

# Dunn's Corners Fire District

1 Langworthy Rd  
Westerly, RI 02891

## Minutes Operating Committee Meeting May 19, 2014

The Dunn's Corners Fire District Operating Committee (OC) convened on Monday May 19, 2014 at 6:30 PM, in Fire Station #1.

Attendees were comprised of OC members Matt Thomsen, Tom Algieri, Ken Martin, Chief Mike Frink, Bob Delaney, and Jon Schreier.

Additional attendees: From the Shady Harbor Fire District Ted See; from the Shelter Harbor Fire District Tom Lloyd; District Solicitor Vin Nacarratto and District Clerk Steve White.

Actions of the OC (all votes unanimous unless otherwise noted):

### Agenda Items

**Previous Meeting Minutes** – *A motion was made seconded and so voted to approve the minutes of the May 12, 2014 meeting with the following revisions.*

*Under section Bradford Industrial Park – change “district” to “Bradford Fire District”.*

*Under section Chief's Report - change “per diem custodian services” to “per diem staff or custodian services”.*

**Next Operating Committee Meeting** - The next regular meeting of the Operating Committee is scheduled for 6:00 PM May 27, 2014 at Station 1.

**District Budget 2014-2015** – No updates to draft budget.

The Chief reviewed the new law that will require the district to file and report its budget quarterly to the Division of Taxation, Auditor General and Town Clerk for the Westerly Town Council. This law is in response to the financial problems occurring at the Central Coventry Fire District.

Given the additional reporting and time requirements a stipend for the Treasurer was disused for inclusion in the upcoming budget.

**Chief's Annual Review Process** - The Moderator discussed a two part process one revolving around a formal annual review process of the Chief. The review would include 360 feedback reports of the Chief reviewed with the Operating Committee; as well as a section that measures the achievement of goals and accomplishments.

The second part of the process is to formalize the Chief's responsibilities to the District and the District's to the Chief in a written employment contract.

The Moderator informed the committee that municipal employment contracts by law cannot be longer than three years.

**Bradford Fire District Contract** – After discussion about ISO ratings and a future substation the committee suggested proposing a two (2)-year contract with three (3), one (1) year options with a 90-day notice clause.

Equipment – BFD has been inactive in obtaining the disputed equipment.

**Bradford Industrial Park** – Dispatch contacted the Chief and informed the him that the DCFD will still be toned out for calls at the Bradford Industrial Park until such time as a letter from the District's solicitor is sent out notifying all affected parties that DCFD will not be providing fire protection service to the Park as of a certain date. The District's insurer reiterated the notification process. The Committee requested that the Solicitor send notification to the Dispatch Service that Bradford Industrial Park in not part of the Dunn's Corners Fire District or one of its contracting districts. Until the notifications are sent DCFD will continue to provide fire protection service to the Park. There is potential that the Park will apply to join the Bradford Fire District, which would put it back into the DCFD service area.

The State Fire Marshall was recently at Bradford Industrial Park reviewing the problematic fire suppression system. One major problem is that part of the facility uses a wet system, which should not be used in unheated areas. The owner hopes to convert over to a dry system.

Solicitor Vin Naccarato explained if the District gets involved in a protracted legal dispute with the Bradford Industrial Park he would need to recuse himself from the matter because his partner provides legal representation to the Park and it would represent a conflict of interest. The solicitor stated he would provide a referral for council.

A motion was made and seconded that if the matter is not resolved by Monday May 26, 2014 that the District hire new council to pursue legal action in order to prevent the District from putting its volunteers at risk as well a expending the District's tax payer resources providing fire protection services to a private company out side the District; that is not part of a district that DCFD provides fire protection services to on a contract basis; and is not part of a district in which DCFD provides mutual aid.

Discussion – The Moderator suggested other than getting new representation working through the existing process to get the matter resolved. The solicitor inquired if the operating Committee's intent is to get the Bradford Industrial Park to join the BFD. The Committee agreed that would be an acceptable remedy.

After discussion the motion was amended to change the date from May 26, 2014 to June 10, 2014 in order to allow the current process to move forward. The motion passed on a split vote with members Algier, Delaney, Frink, and Schreier voting in favor; member Thomsen opposed; and member Martin abstaining.

**ISO Ratings** – The Chief informed the Committee of the possibility of the District’s ISO rating improving to a 3 based on an insurance review. This may lower insurance cost for taxpayers.

The Chief informed the committee that the Bradford Fire District has not been reviewed since 1984 and because of the closing of its station that the current distribution of equipment and the location of the nearest fire company may not allow for the continuation of its current 5 rating and a downgrade was possible. Because of this and the importance of recruiting Bradford volunteers, the Chief believes it to be very important that the Bradford Fire District at its expense build a substation in Bradford and this be codified in a future contract between DCFD and BFD.

**Contracting District Contracts Shady and Shelter Harbor** – Ted See representing Shady Harbor attended the meeting hoping to get information on what a new contract rate might be. He reiterated his belief that the split rate between Westerly and Charlestown should be equalized.

DCFD Treasurer Bob Delaney stated that equalization would need to be approved by the taxpayers. Additionally, he reiterated his previous meeting comments stating that in his opinion certain administrative expenses that do not apply to the cost of providing fire protection services to the contracting districts should be taken into consideration when determining the base rate for those districts. He believes that amount equates to 4 cents on the mil rate.

### **Public Comments**

Public comments – James Angelo discussed his thoughts that a semi annual review process for the Chief was a better process and that the Committee take the lead in establishing the Chief’s goals. He recommended memorializing the conversations with Dispatch services in regards to the Bradford Industrial Park matter.

Meeting adjourned at 8:05 PM

Respectfully Submitted,

*Steve White*  
District Clerk