Cromwell Fire District

1 West Street
Cromwell, CT 06416
Telephone 860-635-4420

COMMISSIONERS' OFFICE
WATER DIVISION

FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE

BOARD OF COMMISSIONERS' MEETING
Fire and Water Divisions
Tuesday, October 20, 2015
7:00 PM
Coles Road Firehouse
105 Coles Road
Cromwell, CT

The Commissioners of the Cromwell Fire District held their monthly Board of Commissioners' Meeting on October 20, 2015, at 7:00 PM, at the Coles Road Firehouse, 105 Coles Road, Cromwell, CT to discuss and act upon Fire and Water Division business.

Commissioners Frank Seidl (President), Julius Neto, Craig Murphy, John Hamlin, James Bellamo, David Colligan, Mark Langton, Donald Swanson and Charles Epstein attended. Also attending were Executive Director Michael Dagostino, Operations Director S. William Jarzavek, Fire Chief Stephen Pendl, Communications Manager Rick Andersen, Fire Marshal Todd Gagnon, Deputy Fire Chief Michael Salonia, Assistant Fire Chief EMS William Clare and Premier Accounting staff Michael Alibrio and Bob Davis.

The meeting was called to order at 7:00 PM by President Seidl.

The Pledge of Allegiance was led by President Seidl.

APPROVAL OF AGENDA

A motion was made by Commissioner Neto, seconded by Commissioner Colligan and unanimously approved to accept the agenda as submitted.

PUBLIC COMMENT

Mr. Anthony Amenta, 20 Mystique Lane, Cromwell addressed the Board. He is a member of the West Street Commons Association of Homeowners on Mystique Lane. This group had sent a letter to the Board of Commissioners requesting that the fire hydrants on their street be turned over to the Town. At the present time because their neighborhood is on private property, the homeowners are expected to be responsible for the maintenance of their fire hydrants. Some homeowners are elderly and on fixed incomes. Mr. Amenta explained that this is a 55 yrs. and active community. There is a similar community in Cromwell with possibly more planned in the future. He requested that the Fire District support the concerns of these residents. The current situation is a way for the Town to make money from these residents. He also suggests that right of ways in these communities be reviewed by the Fire Department, and the Fire Department should have some input with the Planning and Zoning Commission as to appropriate right of ways for emergency vehicles. The Association requested support from the Fire District on these issues, and Mr. Amenta plans on addressing the Town Council/Planning and Zoning Board as well.

APPROVAL OF THE BOARD OF COMMISSIONERS' MEETING MINUTES OF SEPTEMBER 15, 2015

A motion was made by Commissioner Swanson, seconded by Commissioner Hamlin and approved 8 to 0 to accept the minutes of the Board of Commissioners Meeting of September 15, 2015, as submitted.

APPROVAL OF THE ANNUAL MEETING MINUTES OF OCTOBER 5, 2015

A motion was made by Commissioner Neto, seconded by Commissioner Colligan and unanimously approved to accept the Annual Meeting Minutes of October 5, 2015, as submitted.

APPROVAL OF THE ORGANIZATIONAL MEETING MINUTES OF OCTOBER 5, 2015

A motion was made by Commissioner Neto, seconded by Commissioner Colligan and unanimously approved to accept the minutes of the Organizational Meeting of October 5, 2015, as submitted with the following corrections: Paragraph 4 needs to be omitted. Swearing in of Commissioners did not take place. Also, in Paragraph 5, Commissioner Neto nominated Commissioner Seidl for President, Commissioner Colligan seconded the nomination. It was noted in the minutes that Commissioner Colligan made the motion and Commissioner Neto seconded it. A motion was made by Commissioner Murphy, seconded by Commissioner Bellamo and unanimously approved to accept the minutes with the corrections noted.

READING OF COMMUNICATIONS & WRITTEN APPEALS TO THE BOARD

Commissioner Neto read one communication from the Office of Radio and Television for a donation made in memory of Sophia Dykas.

REPORTS OF THE STAFF

A. Executive Director. The Executive Director's Report for September had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office. Mr. Dagostino added to his report saying that communication was received from Wright Pierce regarding the emergency generator. Bids had gone out. A low bid was received from Horton Electric Services. Wright Pierce has also reviewed the bid. The District is ready to move forward on the emergency generator project. Mr. Jarzavek added that in order to receive the low interest loan, the Department of Public Health needs to review the low bidder's documents. Once they are satisfied with the bid, the District can send a letter to Horton Electric informing them that they have been awarded the contract.

   A motion was made by Commissioner Swanson, seconded by Commissioner Hamlin and unanimously approved to accept the Executive Director's Report for September as submitted.

B. Financial Report/Treasurer's Report. The Financial Report for September had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office. Mr. Davis reported that the financials look really good. The first quarter of the fiscal year has been completed. General fund revenues exceed expenditures by $910,000. For the Water Division revenue exceeds expenses by $224,000. The audit began by Blum Shapiro on October 5. Their staff worked at Premier Accounting and the Fire District Offices going through reports and documents. They have completed their field work. A draft report is expected for Premier any day now. So far the audit has been moving smoothly. Commissioner Colligan discussed concerns with collections by the current vendor. He requested a report that covers the outstanding, uncollected funds. He suggested a status

report to show the progress of collections. Mr. Dagostino replied that a report like that can be done. In researching this issue, it was discovered that there are 480 open accounts with the current collections vendor. It was reported there were a number of refund checks processed today. It is unclear at this time why it took so long to receive refunds for some of the accounts which dated back to 2008, 2010. Mr. Dagostino will follow up on Commissioner Colligan's request for a status report. Commissioner Langton requested a recovery percentage from the Executive Director. Commissioner Neto suggested the Executive Director set up a meeting with the current collections vendor. Mr. Dagostino clarified that attempts have been made to contact the vendor, but a meeting has not been scheduled. Participants at the meeting should be the Executive Director, a representative from Premier Accounting and a representative from the Fire Chief's Office. The President suggested meeting with the Executive Director on this issue to develop an action plan. This may be an issue to be addressed by the Executive Committee.

A motion was made by Commissioner Neto, seconded by Commissioner Hamlin and unanimously approved to accept the Financial Report/Treasurer's Report for September as submitted.

C. Fire Department Chief. The Fire Chief's Report for September had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office. The Chief distributed manpower status reports for review. He also reminded everyone of the upcoming Thanksgiving Dinner. All Commissioners were invited.

A motion was made by Commissioner Colligan, seconded by Commissioner Hamlin and unanimously approved to accept the Fire Department Chief's Report for September as submitted.

D. Fire Marshal. The Fire Marshal's Report for September had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office.

A motion was made by Commissioner Neto, seconded by Commissioner Colligan and unanimously approved to accept the Fire Marshal's Report for September as submitted.

E. Water Operations. The Operations Report for September had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office.

A motion was made by Commissioner Colligan, seconded by Commissioner Hamlin and unanimously approved to accept the Operations Report for September as submitted.

F. Communications Report. The Communications Report for September had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office.

A motion was made by Commissioner Neto, seconded by Commissioner Langton and unanimously approved to accept the Communications Report for September as submitted.

REPORTS OF THE STANDING COMMITTEES

A. District Operations. A meeting was held on October 7, 2015. Minutes were distributed for review. A copy is attached to the minutes on file in the Fire District Office.

A motion was made by Commissioner Neto, seconded by Commissioner Swanson and unanimously approved to accept the minutes of the District Operations Committee Meeting of October 7, 2015, as submitted.

B. Executive Committee. There was no meeting.

C. Fire Operations Committee

1. Rescue One Replacement Subcommittee. A meeting was held on September 29, 2015. Minutes had been previously submitted and reviewed. A copy is attached to the minutes on file in the Fire District Office.

   A motion was made by Commissioner Colligan, seconded by Commissioner Hamlin and unanimously approved to accept the meeting minutes of the Rescue One Replacement Subcommittee Meeting of September 29, 2015, as submitted.

D. Pension Committee. There has been no meeting. One is being scheduled.

E. Personnel Committee. A Special Personnel Committee Meeting was held on September 30, 2015. Minutes were distributed for review. A copy is attached to the minutes on file in the Fire District Office.

   A motion was made by Commissioner Neto, seconded by Commissioner Hamlin and unanimously approved to accept the Special Personnel Committee Meeting minutes of September 30, 2015, as submitted.

BOARD APPOINTMENTS

Committee assignments have been made. All Commissioners received a copy of all Committees and their members. President Seidl would like to establish a By-Laws Committee, both District By-Laws and Commission By-Laws. He asked anyone who was interested to either call him or email him. The District Operations Committee will meet to establish members on the By-Laws Committee.

CONSIDERATION OF OLD BUSINESS

A. Report of the Town Council Liaison. Councilman Spotts was not in attendance.

B. Reports of the Special Committees

1. Public Safety Tower Committee. A meeting was held on September 11, 2015. Minutes had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office.

   A motion was made by Commissioner Neto, seconded by Commissioner Colligan and unanimously approved to accept the Public Safety Tower Committee meeting minutes of September 11, 2015, as submitted.

2. Building Committee. Commissioner Colligan reported that he had a meeting today with the architect/engineer for the Fire Department training tower. The whole training building was evaluated and a walk through done. A letter was issued indicating that all work has been completed and to the satisfaction of the architect/engineer. Mr. Joly will be issuing a certificate of Occupancy on Friday, October 23, 2015. He is giving permission to use the building as of Monday, October 26, 2015. Commissioner Colligan will be working with the Fire Chief and Deputy Fire Chief to get the building running. There are some minor issues to be addressed regarding painting, paving and a room for propane fires. There are a few minor details to address. Commissioner Colligan gave a big "thank you" to the Water Division staff for all their help with manpower and moving things around.

3. Safety Committee. There was no meeting.

NEW BUSINESS

A. Commissioners' Comments. The Executive Director discussed the grant application for the new generator. The District went out to bid. They hired Wright Pierce to help go through the process. Wright Pierce gathered all of the bids. They went through the process of evaluating the bids, and determined who the low bidder was. The information regarding the low bidder needs to be submitted to the Department of Public Health for review in order to receive the low interest loan. The District is ready to move forward. Once DPH approves the low bidder, a contract award letter needs to be sent to Horton Electric. Mr. Dagostino explained that the grant amount was $250,000. $25,000 was for soft costs, and the remainder of that was for a low interest loan. The soft costs exceeded $25,000, but a resolution had been passed to pay the additional soft costs. The bids came in $80,000 less than predicted. Therefore, the cost of the generator is $170,000, not the originally anticipated $250,000.

   A motion was made by Commissioner Hamlin, seconded by Commissioner Swanson and unanimously approved to accept the submittal of the low bidder information through Wright Pierce and forwarded to the Department of Public Health for review. Once approved at the State level, a contract award letter needs to be forwarded to Horton Electric.

   President Seidl thanked everyone for their support in electing him as President. He has been on the Board for the last 3 years, and learned a lot from the previous two Presidents; John Hamlin and Julius Neto. He stated it is an excellent group with a lot of talent. A lot has been accomplished in the last couple of years, and he knows there is more to be done. He requested of everyone that the lines of communication be open and everyone talk to each other.

B. Budgetary Adjustments. There were no adjustments to report.

C. Approval of Contracts/Contractors

   1. Appointment of O'Malley, Deenan, Leary, Messina & Oswecki. Mr. Dagostino reported that the District has retained Kevin Deenan, Esq., of O'Malley, Deenan, Leary, Messina & Oswecki to handle the fair wage issues from the construction contract of the Water Garage building. This law firm has represented other municipalities and has sent the District a letter of interest in representing the Cromwell Fire District. Mr. Dagostino would like to consider their offer since we are already using them on another matter. The recipient of the current litigation is legal counsel of the Fire District. This has become somewhat of an awkward situation. Mr. Dagostino added that collections for water division accounts had been terminated by the legal counsel that was handling those collections. Mr. Dagostino noted that Attorney Deenan has experience with other Fire Districts and municipalities throughout the state and is familiar with some of the issues Fire Districts face. Commissioner Neto suggested having Attorney Deenan meet with the Commissioners so they can all get an understanding of his areas of expertise.

      A motion was made by Commissioner Neto, seconded by Commissioner Swanson and unanimously approved to appoint O'Malley, Deenan, Leary, Messina & Oswecki to address the legal issues that may arise within the Cromwell Fire District from now until the end of calendar year 2015 while the Executive Director researches and presents proposals for legal services for the Cromwell Fire District for the next calendar year.

D. Resolutions for Authorized Signers for Citizens Bank, Webster Bank and Farmington Bank. A motion was made by Commissioner Swanson, seconded by Commissioner Colligan and unanimously approved to be it resolved, that the Board of Commissioners of the Cromwell Fire District consider and act upon a resolution to certify authorized signers including specimen signatures for the Cromwell Fire District, Cromwell Fire District On-Line Banking Depository Accounts, providing instructions and directions to Citizens Bank, for the Cromwell

Fire District's depository accounts until a new certification of authorized signers is filed with Citizen's Bank.

A motion was made by Commissioner Epstein, seconded by Commissioner Murphy and unanimously approved to be it resolved that the Board of Commissioners of the Cromwell Fire District consider and act upon a resolution to certify authorized signers including specimen signatures for the Cromwell Fire District, Cromwell Fire District Pension Plan, providing instructions and directions to Webster Bank, N.A. for the Cromwell Fire District Pension Plan until a new certification of authorized signers is filed with Webster Bank.

A motion was made by Commissioner Epstein, seconded by Commissioner Neto and unanimously approved to be it resolved that the Board of Commissioners of the Cromwell Fire District consider and act upon a resolution to certify authorized signers including specimen signatures for the Cromwell Fire District, Cromwell Fire District Depository Accounts, providing instructions and directions to Farmington Bank, for the Cromwell Fire District's depository accounts until a new certification of authorize signers is filed with Farmington Bank.

PUBLIC COMMENT

President Seidl read the letter submitted by the Board of Directors of the West Street Commons Association. This was the subject matter discussed at the beginning of the meeting under Public Comment. They are a private development off of Mystique Lane, and would like to relinquish ownership of their 3 inch water hydrants to the Cromwell Fire District. The 26 retired homeowners in that development pay the same taxes as all other homeowners in Cromwell. They feel they should not have to pay for fire hydrant flushing, etc. The officers of the West Street Commons Association are: Tony Amenta, President; Burt Nadeau, Treasurer; and Al Bussierre, Secretary. Mr. Jarzavek reported that any apartment buildings, condominiums or shopping plazas are considered private property, and the owners are responsible for their own maintenance and flushing of fire hydrants. There are private companies that do this type of work and the Water Division can also be used for this work at a fee. An ordinance was implemented approximately 3 years ago that requires reports to be filed with the Fire Marshal's Office so that the Water Division knows they are in working condition. Mains, services and hydrants on private properties are installed according to Water Division specifications. Planning and Zoning are also a part of the approval process. Mr. Amenta explained that their neighborhood has separate, unconnected homes and should not be classified as a business or condo. They should not be subjected to paying the same taxes as other homeowners since they are paying for fire hydrant maintenance and other things that other residents have taken care of by the Town through their taxes. This community has many retired residents who are required to follow Water District regulations for maintaining hydrants, and pay a high price for hydrant flushing, etc. These residents feel that since they have retired in the Town of Cromwell, they are no longer considered a part of the Town of Cromwell. He stated these residents feel they are a part of the Town of Cromwell, but are treated as outcasts. They have had to address property issues with an attorney they hired. Mr. Amenta discussed what their community is about and requested support from the Fire District for their proposals to the Town Council.

Commissioner Swanson responded that the regulations for that property were in place long before Mystique Lane was constructed. Commissioner Swanson asked Mr. Jarzavek if any other communities like Mystique Lane are in Cromwell. Mr. Jarzavek knew of Evergreen Active Adult. The President mentioned that there is a Town Ordinance that makes the homeowners responsible for private fire hydrants if they are on private property. This issue would be something to come before the Town Council because it is a Town Ordinance. Commissioner Neto suggested looking into the District's Bylaws to see if any changes need to be made as far as the Water Division's administration of private properties. Mr. Dagostino added that there are properties at the TPC that also maintain their own hydrants.

Commissioner Langton discussed the Bill of Sale on these types of properties. It will list the responsibilities of the homeowner very specifically. The Association of Homeowners for that property will also have responsibilities listed with the Town. These documents will provide a lot of information. Commissioner Langton stated that the Board needs to learn who is responsible for what and what needs to change.

A motion was made by Commissioner Epstein, seconded by Commissioner Hamlin and unanimously approved to table this issue for 30 days regarding the West Street Commons Association, Mystique Lane residents and their responsibilities as private property homeowners. During the 30 days the Executive Director was asked to look for input from the Water Division's legal counsel and review the concerns of the Operations Director and Fire Chief and report this information back to the Board so that decisions can be made at the next Board of Commissioners' meeting.

ADJOURNMENT

There being no further business, a motion was made by Commissioner Hamlin, seconded by Commissioner Neto and unanimously approved to adjourn the meeting at 8:25 PM.

ATTEST: _____

Julius Neto, Secretary

Nancy Deegan
Recording Secretary
11-8-15