented by an employee organization, and any provisions in any general statute, charter or special act to the contrary shall not apply to such an agreement.”

After members read this section, Mike Stone said if this is correct, what do we change in here?

Keith Pliszka: Just revert to what we had.

Mike Stone: Why?

Keith Pliszka: Why not?

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Mike Stone: Why? It doesn't change anything. Chapter 105 states that there is nothing in here that says that we are required to vote on a labor contract. Where does it state they have to vote on a labor contract?

Keith Pliszka: I asked that question and you said that

Mike Stone: I said that according to what I read, it was that way but the statute reads differently, so what's the matter?

Keith Pliszka: What's the matter if it's in there?

Mike Stone: I'm just saying, Other than labor contracts it is any contracts.

Pat Compositor: You wanted to put back in "Other than labor contracts"

Keith Pliszka: That's right

Mike Stone: But it is stated here (7-474). So, you can't do it if it is stated there (in that section).

Pat Compositor: So why not change it back to what it was?

Mike Stone: So why don't we state other stuff that is obvious, that firemen must wear helmets? I just don't understand why we have to clarify stuff. We just stripped out a line that wasn't in Chapter 105. Period. That was taken straight out of the 105 section. I do not understand why it is such a big deal. There is no affirmative requirement for a public vote, period, at any point of time. Nowhere does it say that it was required.

Pat Compositor: So why did we take it out in the first place?

Mike Stone: Here is my question. I heard a lot of statements about how we get to vote on the budget but we don't have any say on what the contract is, and that's fine, because they don't get to negotiate the contract but that doesn't mean they can't come to us and ask us questions prior to a vote. Period. The Board can come to us and say we would like to have a budget cap for labor costs prior to a vote and put that to a vote for public. We could define that as the actual way of defining....if you want to put a mandatory vote in place

Keith Pliszka: No, we do not, I don't

Mike Stone: There is no mandatory vote in place currently. You are leaving it wide open to whoever the Board is to do what they want to do at that point, There is nothing that would prevent a Board from doing other things, or the public from demanding something if you literally stated in there that the public can't make any demands were basically shut out of that conversation completely, if we were unhappy about something. We can't protest but which we perfectly have the right to do that; we're allowed to do that.

Keith Pliszka: You can walk the picket line.

Mike Stone: We could do far worse than that, but I don't want to see it go down that path Keith.

Erline Provencher: Can I ask a question? Why don't you want it to go to public view?

Keith Pliszka: Why?

Jeff Cross: What are you afraid of?

Erline Provencher: I just want to know why.

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Keith Pliszka: Well . . . (pause). . . We negotiate in good faith with the Commissioners. District people put their faith in their commissioner's hands to negotiate.

Erline Provencher: Well, we did, yes

Keith Pliszka: I am sure you are now

Jeff Cross: No, I'm not. I don't trust anybody at this point, Keith I don't trust my mother, I don't trust my wife when it comes to this sort of thing. I want to have the say and have what we are allowed to have. I tell you what. Keith, I know its all history, it's all in the past, no, it is not. The reason why it is in the past, and has to stay in the past is that the people have the tools to make sure that it never happens again and we need to have those tools. If we don't have those tools, it can happen again.

Mike Stone: To me I take this really personal. My tenor on the Board, I spent two years on the Board. I accomplished a ton of stuff. How long have you guys been trying to get the Fire Marshall ordinances in place prior to me coming on Board?

Keith Pliszka: Oh, believe me I went up to the mike and said we should have been doing it.

Mike Stone: But who got it done?

Keith Pliszka: And, you did a very good job

Mike Stone: And who went out there and knocked on the doors with the firefighters to get a million dollar increase in the budget put through.

Keith Pliszka: I know, I was right there with you.

Mike Stone: So what really annoys me is "I don't trust the public", well, that really just burns me because you are supposed to say, trust the Board but you don't trust the public

Keith Pliszka: Well, what is going to happen five years down the road?

Mike Stone: Exactly, I don't know who the heck is going to be on the next board. I have no clue. I've donated equipment in this district, I have done a lot and I feel like I get completely insulted every single time and I don't mean to make this personal but I feel attacked as if I haven't done anything except trying to destroy and I've actually done a lot of good, I feel. Things I had to do; I've made major sacrifices. I recall people complaining about how they didn't get paid completely; or this or that. I gave up months, I gave up weeks of my personal vacation time to go to court houses and court hearings and no one compensated me; I didn't even get a "Good Job!" I just had to do it

Keith Pliszka: Well, you know what, I've been here 40 years and you know how many good jobs I got (raspberry)

Mike Stone: Well, you got a pay check

Keith pliszka: I do get a pay check

Mike Stone: You know how many good jobs I get from my boss? (raspberry)

What frustrates me is that I feel the attack, personally, because I worked hard, and I think I did good getting things cleaned up. We had a building that we didn't have enough funds to complete. The District could just have easily gone bankrupt if we didn't recover this stuff.

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Keith Pliszka: Bottom line, is this legal to do?

Mike Stone: First of all, we are not mandating a vote. Where in here do we require that people vote?

Pat Compositor: But, it says right here.... So if it says it here we should put it here

Jeff Cross: Where?

Pat Compositor: Go to page two of seven and read the bottom part of (d).

Jeff Cross: Are you referring to the Charter?

Erline Provencher: No, this (7-474, last sentence paragraph (d))

Mike Stone: One of the things that flustered me as a commissioner was the inflexibility of certain things and this is to me inflexibility. I'll touch on other things that I've heard on this vote. I heard people complaining about the fact that basically why are we trying to sell the building. We sold that building; we made it a public vote. We had a public hearing on a contract for a lawsuit. We had to have a public hearing on that and it passed. What makes me struggle is that I want the public to be suspicious, and questioning the Board all the time because that makes the Board keen, sharp and alert, and paying attention.

Pat Compositor: One thing though, we do not have to put anything to the public for public vote that is a line item. Their salary is a line item.

Mike Stone: The problem is that the line item is never predefined. So what if I said I'm running as a commissioner and I'm giving everybody a million dollar raise. Everyone is going to make a million dollars a year. You can't tell me no. You have no right to tell me no

Pat Compositor: Then why make this a line item if you say this? It is a line item on the budget that had been approved, it had been voted on. The public had voted on it.

Mike Stone: I don't think there is anything wrong with asking the public input on fundamentals about how a contract is constructed.

Keith Pliszka: Before you were saying vote on the contract, and now it's input?

Mike Stone: No, no, first of all we never had the word must vote on the contract in here. The way I may have spoken before was, vote on the contract and I'm okay with that too. I really don't think that would be an issue. I really don't. If I was told I had to deliver a contract to the public and have them vote on it I would get it done. Completely, convinced I could. But that takes trust with the public and the Board, and that is one of the things this department has failed to do decades before I came on board. They just did not have any trust with the public and its going to fall back into that again if we don't have this transparency and openness and the other part is to me is to eliminate some of the frustrations as a Board member. I don't like spending millions of dollars without having public input. I wouldn't go buy a building and firehouse without asking the public if they wanted it; someone else did. They didn't have a problem with it and I have some issues with the current budget as well.

Jeff Cross: I just found this clause, because I was going back, 328 section . . .

Pat Compositor: What are you reading Jeff.

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Jeff Cross: Chapter 105, Taxation and Bonds

Pat Compositor: That's the whole thing that Mike just gave you.

Jeff Cross: Yes, and we had this highlighted and it basically says "No contract or obligation that involved the expenditure of \$20,000 or more in districts where the grand list is greater than \$20 million, (which applies to us) in any one year shall be made by the Board of Directors unless specially authorized by a vote of the district, nor shall the Directors borrow town money without like authority." It doesn't specify union contracts. This section, right here, basically says if the contract is more than \$20,000 and I believe it is more than one year, it shall go to a vote of the district.

Keith Pliszka: But, this is a municipality employee's negotiations and agreements. (Sec 7-474)

Jeff Cross: But nothing in that specifically states that it cannot go to the vote and this (Chapter 105, 328) says it must go to vote of the people.

Pat Compositor: Wait, it says right here (Sec 7-474) "no such agreement or any part thereof shall require approval of the legislative body of the municipality". It says it right there.

Jeff Cross: The legislative body of the municipality is the commission itself; that's the legislative body, we're the Voters. The definition of the Voters is not the legislative body.

Pat Compositor: Do you have a copy of the budget; I just want to see the line items on a budget.

Keith had a copy of the new budget (2017-2018)

Jeff Cross: The new one didn't make it to the web site.

Mike Stone: It is not going up until after the public meeting.

Pat Compositor: So basically what you are saying is every line item here above \$20,000 has to be separately voted on by the public?

Mike Stone: Originally, we had a budget that had a more detail. So right now, because of the vagueness of this current budget there are going to be a lot more votes in this new budget because it doesn't specify(poop)... so basically there is going to be a lot of voting going on.

Jeff Cross: Until we have a union contract that we can see and in my opinion to vote on I don't know what the aspect is right now, there isn't going to be any budget because it will be voted down.

Pat Compositor: It is going to be voted down because they are not voting on a contract? Is that what you are saying?

Jeff Cross: No, it is going to be voted down because there is no contract. If we don't have a contract, I can't in good faith vote for the budget because it is not based on fact. It is based on a guess

Mike Stone: From my perspective the \$20,000 rule there is no definition on this budget. On previous budgets we actually knew exactly. The line items were ear marked, things like fire apparatus replacement, etc these were line itemed out. There is nothing in here

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(2017-2018 current budget). That means we are going to have a lot of votes as a public. That's my perspective.

Jeff Cross: That's my perspective as well.

Mike Stone: It is a very vague budget; it doesn't really tell us what they are spending their money on. It just has these huge big chunks of cash.

Mike Stone continued, I don't see any reason to change it. If that is correct (7-474) it won't matter. It will not make any difference again that is my personal perspective. But that is the way I feel about it. The other part too is that this always ends up going to legal review after the Board gets it. We haven't had any legal review on this (Charter). We are still arguing on things we did not have one attorney come in and talk to us. The previous board had all this stuff addressed. And, I remember Carl telling us originally when we went on Chapter 105 that it is a document full of contradictions. There are laws that counter other laws, what section you read determines what section you are going to honor. It's about fighting in court about stuff like that if you are going to get into fights. I don't see the district wanting to get into fights. I personally think that we should just be able to leave it as it stands as there is nothing in here that requires the public to vote on the contract. Read to me the affirmative statement that they are required to vote on the contract.

Pat Compositor: What was the argument when you took it out because you wanted them to vote on the contract?

Mike Stone: The Board to have the flexibility to do that. It does not say in here that you are required to do it.

Keith Pliszka: But when we brought it up and people were adamant that yes we are going to vote and it is a black and white. That was your stand.

Mike Stone: I stated this very clearly that if I was a commissioner I would not have a problem taking a contract to a vote. It is my job to go out there and get the public behind it.

Jeff Cross: Yes, I am here thinking they negotiated a contract so they are walking up to the voters saying this, we believe, is the best contract in the interest of the district. Do you think they will come up to present a contract that they don't support and if they don't want to know what the vote was; was it a 3-2 vote to accept the contract?

Mike Stone: Well, they would have to do that in public.

Jeff Cross: But if it was a 3-2 vote I want to know what the descending people had to say vs what the affirmative people had to say. Why are they descending, why isn't it 5-0? If they support that contract whole heartily, that says a lot to me. That they are the ones who negotiated and they think this is the best thing for us.

Mike Stone: I have a question for you. If we add that line back in there, Other than labor contracts, but we require that they have a public hearing prior to a vote on a contract. Basically you are saying you have all the faith in the commissioners.

Pat Compositor: Yes, we voted them there. We should have the faith of the commissioners.

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Mike Stone: We don't vote them in there; they go in there by default. You don't have a choice, No one freaking wants to run. You are barely able to get five, we beg borrow and steal to get five people.

Keith Pliszka: How many slots do we have this year?

Mike Stone: We have two slots.

Keith Pliszka: And how many people so far

Mike Stone: I don't have a clue

Jeff Cross: I think we have one

Keith Pliszka: One person that came forward?

Mike Stone: Yes; one may be an existing commissioner

Keith Pliszka: Last week someone dropped off one

Mike Stone: Well, there you go, you have two now. But, you're not voting for anybody.

Pat Compositor: I personally think we don't have enough advertising out to the town

Mike Stone: This is a crappy job; it is the crappiest of all jobs; it pays nothing.

Keith Pliszka: Yes, yes, it is

Mike Stone: You have to spend a ton of your time

Jeff Cross: It is a miserable job

Keith Pliszka: It is

Jeff Cross: Colleen just spent three and a half hours with the CPA on Sunday this week. More vacation time that is eaten up and she is not going to get reimbursed for. Yes, a crappy job. I think the idea of delegating as much as you possibly can to the voters is in their best interest as well.

Mike Stone: Absolutely; the public catches more stuff that I didn't catch.

Jeff Cross: And I was just about to say, at the public hearing, show me exactly why we needed to have the public vote on. That we, as this commission that was sitting here, getting barked at, yelled at, and trying to be intimidated. You don't think that that doesn't happen to the regular commission and what kind of intimidation they are going to get from a certain group or from some that can crowd a meeting? And we had this happen to us before and I think that was a perfect example that even made me think stronger that the contract should come to a vote. Because there was such a group, small group, advocating that. They came here because they had an interest. I saw that as just another reason why to spread it out even more

Mike Stone: But, even more importantly it was a small group, it was a very small group of taxpayers, a very large group of non taxpayers. So to me that is the part that really is the loudest voices in the room were the ones that didn't pay taxes in this district. And I don't see the other firefighters in their district running around in front of their fire (station) saying we need full time fire districts; we need to spend five million a year for our firehouse, we need 24/7. I don't see any of that stuff. I just see that here.

Pat Compositor: Maybe it is just because they don't care.

Jeff Cross: They don't care about their fire protection? The other fire districts and this is something that confuses the heck out of me why the other fire districts feel their

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protection is adequate with the number of firefighters they have. And yet, this fire district, insists on 24/7. I don't know, we as a fire district the Thompsonville area can afford this anymore

Mike Stone: So, the question is, what alternative text would you put there that would make everyone comfortable. You just wanted to add that text back. What else could you put there? We put other statements in before, I remember I came back with wording that people agreed to so other than labor contracts, what would you put in there?

Pat Compositor and Keith Pliszka: Other than labor

Mike Stone: Then, that's the only thing that works.

Erline Provencher: Keith, isn't your salary public?

Keith Pliszka: Yes, it is.

Erline Provencher: The other firefighters?

Keith Pliszka: Everybody, all municipal employees

Erline provencher: And the benefits that I am paying, isn't that public?

Keith Pliszka: Yes

Erline Provencher: Well, that is in your labor contract, so why can't I review that. Why can't I see that?

Keith Pliszka: You can review that

Erline Provencher: I have never seen a labor contract because it was never brought forward to the public. It is not saying that the public is going to vote. It doesn't say here that the public is going to vote on that. It just says that we want to see it. We want to see what is going to be included in that budget. We want to see, I just want to see.

Pat Compositor: We were talking about them voting on it, though.

Erline Provencher: I know, but it doesn't say that. Where does it say that we are going to vote on it?

Keith Pliszka: It was brought up

Erline Provencher: It was brought up but it doesn't say it, read that (d). It just says that it is going to be fully disclosed to the voters. It doesn't say that I'm going to vote on that.

Jeff Cross: Let's look at what the wording says there: "Any contracts, asset sales, purchases and/or agreements that exceed \$20,000 or where the term exceeds one year must be fully disclosed to the Voters at the presentation of the budget". Must be presented.

Pat Compositor: Okay, but then again you say not part of the budget process. Salary is part of the budget.

Mike Stone: So, we're not allowed to know what we are voting on, is that what you are trying to say?

Pat Compositor: No

Jeff Cross: Any contracts that are not part of the budget process then you have to have a special election on it. That is what that is saying. All we're saying is that the union

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contract, if it is part of the budget, any agreement that is more than \$20,000 needs to be presented at the time of the budget.

Erline Provencher: And if there is anything in that contract that is not in our budget, then we have to vote on it.

Mike Stone: So what you are saying that we should just have a budget and whatever the labor costs are you should never have to know what that cost is, ever. I heard people in the public say well people should have input on the budget or if they don't like what is in that contract then they shouldn't vote for those commissioners again but they get to vote for the commissioners the same time the commissioners are voting on the budget

Jeff Cross: Let us look at the wording again. "Any contracts, asset sales, purchases and/or agreements that exceed \$20,000 or where the term exceeds one year must be fully disclosed to the Voters at the presentation of the budget". Period. Now, if it happened outside of the budget presentation then it had to be voted on by the people. We are not saying that the contract itself has to be voted on, what we are saying is that it must be presented and we want to see it.

Keith was reading "agreements that exceed \$20,000 and are not part of the budget process...."

Jeff Cross: And not part of the budget process

Mike Stone: You are saying that the public has no right to see what the contract is prior to the public vote on their budget

Erline Provencher and Jeff Cross: And that's what bothers me

Erline Provencher: We are not going to vote on your contract because that is being negotiated between you and the Commissioners. I just want to see it.

Keith Pliszka: You do have a right to see it

Erline Provencher: Thank you

Jeff Cross: We should see it at the time of the budget because we know that 70% of the budget is your contract.

Keith Pliszka: Okay, say like in March they ratify our contract. Both sides agreed. Now do we have to wait until after the district vote?

Jeff Cross and Erline Provencher: No, we are not saying that.

Mike Stone: Here is the question. It comes up this way. If everyone is going to get a million dollar salary wouldn't they have to get the budget approved to do that? If everyone got \$50,000 for pocket money every year, wouldn't they have to have a vote of the public to approve a budget before they sign an agreement with you guys? They would have to know what the budget allows them to do before they can go spend that money.

Jeff Cross: Here is the other side of the coin that really bothers me. The mill rate cannot be a function of a contract. The contract should be a function of a mill rate. The number of employees should not be a function of a contract. The number of employees should be a function of the amount of money coming in the door. Every business,

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every other organization in the world, the number of employees is a function of how much cash you got.

Mike Stone: So based on this, what do you disagree with? That the public has no right to ever know what the union contract looks like?

Pat Compositor: They can look at that it is public record.

Mike Stone: No, it said right here, other than labor contracts we have no right. So you excluded it as something we are allowed to see.

Keith Pliszka: It is a public record

Mike Stone: No, it is not. It is in the Charter. The public had voted and agreed to not to visibly see the labor contracts.

Keith Pliszka: I just say let's go for a vote.

Jeff Cross: So you are making a motion for a vote?

Mike Stone: The question is if we need to vote, what is the change going to be that you want to change it to. You have to make a motion to change it.

Keith then made the following motion:

MOTION to change the revised wording under Section 9.9 Contracts; paragraph D by adding in the previous wording "Other than Labor Contracts". Made by Keith Pliszka, seconded by Pat Compositor. Motion did not pass by a vote of 2 for, 3 against.

Since discussion had already been made before the motion made, Erlene had a few comments to add of how she felt regarding the labor contracts. "After the public hearing I had a lot to think about while I was down in Florida and I said gee, this is something to think about. Then I read Mike Helechu's (comments) minutes, and if you go back to read what he said in the minutes, you know, he mentioned voting on this contract. We are not voting on it and I don't know where he got his information. We are not voting on the labor contract we just wanted to make it available and I said well, I am going to vote no, I don't want to vote on it but I want to see it. I want to see that because everytime it goes up for budget approval I never knew what that contract is so then at tonight's meeting I reread that and nowhere does it say that we are going to be voting on that contract.

Keith Pliszka: Erlene, where that came out of it was brought up in the minutes of the meetings. I said are we going to vote on our contract? And everybody said yes, we are going to vote on your labor contract.

Mike Stone: We are, in an indirect way through the budget.

Jeff Cross: What I do want to say is okay, here is the budget and here is the contract. And we should have access to it long before the vote takes place

Pat Compositor: I was just going to ask that, do we have access to that before the vote?

Mike Stone: Maybe not, it depends when they actually ratify the contract. It's got to be done before the vote otherwise it is going to happen the following year.

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Jeff Cross: Or if the budget passes, they are capped at that year

Erline Provencher: You know, going back to the minutes, we could have said anything during the minutes but as you re-read this, and we all agree, it does not say that their union contract is going out to a vote. I just want it to be available.

Mike Stone: I was dying to mention at the public hearing, no where does it say . .

Keith Pliszka: Then why did we take it out?

Jeff Cross: Because as Mike (Stone) just said without that in there you do not have access to the contract.

Pat Compositor: But you do have access.

Keith Pliszka: The Commissioners could put it on their website.

Mike Stone: Could, could, not required to. The previous commission did a lot of things they could have not done because they weren't required to. I shouldn't even say the previous, the current commission members, some of them we did a lot of things that were painful, ugly, nasty that we didn't want to do but we had to do them because we wanted to make sure the public saw everything. No shadows, nothing. Daylight on everything. And it was not pleasant. The fact of the matter is that no where does it state it requires a vote, there is no affirmative, you must vote anywhere in this on the labor contract. We are still beating a dead horse here.

Pat Gaskell. I am confused here; at what point does the public get to look at that, until after it is signed? I am trying to figure at what point you are able to get that out.

Erline Provencher: It says right here, fully disclosed at the

Pat Gaskell: Yes, I understand. At that point it is already signed off, and it is already accepted. What I am saying is that you cannot see it before it is accepted. I'm trying to get a visual here.

Pat Compositor: But then it is public

Mike Stone: No, only if it is disclosed

Jeff Cross: Only if it is disclosed does it become public, we are requiring it to be disclosed.

Pat Gaskell: You said that it was public, where is it public?

Keith Pliszka: If they want to come here and look at it.

Pat Gaskell: And that is what I am saying, that is not really public. I don't see it on a website, posted someplace; you have to come here . . .oops there is a fire, no one is here.

Keith Pliszka: That is just like the minutes of the meeting. I come knock on the door and no one is here, where are the minutes of the meeting?

Mike Stone: The final minutes are there, they are on line

Jeff Cross: I've been told a million times if you want to see something Jeff, set up a meeting with Bill and you can come down and see it. So what did I do, I set up a meeting and came down here on a Thursday night from 6 to 8 PM to look at financial information. Did I get to see any of it? No. I was given the same run around that I was given when there were previous administrations here

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Keith Pliszka: Were you down recently?

Jeff Cross: Yes, within two weeks. A week and a half ago, I was here. Steve Cogtella, and myself showed up because we both wanted to see this data. I wanted to see outstanding checks, a bank rec, and the rest of the balance sheet. And that is supposed to be public information. Is it not? But I couldn't see it.

Pat Compositor: Why couldn't you see it?

Jeff Cross: Because, oh, it may be private.

Mike Stone: It is not public information; there might be private stuff in some of that information so per Hipaa regulations they are not going to show it. You can't see any of it. So I asked to put different descriptions on the account headers then. I am not interested in individual

Pat Gaskell asked Jeff to stay on focus. What he brought up was the union contract so he asked to stay focused on that.

Keith Pliszka: If you go on the town website they have all their union contracts on their website so our department could put ours on

Mike Stone: So could they put our minutes up there. We send our minutes to Kellie. I tell her to post these on line after they have been approved. I put that "online" every time.

Pat Gaskell: We do have a problem with the town website with putting stuff on there.

Keith Pliszka: We beat this horse so let's move on to the next subject.

All Day Voting

Mike Stone: Another one that came up a couple of times was the all day voting.

Keith Pliszka: You remember what number (in the Charter) that was?

Pat Compositor: That was Margaret

Mike Stone: There was more than Margaret; there were about four people that talked about it

Erline Provencher: Talking about Margaret, before we go any further I want to know why everyone gave their name and their address, and when Margaret spoke she didn't have to give her address?

Mike Stone: No, she didn't speak it out, so

Erline Provencher: Well, why? I would throw away everything she said, to be honest with you. Does she belong in this district, she didn't give her address? Everyone else was required to. End of conversation

Keith Pliszka: What section are you looking at?

Mike Stone: I lost it; I'm trying to find it right now.

Erline Provencher: Page 2 of 8 is when Margaret spoke. Section 9.2, paragraph d; I tried to underline (the sections) in the minutes when people were speaking. She says we talk about the Voters being allowed to vote, yet you are letting the Voters vote once.

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The next time, only whoever can show up at a meeting; so whoever lives in the district, who works second shift, etc, they can't be there to raise their hands.

Mike Stone: So basically, if we do nothing with that section, it remains exactly the same; it goes to an evening vote unless we make it an all-day vote every single time. Right now it currently says it is an all-day vote, then it goes to a Special District vote in the evening; that's what it states. So, that's the current contract states that. We didn't add that section. So they are very upset about that, also.

Erline Provencher: There is a reason why we did that Mike, when we did that Charter.

Mike Stone: It was to get the budget through in a time frame that would allow us

Erline Provencher: Because the Town has to have it (our mill rate) by the last week of May. If we go for another all-day second voting we are not going to make that cut-off and then the Tax Collector is going to have to do extra billing, and extra mailings, etc

Mike Stone: Or they can refuse to do it at all.

Keith Pliszka: And also, I think we kind of discussed the cost of doing another all-day voting.

Pat Compositor: But, then you are not giving the whole town the chance to vote.

Erline Provencher: We are on a time constraint Pat.

Jeff Cross: To call a Special meeting, I was kind of leaning the other way. If they want an all day vote, they set up an all day vote on the day of the Special Meeting, vote all day, vote until eight o'clock , Special Meeting goes into effect, you get the vote count, and then you go from there.

Mike Stone: My feeling is it is a one way or the other. Either it is an all day vote on every vote until it passes or its.....

Keith Pliszka: We can't do that

Erline Provencher: Yes, we can't do that, Keith, thank you. We talked about that Jeff.

Mike Stone: But it's got to be one way or the other. Either you leave it the way it is, or

Keith Pliszka: It reverts back to the second one; the previous mill rate.

Pat Gaskell: It allows the Board to set the mill rate; it doesn't revert back to anything.

Mike Stone: But if they demand all-day voting then we need to do it every single time. There can't be an automatic thing at the end that the Board sets the mill rate. If it is an all day vote, it is an all day vote until its approved. Otherwise I think we should just keep the language. This is an area we really didn't change, just something they were complaining about. I was kind of surprised because even Mike (Helechu) brought it up.

Erline Provencher: No, Mike (Helechu) didn't bring it up. He brought up many other things but he did never once brought that up because he knew that we have to go all day and the second time we have to do a hand because of our time constraints. Keith can verify that from our meetings.

Keith Pliszka: Yeah

Erline Provencher: Because if we don't we are opening a big mess with collecting taxes.

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Keith Pliszka: From what I remember it was about \$30,000 to resend out our bills, and our district will have to pay that.

Mike Stone: If they do it at all.

Jeff Cross: I'm with you Mike, either it is all or nothing or go with what we have right now. I really agree with Keith, Erline, and myself went through, we had more calendars up and it goes back to when the budget has to be presented, and it all rolls forward, and all of a sudden if we miss that deadline it is going to be very expensive for us. Not to mention what will happen to a contract that may have been signed off on and all of a sudden you are not going to have the funds to pay your obligations.

Mike Stone: Do you just want to leave that section alone or do you want to make the second vote an all-day vote? I don't think you would have the time to do an all-day vote because you have to post in the paper three weeks. You have to do a lot of posting. You guys would have put it in there if it could have been done.

Jeff Cross: Oh, that's right, that's right it's all those notices you have to do.

Mike Stone: Special meeting notices are shorter than the postings of all-day voting

Keith Pliszka: Would we have times where we could have it prepared in writing so if it gets voted down Kellie just sends it the next morning?

Mike Stone: The problem is with that is if it gets voted down, you're going to have to make changes, the Board has to meet, make changes; they won't have the time

Keith Pliszka: Yes, I totally understand that, time is

Mike Stone: So the all day voting thing goes away?

Keith Pliszka: I think just leave it as it is.

Pat Compositor: Yes, just leave it the way it is.

Erline Provencher: So we are going to leave (d) as it is?

Mike Stone: I don't think there is a consensus to make a change. What we have written right now is good, correct?

Pat Gaskell: Now, are you guys going to run this stuff through Carl?

Mike Stone: We are just going to submit it to you and let you guys because there is legal stuff that may need to be cleaned up.

Pat Gaskell: I just have a question about that because I believe that when you do a vote at an annual budget meeting, whether you do it by vote of hands or by all day balloting, you have to stick to the same thing. That's why I think we ran into the time constraint running through with the voting of all day; we had to do the same thing again.

Jeff Cross: Yea, put a note on that

Pat Gaskell: You have to do the same; you can't do one by hand and then the other by all-day voting.

Mike Stone: Carl approved this last one

Erline Provencher: Yes, Carl approved this last one; we are not changing this section.

Keith Pliszka: I think when Carl comes in doesn't our Board and the Commission get together all at once? Didn't we have one last time like that?

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Mike Stone: Well, we did because we were in a big rush to get it done before the vote in May; we did like a consolidated meeting.

Keith Pliszka: Okay, that may have been it, okay.

Mike Stone: To me we'll let the Board send it out because we are making revisions and they could refuse this whole thing, lock stock and barrel - Gone.

Mill Rate(s)

Erlene Provencher: While we are still under Section 9.2 Budget, what Mike Helechu did bring up was the mill rates, he questioned why do we have mill rates.

Mike Stone: Because we have two separate rates now; that's the only reason why we put mill rates.

Erlene Provencher: He was confused about that.

Mike Stone: There were several comments regarding rates that they said we shouldn't be voting on the mill rates, we should only vote on the budget. But the problem was last year they basically voted \$160,000 something more.

Erlene Provencher: But the people didn't know that.

Jeff Cross: Well they did, it was just thrown at them.

Mike Stone: I did, I raised my hand no.

Erlene Provencher: It was a mess last year because of that car tax.

Mike Stone: That, to me is one of those things since there are split mill rates, it would be good to know what our mill rate is because originally the Board put a budget together with no car tax at all. We had eliminated the car tax. And then, at the very last minute on the very last 20 minutes of the day before the vote they went and made a day vote, it was done at night and it was literally, opps, we are going to throw the car tax in there, it was a \$160,000 or something and there was no place for it in the budget. So basically, they took \$160,000 from the tax payers and put it in the bank account of the fire district. And, then on top of that, they got another approx. \$300,000 on top of that that was unanticipated funds which went right into their (the districts) bank account.

Jeff Cross: So, if you look at the budget right now, we have an additional \$500,000 approximately; more than what we initially budgeted for because the budget says one thing but the mill rate said another. All the idea is, of us voting on the mill rate, and having the mill rate be a function of the vote is to insure that the mill rate and the budget go hand in hand.

Pat Compositor: Yea, but the mill rate, I understand is adjusted by the budget and the number of people.

Mike Stone: No, it is just an arbitrary number. Last year they set a mill rate they didn't even need. They put a 2 point, whatever it is, vehicle tax when they didn't even have it in their budget. They said, well, let's just charge them something. And then again, there was a lot of confusion around that vote;

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Erline Provencher: Well, it is because Mike Helechu said here; once again it is the responsibilities of the commissioners to set the mill rate upon the approval of the budget. Mike Helechu was not aware of what happened last year and I don't think the majority of the people were.

Mike Stone: I agree with that and that's part of the problem. You don't know what you are voting for when you are voting for the budget.

Pat Compositor: Okay, just wait a minute. This is from Rebecca. She said her understanding is that you pass the budget at a certain dollar amount and there's a certain amount of taxpayers on the tax roll as a certain percentage per property and the mill rate comes from the budget divided by the people.

There was a room full of no; she is mistaken.

Mike Stone: And that is not even in this year's budget; she's wrong because this year they are taking money out of the reserve account to fund the budget. If they were to do a straight budget this year, our mill rate would be in the 10 or 11 probably.

Pat Gaskell: Well, the evaluations are down too; the grand list is down.

Mike Stone: Does anyone think of different wording we could use under Section 9.2 (c).

Jeff Cross: I just want to make sure that the whole idea was that, because they were two separate functions. You got the budget and then the Board sets the mill rate, but you may be collecting more than what the budget says. If we knew we had this other piece of money coming in from the cars then what should have happened is the mill rate should have been reduced by that amount of money.

Pat Compositor: Okay, now how did they figure out the mill rate? How did they find that 8.4?

Mike Stone: It's really sloppy math. We don't want the mill rate to go up therefore we are going to try to keep it down as close to last year as possible.

Pat Compositor: What are they figuring it on?

Pat Gaskell: The grand list.

Pat Compositor: But that is what she is basically saying here. She might not have the right verbage. I know the thing with the car tax and all that.

Mike Stone: I would have never even said anything if what happened last year didn't happen. I would sit down and say this would never happen. And then I watched it, what the heck just happened; it was like watching a train wreck. I could not believe it. So, I was flabbergasted. And as I said, when you start taking people's taxes with no allocation for it for expenditure that's just wrong; that's just fattening the bank account of the district.

Pat Compositor: When that happened, should they have stopped everything at that point and gone back to the drawing board?

Pat Gaskell: You have to remember, that right there was a district meeting. That's where it should have stopped; that was in your guys control and you guys should have made the motion.

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Mike Stone: The motion (to approve the budget) was opened and closed before I had a chance to speak. I was still processing everything. I was on the Board and I have access to the budgets and everything else and I didn't even know what was happening.
Pat Compositor: Because 90 percent of the people there, they didn't know what was happening?

Erlene Provencher: Try 95% of the people.

Pat Compositor: But this was the town that did this.

Mike Stone: No, it was the Commission that did this.

Pat Gaskell: We did not know we were going to get allocated 2,8 percent from the town. So we didn't figure that in at all. But what happened was, they got the final word that they were going to put this in the budget and we did receive this money on top of it. One of the commissioners compensated for it and it was in there and then we got that additionally on top of that. So you paid that towards the mill rate. Bottom line if you don't have car taxes, your house taxes increase because you have to make the balance there. So we didn't figure on that (car tax), so we had to balance it so you got more mill rate on your house tax but we actually did get the funds (car tax).

Pat Compositor: If you put the mill rate to a vote, is the majority of the common person going to know, like you explained it to me, are they going to know this or do they just want a low mill rate and they are not going to vote for anything.

Mike Stone: Again, this mistrust of the public and this drives me crazy.

Erlene Provencher: Pat is just asking because 95% of the people didn't even know what was going on.

Mike Stone: Because it happened like this finger snap.

Pat Compositor: But it wasn't because of the Board that this happened like that.

Mike Stone: IT IS! It all happened because of a last minute change. It is. It wasn't like they go opps!, that happened, I couldn't believe that happened; it actually happened on purpose. It was a deliberate action. It wasn't clearly understood by everyone on the Board, would that be a good statement?

Pat Gaskell: Absolutely.

Mike Stone: A deliberate action by the Board to do that.

Pat Gaskell: Yes, it was our responsibility.

Mike Stone: This was by a Board I was seated on, and if you say trust the Board, I was on that Board. I saw it happen and I didn't even know it was going to happen.

Keith asked if we could move on

Erlene asked if we were still on Section 9.2 Budget, (c) mill rates.

Keith Pliszka: Yes, you have car tax and you have mill rates and just leave together

Erlene asked that before we leave this section if we would take a look at (d) and what we added , in red, people had a problem with that and why did we have that in there?

Mike Stone: You can strike that but it doesn't limit the fact that you can do it.

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Erline makes the following motion:

MOTION to strike out the revised wording under Section 9.2 Budget, Paragraph (d) in the second sentence “*and the public may make amendments to the budget before the final budget vote takes place; voting must be done in person;*. The second sentence is to read: “Voting on the second budget will take place at the Special Meeting; all day balloting will not be available.” Made by Erline Provencher, seconded by Keith Pliszka. No Discussion. Motion passed 5-0.

Mike Stone: Now with Section 10.1 (a) we will be leaving the mill rate in there.

Keith Pliszka: Now with 10.1 (a) the Board must adopt the mill rate. Shouldn't the rate be plural?

Erline Makes the following motion:

MOTION to Section 10.1 Tax Bills, paragraph (a) add s in parenthesis after rate in the first sentence: The Board must adopt the mill rate(s) Made by Erline Provencher, seconded by Mike Stone. No Discussion. Motion passes 5-0.

Before going to Jeff's wording under Section 10.2 Receipts, the committee discussed any other items brought forth at the Public Hearing:

Code of Ethics

Erline mentioned that there were some who were concerned that we deleted a time frame for the completion of the code of ethics. Mike Helechu mentioned that there was a time frame in there. Erline thought they (the public) didn't understand why we took that out for the reason that it is very difficult to get someone to get a committee within those 12 months.

Mike Stone: Colleen said they already had a code of ethics they were going to adopt anyways:

Keith asked if it was the code of ethics buried in the 2009 by laws that the district didn't vote on.

Mike Stone: In all honestly I don't even know why there is a code of ethics. There is nothing you can do; you can't displace a commissioner, it's all bogus anyways. Unless they are stuffing money in their pocket and you see them walking out of the building you're pretty much stuck with them. In fact you are really stuck with them while they are in their prison term.

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Failure to Attend Meetings

Jeff Cross: Now, this brings up Failure to attend meetings.

Erline Provencher: Marge Perry said with the removal she thought it was ridiculous that we said three times in a row, what about every other weekend, what about every other meeting and every other special meeting . . .

Jeff Cross: Doesn't it say may

Erline Provencher: yes, it does and I don't think she read that.

Mike Stone: But we also said that the minimum was three regular meetings; that's three months.

Erline Provencher: She also said that it's something that happened in the past and it is a ridiculous thing. Well, anything in the past can always happen again.

Mike Stone: Exactly. Keith, you had a problem with that too?

Keith Pliszka: The only problem I had was with keeping the person out of executive session. The taxpayers vote this person in and I think it is their right to be in executive session.

Mike Stone: So, we don't have the authority to remove them from their elected office but we can replace these titles and responsibilities. We can strip them of those things.

Keith Pliszka: That's fine

Mike Stone: But that is one of those things you can strip away from this person. You didn't experience, as a commissioner, people who never showed up to meetings, then would randomly show up to an executive session and then slam it all over facebook. It's more like one of things you have to experience.

Keith Pliszka: I understand that but I kind of think that this person was voted in. I think that is their legal right.

Mike Stone: First of all, the Board asks the public to do this. The Board doesn't do this. The Board has to get the public vote to do this.

Pat Compositor: But is it legal to do this?

Mike Stone: I don't know, we haven't had any attorney look at this. I mention this at the meeting; everyone was bitching about this stuff; we haven't even had it reviewed by an attorney.

Pat Compositor: Maybe we shouldn't even work on that part of it any more until the attorneys look at it. Why beat ourselves up if the attorneys say we can't do it.

Jeff Cross: We may need a note to the attorney to think about the executive session, if that is legal and then it comes back to us yea or nay. If it is legal then we have a discussion, then we have a vote on it.

Erline Provencher: I know Carl Landolina said to put anything you want in this Charter.

Jeff Cross: He said that more than once.

Pat Compositor: Is he now the legal person we should be asking

Mike Stone: Right now he is

Jeff Cross: He is our attorney for the district

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Pat Gaskell: Has to be challenged, just remember everything has to be challenged so who is going to put the money up to challenge it, when the people voted for it.

Erlene said she thought we covered most of everything except for Jeff's financial reporting. She did mention David Hayes suggestion about consolidation and said that this had been under consideration.

Financial Reporting

Financial Reporting, Section 10.2 Receipts:

Erlene Provencher: Jeff, again, I am going to say, you are the one who fully understands this as I don't fully understand this reporting.

Jeff Cross: Here's the one issue. To me, if you have the income statement and you have the balance sheet and we have all district bank accounts and financial activity must be reflected in the statements, I think that is the bare minimum that we have to have. We got to have both pieces of the puzzle to make sure that the expenditures are going where they are supposed to be going. And that is the whole point of this. That's the only purpose of these financial statements. The Bank Rec, I can personally live without the bank rec being done. The income statement is already being produced, basically.

We only have half the puzzle. We also need the balance sheet. Without the balance sheet we don't see the expenditures that may be going out. Why I'm talking about a balance sheet is that monies were spent in the past that showed up on the balance sheet that did not show up on the income statement.

Mike Stone: The pension payments; that is what really jumps out at you is the pension payments.

Jeff Cross: Exactly.

Mike Stone: We didn't know where it went; it didn't go into the pension. So although they claimed that a half million dollars went into the pension, they never really spent the money in the pension; it went elsewhere.

Jeff proposes a motion to strike iii and have iv become iii:

MOTION to delete the bank reconciliation wording under Section 10.2 Receipts, (c) (iii) and renumber numeral (iv) to (iii) Discussion: Keith Pliszka asked again if these reports (under (c)) could be prepared by Kellie. Mike Stone said that if Kellie could not, the accountants should be able to. Made by Jeff Cross seconded by Erlene Provencher. Motion passes 4-1.

Erlene asked Pat Gaskell, Commissioner, if we are now to submit this Charter to the Board, will they have a public hearing which is open to the public and are you going to take their questions and answer them.

Pat Gaskell: Yes

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Jeff Cross: We addressed basically everything that was in the public hearing that needed to be addressed.

Mike Stone, Yes, I think in general, what I call as stand outs. There was stuff that was said that I didn't understand and I don't even think it was worth addressing unless it stood out to somebody else.

Erline Provencher: I think it was the contracts that was the biggest thing and I think it was from the minutes or from word of mouth that they thought it was going to a public vote; it was going to be voted on. It is not, it is just being presented and I think that was the biggest concern of everybody's questions. I really don't see anything else in here that stands out.

Keith Pliszka: When the Commission does meet with Landolina it would

Pat Compositor: It would be nice that we could get it first hand

Mike Stone: We could request that.

Keith Pliszka: I think we should be in there so we can hear

Jeff Cross: to explain and what our intent was

Mike Stone: The goal the Commissioners gave us was to get this done by March 31. We had some snow, and some sick, somebody enjoyed themselves in Florida, so we had some delays; I was trying to meet their deadline. That's the only reason why I am trying to push this through. That was our charge to get this done before the end of March.

Keith Pliszka: Does the Board have to have a majority vote

Mike Stone: I'm sure it is a majority but none of this matters as the public votes on it.

No further concerns or questions to be reviewed

4. Miscellaneous Discussion

None

5. Discussion: Submission of (Revised) Charter to Board of Fire Commissioners

Mike Stone: Do we need to have another meeting to review the final draft of this or can we send this as discussed with amendments and present, as amended, to the Board? Just as a pre-review I'll be open to another meeting if anybody sees something glaringly wrong with what we corrected tonight.

Erline Provencher: What I will do is I will take out all our additions/corrections/deletions in red or blue and make the changes we did this evening in red and will forward to everybody. If you see anything outstanding; then we can schedule another meeting.

Mike Stone: So let's give the affirmative, it is moving ahead unless you guys say stop.

Erline Provencher: I'll get the corrected Charter to all by tomorrow.

Mike Stone: Then give me any corrections; if none I will forward to the Board on Sunday.

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MOTION to move the Charter to the Board as appended this evening. Made by Mike Stone seconded by Keith Pliszka.. No Discussion: Motion passes 5-0.

6. Adjourn

MOTION to adjourn at 8:20 pm. Made by Erline, seconded by Pat. All in favor by ayes.