

Cromwell Fire District

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FIRE DISTRICT OFFICE
WATER DIVISION

FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE

BOARD OF COMMISSIONERS

Fire and Water Divisions

Tuesday, April 16, 2019

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 Tuesday, April 16, 2019, 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 Lee Brow (President), Roger Rukowicz, Jason Hinnners, David Colligan, Robert Donohue, Johnathon Hamlin, Charles Epstein and Allan Spotts attended. Commissioner Mertie Terry had an excused absence. Also attending were Executive Director Julius Neto, Fire Chief Michael Terenzio, Water Operations Manager Joseph Palmieri, Assistant Fire Chief Jason Brade and Michael Alibrio from BlumShapiro.

The meeting was called to order at 7:00 PM, by President Brow. The Pledge of Allegiance was led by President Brow.

APPROVAL OF AGENDA

A motion was made by Commissioner Donohue, seconded by Commissioner Hamlin and unanimously approved to accept the Agenda as submitted with the following additions: under Item X. New Business, adding Item G. ESO software, and under Item VII. Reports of the Standing Committees, Item E. Personnel, Item 1. Subcommittee for Non-Career Staffing Solutions, Mr. Neto noted that the Board will need to vote on the dissolution of the Subcommittee as its work has been completed, and the Commission originally appointed the Subcommittee.

PUBLIC COMMENT

There were no public comments to report.

APPROVAL OF THE BOARD OF COMMISSIONERS' MEETING MINUTES OF MARCH 19, 2019

A motion was made by Commissioner Rukowicz, seconded by Commissioner Hinnners, and approved 5 to 0 to accept the Board of Commissioners' Meeting minutes of March 19, 2019, as submitted. Commissioners Donohue, Hamlin and Spotts abstained.

READING OF COMMUNICATIONS & WRITTEN APPEALS TO THE BOARD

There were no communications or appeals to report.

REPORTS OF THE STAFF

- A. Executive Director. The Executive Director's report for March had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office. The Executive Director highlighted some of the items in his report.

Mr. Neto has completed some extensive research into new insurance coverage for the employees of the Fire District. He distributed to the Commissioners coverage information. The District will no longer be associated with the Town of Cromwell for insurance coverage based on the Town's request for separation. Coverage includes property, liability, workers comp., medical, dental and vision. This topic will be discussed at this meeting under the proposed insurance carrier change.

The proposed budget has been presented to the Executive Committee.

He reported that last week a total of 12 liens were placed on properties belonging to owners who are non-compliant with the Water Department billing. Correspondence has been mailed to these owners. Of the 25 letters mailed, three calls were received and payment arrangements have been made. The others have not responded. The next step in the process will be a registered or certified letter stating that if property owners do not contact the District the next step will be to curtail their water service. It is hoped that these individuals will reach out to the District so that some type of payment arrangements can be made. He added that if there are hardships, Mr. Neto will be the first to facilitate a resolution.

Within the Water Department spring and summer flushing has begun. A lot of ground has been covered within the first week.

Another issue discussed was the auditing firm of Hoyt, Filippetti & Malaghan. The District contracted with this firm 3 years ago. It was a 3 year contract with a 3 year extension. Mr. Neto reported the firm has been doing a great job for the District. The Board had met with them two months ago when they presented the most recent audit. The District is now entering the three year extension period of that contract. Unless the Board informs Mr. Neto otherwise, he will assume the Board would like to continue into the extension period. The contract can be revisited next year or just continue for the next three years. It is the Board's choice. When Mr. Neto was a Commissioner, he observed the auditors to be very professional, thorough and asking the right level of questions. He feels they are doing a great job of keeping the right level of checks and balances in the process.

Mr. Neto added that he has been working with the District's attorneys to develop a uniform contract for goods and services for capital projects that have an extensive number of dollars. It will engage the vendors and set a standard for what the District expects of them when they are working on behalf of the taxpayers, citizens and the Board. They also need to have certain standards, liability insurance, property insurance, a non-collusion clause, be an equal opportunity employer, indemnification clause, etc. to protect the District's interests. This will apply to any project over \$10,000, and has been vetted by our attorneys.

A motion was made by Commissioner Colligan, seconded by Commissioner Hamlin and unanimously approved to authorize the three year extension for the auditing firm of Hoyt, Phillipetti & Malaghan, LLC.

A motion was made by Commissioner Hinners, seconded by Commissioner Hamlin and unanimously approved to accept the Executive Director's report for March as submitted.

- B. Financial Report. The Financial Report for March 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 Rukowicz, seconded by Commissioner Hamlin and unanimously approved to accept the Financial Report for March as submitted.

- C. Fire Department Chief. The Chief's Report for March had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office. Chief Terenzio added that he has submitted two grants other than the safer grant through FEMA for the assistance to firefighter grants. He submitted a request for \$400,000 plus for the radios and \$600,000 for a rescue pumper. He added that last week the Department was down to one ambulance. They survived the situation, and 4C is now back in service after some body work, and 4B will be back in service tomorrow with a new short block. The Middlesex County Fire Chief's meeting was attended by former Ass't Chief EMS Clare last week. There was a discussion about performing physicals with another company. Some departments are using Ocmed, and there is an individual there that likes to fail everyone. The Fire Department currently uses Urgent Care in Cromwell, not Ocmed. The Department's policy has been to keep the tax dollars in the town. The dryers are to be installed on the compressors, the Chief will be signing the PO for that.

A motion was made by Commissioner Epstein, seconded by Commissioner Colligan and unanimously approved to accept the Chief's Report for March as submitted.

- D. Water Operations Report. The Operations Report for March had been previously distributed and reviewed. A copy is attached to the minutes on file in the Fire District Office. Mr. Palmieri reviewed the report. President Brow asked if a later start date for the VFD's would affect the tank inspection, and Mr. Palmieri did not think it would be affected.

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

REPORTS OF THE STANDING COMMITTEES

- A. District Operations Committee. There was no meeting.
- B. Executive Committee. Meetings were held on March 29, 2019 and April 4, 2019. Commissioner Rukowicz reported that this Committee is basically the budget committee and reviews the proposed budget for the following fiscal year. The meeting held on March 29, 2019, was held to review the budget of the Water Division. That budget was reviewed and approved at that time. Another meeting was held on April 4, 2019. That meeting reviewed the budget of the Fire Department, EMS and Communications. That budget was also reviewed and approved at that time.

A motion was made by Commissioner Hinners, seconded by Commissioner Rukowicz and unanimously approved to accept the Executive Committee report as discussed.

- C. Fire Operations Committee. Commissioner Colligan reported that the Committee approved the minutes from its March 19, 2019 meeting. There was a meeting held tonight right before this meeting. A couple of issues were discussed. A couple of work groups were also discussed. He also gave an update of the Communications Subcommittee. A meeting was held on March 28, 2019. The Subcommittee voted to move forward with a Special District meeting for the Town to approve the bonding for the radio/communication project. A Special District meeting will be scheduled for the end of May to approve not only the bonding for the radio project but also for the District budget for 2019/2020 and the Commission By-Laws.

A motion was made by Commissioner Rukowicz, seconded by Commissioner Hinners and approved 5 to 0 to accept the Fire Operations Committee report and minutes of March 19, 2019, as presented. Commissioners Donohue, Hamlin and Spotts abstained.

- D. Pension Committee. There was no meeting.
- E. Personnel Committee. Commissioner Epstein reported that the Committee had two meetings and will be reporting to the full Board of Commissioners during Executive Session later at this meeting.
1. Subcommittee for Non-Career Staffing Solutions. The Executive Director explained that at the beginning of the year the Personnel Committee approved this subcommittee that was comprised of one Commissioner, the former Deputy Fire Chief, the Executive Director and two representatives of the Fire/EMS personnel. Since Commissioner Epstein is the Chairman of the Personnel Committee and chartered this subcommittee and the subcommittee has completed its work, it is the responsibility of the Commission to continue or solve its objective based on the needs of the Commission.

President Brow thanked all those that were involved in the subcommittee's work. He was sorry that the work put forth was not accepted by the full Board of Commissioners. Their time and effort was appreciated.

A motion was made by Commissioner Spotts, seconded by Commissioner Hinners and unanimously approved to dissolve the Subcommittee for Non-Career Staffing Solutions under the Personnel Committee.

- F. Water Operations. Commissioner Rukowicz reported that the next meeting of the Committee is scheduled for May 14, 2019, at 5:30 PM, at 1 West Street.

BOARD APPOINTMENTS

There were no Board appointments to report.

CONSIDERATION OF OLD BUSINESS

- A. Report of the Town Council Liaison. The Town Council Liaison was not present at this meeting.

B. Reports of the Special Committees

1. Public Safety Tower Committee. Commissioner Rukowicz reported that the next quarterly meeting of the Committee is scheduled for Wednesday, May 15, 2019, at 10 AM, at 1 West Street.
2. Safety/Building Committee. Commissioner Donohue reported that the Committee met on Thursday, April 11, 2019. Minutes were not available. He stated that the Committee took the original punch list from January of the inventory of things to be repaired or needs attention at the three firehouses and the water garage. There were many items that were removed. Some pending items were also taken off. There are a few items that will still be addressed.
3. Bylaws Committee. Commissioner Epstein stated that the last meeting had been postponed until April 23, 2019.

NEW BUSINESS

- A. Commissioners' Comments. Commissioner Epstein announced that it was National Telecommunicators Week. He thanked all the Telecommunicators on behalf of all the Commissioners for the work they do.

President Brow read a plaque that was to be presented to Commissioner Craig Murphy, but due to the responsibilities of his new position at Pratt & Whitney, he has been unable to attend any Commission meetings. It will be physically delivered to him. It was dated November 20, 2018, and was read: for his dedication and service to the residents of the Town of Cromwell, CT as President of the Cromwell Fire District Board of Commissioners, October 2016 to October 2018, and for his support and service to the members of the Cromwell Volunteer Fire Department, with sincere respect and thanks for all you have done from the Cromwell Fire District Board of Commissioners.

A plaque was presented to Commissioner Johnathon P. Hamlin, dated November 18, 1997, for his dedication and service to the residents of the Town of Cromwell, CT and the Cromwell Fire District Board of Commissioners October 4, 1994 to October 1997, and for his support and service to the members of the Cromwell Volunteer Fire Department with sincere respect and thanks for all he has done from the Cromwell Fire District Board of Commissioners.

- B. Budgetary Adjustments. A motion was made by Commissioner Hamlin, seconded by Commissioner Hinnners and unanimously approved to be it resolved that the Board of Commissioners of the Cromwell Fire District consider and act upon a resolution to approve budgetary adjustments to the General Fund, Water Enterprise Fund, Equipment Reserve Fund and Water Capital Fund budgets for the fiscal year ending June 30, 2019, as reflected in the worksheet provided by Blum Shapiro at the Board of Commissioners' Meeting of April 16, 2019. Budget worksheets are attached.

Amendments to the General Fund and Water Enterprise Fund budgets for the fiscal year ending June 30, 2019 are as follows: \$17,831 from the General Fund Fire Marshal Payroll (01121-5105), \$1,364 from the General Fund Insurance & Benefits Payroll Tax Expense (01220-5200) and \$11,541 from the General Fund Insurance & Benefits Medical Insurance (01220-5260). \$17,831 to Water Division Payroll (05901-5105), \$1,364 to Water Division General Administration Payroll Tax Expense (05907-5200) and \$11,541 to Water Division

General Administration Medical Insurance. All the above funds were re-allocated for payroll and insurance costs for Fire Marshal administration transferred to Water Division.

Amendments to the Equipment Reserve Fund budget for the fiscal year ending June 30, 2019 as follows: \$2,000 from Tool Boxes for Mechanic's Truck (31751-5710) to Turn-Out Gear Replacement (31784-5740) to re-allocate funds for the purchase of turnout gear for a new firefighter.

Amendments to the Water Capital Fund budget for the fiscal year ending June 30, 2019 as follows: \$6,000 from Operating Transfers Out--Water Capital Fund (05908-5990) to Water Capital Meters (35904-5720). The transfer funds received from meter installations to the Water Capital fund for purchase of additional meters.

- C. Approval of Contracts/Contractors. There were no contracts or contractors to approve.
- D. Proposed Insurance Carrier Change. The Executive Director had distributed to the Commissioners a packet of insurance coverage information from Northwest Fire Fighters Benefits Trust. The District as well as individuals within the budget cycle attempted to control and manage the expenses with benefits. It is the largest single item of increase year over year within the budget. The membership which includes members under CBA's for Fire Fighters, Dispatch and the Communication Center and non-bargaining unit employees are all covered under Connecticare. Mr. Neto reported the Town, the Board of Education and the District had a tremendous negative experience with Connecticare last year. When the company came up for renewal this year there was a 29.5% increase year over year. It is unsustainable and problematic. The District is no longer associated with the Town's insurance umbrella, based on its request that the District separate. The District is a small employer with less than 50 employees which means there is no competitive edge when the District is shopping for reasonably-priced insurance including medical, dental or vision. There was also no way that the District or the taxpayers could absorb a 29.5% increase. Therefore, the Executive Director had to find alternatives.

One alternative was to join forces with the State of CT. They have a partnership plan of 2.0 that smaller communities have joined. The challenge with that plan was twofold. One challenge was that it was a 16% to 20% price increase for the first year, and it would have been a three year commitment. Their mandate by the State Comptroller and the Legislature was to be self-sufficient. There are no protections for any of the rates going forward. Therefore, Mr. Neto felt it was a potential liability for the District and taxpayers going forward and was not going to recommend the partnership plan even though the Board of Commissioners are the ultimate decision-makers. The Town also looked at the same plan and came up with the same conclusion. They were unable to predict cost for year two or three. In today's financial environment it is a high risk.

The Executive Director is recommending the Northwest Fire Fighters Benefits Trust. They are in seven communities currently. They are looking to increase their client base by five to seven communities this year. They are under the Blue Cross umbrella and because some of our members are part of the Firefighters Union, that is within their area of influence. They are willing to include not only the Firefighters Union membership but also any other members or employees within the same Fire District. Mr. Neto stated that the increase in rates would be reasonable at 13%. Over the last seven years their increase has been less than 8% year after year. When asked by Mr. Neto how they are able to keep their increases lower, it was explained that because their clients include fire fighters, their population is younger

and healthier, and their experience rate is not the same as teachers. Demographically certain ages require more attention. Teachers and administrators tend to be older.

Mr. Neto discussed trust funds. There are 19 mandates for the insurance companies and legislators in the State of CT. He did not know if the mandates were being adhered to by a Trust. The trust is not for profit, but insurance companies are. The benefit trust is compliant with all 19 mandates. There is no difference from a mandate perspective between Cigna, Connecticutcare or the benefit trust.

Mr. Neto is recommending the Northwest Fire Fighters Benefit Trust as the insurance carrier for the District for medical, dental and vision. It does not include property or casualty. That will be discussed at a later date. The cost per person is a high deductible of \$2,000/\$4,000. The current rate for CBA employees is \$2,000/\$4,000, and the non-CBA employees is \$1,500/\$3,000. There will be an adjustment in terms of employees paying a little bit more. The cost to the District would be roughly \$20,000 per person depending on who the employee is covering. There are 3 categories of employees. Benefits are the second most expensive item in the budget. Unfortunately when looking forward, this is an area that is not going to be controllable for a while. In addition, this is only a one year commitment. It was noted that the agent for this plan is Brown & Brown in Rocky Hill. It was also noted that the plan would cover 28 employees. Mr. Neto asked for permission to reach out to the Presidents of the Unions for the Communication staff and Fire Fighters as well as the rest of the staff in terms of information flow and addressing any concerns. There will be meetings scheduled as information sessions with employees and spouses.

A motion was made by Commissioner Hamlin, seconded by Commissioner Hinners and unanimously approved to move forward with the proposal for Northwest Fire Fighters Benefit Trust as the new insurance carrier for District employees.

- E. Proposed Budget 2019-2020. Commissioner Rukowicz discussed the fact that a new process was started this year. In the past the Executive Director, Fire Chief, and other Division heads did their own budgets. This year the Executive Director met one-on-one with each Division head as well as staff within each division who provided input. Commissioner Rukowicz reported that this budget is not the result of one individual. There were at least 12 sets of eyes on this budget. After that process was completed, it was turned over to the Executive Committee. There are four Commissioners on the Executive Committee so another 4 sets of eyes looked at it and eventually the rest of the nine Commissioners reviewing it.

If the budget were to be approved today, there would be no increase. There was an Executive Committee meeting held on March 29, 2019. At that meeting the Water Division budget was reviewed. The budget was comprised of what is needed, not what is wanted. The Executive Committee approved the Water Division budget at the meeting on March 29. It was a good meeting with everyone providing input and being unanimously approved by the three out of four Commissioners present. The Fire/Communications budget was reviewed by the Executive Committee at their meeting on April 4, 2019. It also was a good meeting and approved by those in attendance.

The Executive Director reviewed the proposed budget as presented to the Commissioners at this meeting. He reviewed it page by page and answered any questions. A copy is attached to the minutes on file in the Fire District Office. He noted that the budget does not have a tax increase. He referred to page 1 which was an overall summary. In looking at total revenues

and reviewing total expenses plus capital and debt service, it shows that all expenses equaled the revenue stream. That is why there is no tax increase.

The Executive Director also distributed copies of a pie chart which identifies where all the dollars are being used. A copy is also attached to the minutes on file in the Fire District Office. He reviewed the pie chart. He explained the different pieces of the pie chart. Public Safety was almost \$2 million, 42% of the budget is for public safety. That includes staffing that keeps the Fire Marshal, the Chief's office and the support networks to get apparatus out there. Insurance and benefits is also a large portion of the pie; over \$800,000. This year the amount for benefits is an increase of over \$98,000. The budget also reflects a 2% salary increase. The District is comfortable with that number, but they are also negotiating a contract.

The Commissioners also received another summary sheet that had all the line items detailed. There was a question regarding looking into tax collection being done in house. Due to the priorities Mr. Neto has been working on, he has not had an opportunity to address that issue. Because of the skill set required, he does not feel that it could be handled by a part-time individual. He assured the Commissioners that between now and next year's budget his commitment is to evaluate the cost effectiveness of the \$60,000. He believes that without the benefits using the Town is still a good deal. The Town has increased its charge to the District, but because there is no benefits there would be a cost savings of 25-30%. It is something he will need to look at. It is possible that next year he may be looking at a full time individual with dual roles as the tax collector and processing outstanding invoices for the water department. The right individual could justify the expense associated with the benefit side of the position. There was another question regarding the addition of EMS billing. Mr. Neto at this point does not have enough knowledge about the billing to come up with an educated guess on that issue. If there is a fair amount of expertise required or additional hardware and software to invest in, the District would need to look at how they can get a return on their investment. Commissioner Spotts added that if the legislature passes the paid Family Medical Leave Act, that could also impact the budget. If the State does not allow Towns to collect on property tax or car tax, that would also impact the proposed budget. Mr. Neto requested that the vote on the proposed budget be separated between the General Fund and the Water Fund as two different budgets.

A motion was made by Commissioner Hanners, seconded by Commissioner Epstein and unanimously approved to accept the proposed 2019/2020 Cromwell Fire District budget as presented. It was unanimously opposed.

A motion was made by Commissioner Hanners, seconded by Commissioner Colligan and unanimously approved to accept the proposed 2019/2020 General Fund Operating budget for \$4,507,018.

A motion was made by Commissioner Epstein, seconded by Commissioner Donohue and unanimously approved to accept the proposed 2019/2020 Water Division Enterprise Fund budget for \$2,326,888.

- F. Set Date for District Meeting for Budget Approval and Bonding Approval. Mr. Neto suggested setting the date as the third Tuesday in May which is May 21, 2019. This meeting will be held prior to the monthly Board of Commissioners' meeting. It was also suggested that a separate meeting be scheduled for the Bonding approval on that same night. It was decided to have the budget approval meeting at 6:00, the Bonding approval at 6:30 and the

regular Board of Commissioners' meeting at 7:00 PM. Commissioner Epstein would like to also schedule the Bylaws approval on that date. The President noted that there needs to be a By-Laws Committee meeting to finalize the Bylaws before it can be scheduled for Town approval. It was suggested to add the Bylaw approval for 7:00 PM that evening with the regular Board of Commissioners' meeting at 7:15 that evening.

A motion was made by Commissioner Epstein, seconded by Commissioner Hinners and unanimously approved to set May 21, 2019 at 6:00 PM for the Special District meeting to approve the 2019/2020 Fire District Budget, 6:30 PM for the Special District meeting to approve the Bonding for the Radio project, 7:00 PM for the approval of the District By-Laws and 7:15 PM for the regular monthly Board of Commissioners' meeting.

- G. ESO Software. Mr. Neto explained that under the Fire Operations Committee there is a need to form a work group with a focus on vetting, evaluating and recommending changes to the charting software. Middlesex Hospital is changing their software to ESO. He has discussed this with Chief Terenzio and Assistant Chief McIntyre. It needs to be vetted and evaluated by the work group. The work group should be well balanced and look into a billing company with the potential for change. The group will be bringing in vendors to evaluate. President Brow tasked the Executive Director with taking charge of the work group and appointing individuals to it that would be of value to its mission and report back to the District Operations Committee. Mr. Neto stated he would be working with Ass't Chief McIntyre and Commissioner Epstein initially. They will also tap into other resources.

PUBLIC COMMENT

Nicole LaTerra, 13 Hicksville Rd., wanted to know if the Commissioners have had any special meetings to discuss the FLSA issue and if there was any information available as to where the Fire Department is headed since the conclusion of the Non-Career Staffing Solutions Subcommittee. If there were meetings, she wanted to know if there were minutes, and where they would be located. If there were meetings she thought they should be public record. President Brow explained that there would be minutes for public record if there was a committee formed. However, a work group had been formed based on the direction of the President at the last Board of Commissioners' meeting. Because it was a work group, it was not a public meeting. No agenda was posted, and minutes were not taken. The group did not vote on anything, but brought back a recommendation which will be voted on by the Board. Another concern of Ms. LaTerra's was regarding part-time staffing solutions. She wanted to know if the proposed budget for 2019/2020 reflected an increase in expenses due to onboarding or continuation of part-time staffing.

For the record, the Executive Director noted that public comments should be comments, not questions and answers. He further stated he has not been given any direction from the Board as to what the new staffing model is, or if there is a new model. If the question is whether or not there is money in the budget to cover volunteers which is what they are known as today, the answer is yes. There is money in the stipends. Also, once the budget is approved it will be on the website so the public can see exactly where all the dollars are. If there is a budget impact based on what is decided by the Board, adjustments will be made. There will not be any modifications until the public votes on the budget.

President Brow apologized for getting off track from public comments to questions. He added that if the public has any questions, they should be reduced to writing and forwarded to President Brow or the Executive Director. Any questions directed to any other Commissioners should also

be reduced to writing and can be forwarded to President Brow who will direct them to the appropriate people. Issues under Public Comment need to remain as comments and not questions.

Ms. LaTerra further commented that more communication is needed on FLSA issues. Career staff and Dispatchers are hired, but part-timers/volunteers cannot be on-boarded. The part-time/volunteers do not have the help or support that they need. She stated that it is unclear what the members should be classified as. It is unfair that there has been no communication to the staff, and there have been changes to the Department with no explanation.

Mr. Curt Anderson, 15 Ridge Road, commented that he was EMS Captain last year. He heard that the administration and Commissioners may have heard that the EMS officers had a pact last year that they were all going to resign. To clarify, their pact last year was not that they were going to resign at the end of this year, but that no matter what, they were going to see this issue through to completion. That was the pact. He added that regarding the FLSA Subcommittee, he felt it was positive that everything was done in a public forum, minutes were posted. However, after the conclusion of the Subcommittee there were enough Commissioners at the "workshops" to definitely call them meetings. The general feeling is that a lot is being done behind closed doors. There has been no communication from administration. It makes the Board look shady, and further dividing the Department. Some of the best performers are the ones that are most effected by the uncertainty.

President Brow addressed the rumor mill. He had not heard the rumor about the pact. He had heard that the membership was hearing rumors that the Board is going to do away with volunteers, and they will be systematically removed. The President made the statement at the last Board of Commissioners meeting and repeated it that there has been no talk or discussion of getting rid of anyone. If a person is a member today, there will be a place for them for whatever plan is brought forth. The plan must be compliant with State, Federal and local laws, ISO and NFPA standards and recommendations. They will not be getting rid of anyone. He keeps hearing that the Board is scheming to get rid of people. That statement is not true and has never been discussed.

Candace DeVizio, 17 Mountain Laurel Court, stated that if some members were considered employees, and they were stopped from being paid in October, that is illegal. Those people need to be reimbursed for all the hours they worked and were not paid for. Damages and interest needs to be paid, and information needs to be reviewed over the last two years. She noted that the District cannot stop paying an employee while paying someone else for doing the same job. Everything from September through October needs to be rectified financially. The Executive Director noted that the issue brought up by Ms. DeVizio is one that the Commission needs to make a decision on. It is on this agenda to be discussed. The FLSA issue was brought to light in October and there was a membership meeting on October 8 and a follow-up email from the Fire Chief. If volunteers wished to come in, it would be on their own accord. The volunteer umbrella states the person is volunteering their service. There was an environment of inconsistency for members whether they were volunteers or employees. Others were considered part-time employees and were asked to cover football games, etc. The Board needs to decide if they are going to ignore the Chief's email or state that the person came in on their own accord to perform the services provided, which the citizens appreciated. Mr. Neto is willing to give his opinion, but the decision will be made ultimately by the Board. The hours of service provided is known, but is the person that did the service a volunteer in their mind or an employee. That is the decision that needs to be made by the Board. Ms. DeVizio added that it is illegal to volunteer for your employer for the same job.

Mike Turcot, 8 McDonald Ave., stated that he is not a member currently, but would like to be. He has been waiting since October. He doesn't care what capacity he is on-boarded as. He stated there is interest in the room and the Town, but issues with the process. There needs to be progress made on the issue by the Commission following rules and regulations as noted. There were people in the room that are also in the same situation and want to be a part of the Fire Department. Information needs to be available and at a faster pace.

Mr. Anderson returned to the podium. He stated there was a meeting on October 8, 2018, in the conference room on Coles Road. The meeting was recorded, and he encouraged the Board to listen to the tape. Mr. Anderson also noted that it was mentioned that at will employees are volunteer. He corrected that statement by saying Per Diem employees are at will. Just because someone is at will does not make them a volunteer. At will makes someone more of a Per Diem employee. A person does not have to come in if they don't want to. To stand down as an EMS Captain, you are not only abandoning the Department, but the community that has been so long protected. How can a person be a volunteer at will, take a little break from it and then be accused of abandonment to the Town. This statement was made to a top performer.

Roger Thompson, 69 Country Squire Dr., stated that there has been a lot going on in the Department lately. FLSA issues, investigations, etc. There needs to be a way to move forward as a group. The problem is that the membership does not feel that they are supported by the Executive Director or the Commission. They feel they have been hung out to dry. It is disheartening to make a formal complaint and see nothing has been done. So many people have come forwarding asking for help. They have received none.

Jennifer Anderson, 15 Ridge Road, stated that the Board has tried to reassure the membership that they will have a place whether part-time or volunteer. It doesn't reassure anyone because it has already been decided that volunteers are paid nothing. The only thing to be compensated is a pension. Part-time is not interesting for members either because they feel they would be like puppets. They were told by a career firefighter that the Subcommittee for Non-Career Staffing Solutions was just smoke and mirrors and a joke. After all the hours of work, the solution that was drafted was voted down. When the work group was formed, she wondered why there wasn't one or two people from the membership included to represent the members. She noted that the members have been part-time employees for years. It has been stated many times at the Subcommittee meetings. Because they work at will, they schedule themselves. They are already Per Diem because they are at will. To remain Per Diem is no additional cost to the District. It is identical to how they operated before. They are just not calling themselves volunteer because that is no longer legal, and the group needs to comply. Their By-Laws will need to be updated regardless of any change. If the staffing solution is part-time and not Per Diem, she believes that the professional, non-career people will be forced out. Chief Terenzio stated at the October 8 meeting with non-career staff that, "if this goes part-time, it will not be with the existing people. You get selected for a job. There is more than one way to skin a cat." She does not know how that is going to work. Since that time there have been several formal complaints against Chief Terenzio, due to harassment, intimidation and retaliation. Many non-career folks are targeted by false accusations, demeaning language, etc. Those have been emailed to several people. The highest performers are the ones that are targeted the most. If non-career are considered part-time instead of Per Diem, the Chief would have more means to retaliate. This situation makes the membership uncomfortable, and the Chief will have the ability to retaliate.

President Brow has stated this more than once before, the entity that hires and fires in the District is the full Board of Commissioners with the recommendation of the Personnel Committee.

Division heads do not have the opportunity to say they want to fire someone and have a say in it or get to vote on it. Every Commissioner sitting on the Board today including Commissioner Terry who was not present is on the same page that they are not getting rid of anyone. There is a place for everyone that is here now. There will be an opportunity for anyone that is here now and it will be legal and not violate State, Federal or local law. The Board is the selection process for that.

Ann Kizer, 7 Bow La., noted that a Special Meeting is scheduled for May 21 for the budget that was approved tonight. She feels that the FLSA issues being discussed tonight are huge and the Board needs to do their due diligence in order to really look at this and make some good decisions. If the budget has to change, it does not seem that there is a lot of time between now and May 21 to provide people with a good representation of what that budget might look like. The Town is owed the right to be able to see what goes on. While there are working sessions not "meetings," it is not fair to the Town's people because no minutes are provided, and it does not give any information to the taxpayers. It makes the citizens feel that things are under cover.

EXECUTIVE SESSION

A motion was made by Commissioner Donohue, seconded by Commissioner Hinners and unanimously approved to enter into Executive Session at 8:40 PM to discuss a District personnel matter.

A motion was made by Commissioner Epstein, seconded by Commissioner Hinners and unanimously approved to adjourn Executive Session at 9:45 PM.

ADJOURNMENT

A motion was made by Commissioner Hinners, seconded by Commissioner Hamlin and unanimously approved to adjourn the meeting at 9:46 PM.

ATTEST:

Jason Hinners, Secretary

Nancy Deegan
Recording Secretary
4-25-19