

Cumberland Fire District

Established
November 10, 2014

Headquarters @ Station Four
3502 Mendon Road Cumberland, RI 02864 401.658.0544
www.cumberlandfire.org

AGENDA OF THE REGULAR MEETING OF THE CUMBERLAND FIRE DISTRICT
TUESDAY, MARCH 10, 2015 AT 7:00
CUMBERLAND TOWN HALL, EVERETT "MOE" BONNER, JR. TOWN CHAMBERS
45 BROAD STREET, CUMBERLAND

REGULAR MEETING

1. Call to Order
2. Moment of Silence and Pledge of Allegiance
3. General Announcements
4. CONSENT AGENDA
 - a. Approve minutes from 02/24/15
5. OLD BUSINESS
 - a. R-2015-02 Clerks Position
 - i. Vote to appoint Debra Auclair
 - b. R-2015-08 District Legal Representation
 - i. Vote to appoint Kelley Morris
 - c. R-2015-09 District Labor Legal Representation
 - i. Vote to appoint Rodio & Ursillo
6. NEW BUSINESS
 - a. Tom Bruce's report
 - i. Personnel recommendations
 - ii. Finance updates
 - b. R2015- 17 In support of S-0177 as amended
 - c. Vote for executive session under RI GEN LAW 42-46-5 (2)
 1. Ongoing negotiations
 - ii. Vote to return to open session
 - iii. Vote on minutes
7. PUBLIC INPUT
8. ADJOURNMENT

Bruce A. Lemois
Chairman

Phillip Koutsogiane
Vice-Chair

Christopher Parent
Commissioner

Cynthia Ouellette
Commissioner

Ronald Champagne
Commissioner

Jim Scullin
Commissioner

Frank Matta
Commissioner

Kenneth Finlay
Chief of the Department

Station One
555 High Street
401.722.5992

Station Two
1530 Mendon Road
401.333.1421

Station Five
50 Arnold Mills Road
401.333.2244

Posted at HQ and other station(s)

Mission Statement

The mission of the Cumberland Fire District is to provide exceptional public safety services in a safe, compassionate, cost effective and professional manner.

MINUTES OF THE REGULAR MEETING OF THE CUMBERLAND FIRE DISTRICT

TUESDAY, FEBRUARY 24, 2015 AT 7:30 P.M.

CUMBERLAND TOWN HALL, 45 BROAD STREET, CUMBERLAND, RI

The meeting was called to order at 7:30 p.m.

MEMBERS PRESENT: Chairman Lemois, Commissioners Koutsogiane, Matta, Parent, Champagne and Scullin

MEMBERS ABSENT: Commissioner Ouellette is on vacation.

GENERAL ANNOUNCEMENTS: There were no general announcements at this time.

CONSENT AGENDA: Approval of minutes of February 9, 2015. Commissioner Koutsogiane had reviewed and made some corrections.

COMMISSIONER KOUTSOGIANE MOVED TO APPROVE AMENDED MINUTES PER HIS CORRECTIONS, SECOND BY COMMISSIONER CHAMPAGNE. PASSED 6-0

Chairman Lemois would like to move item #6 (R-2015-02 Clerk's Position) up in the agenda as Commissioner Parent needs to leave and feels as part of the Personnel Committee that he should be there.

MOTION TO FILL CLERK'S POSITION MOVED BY COMMISSIONER MATTA, SECOND BY COMMISSIONER PARENT.

Commissioner Koutsogiane that there was no prior appointment of Clerk's position on prior agenda and does not indicate an appointment process. He feels this is a violation of open meetings law and would like it to be put on record. Commissioner Scullin agreed that there should be a name attached to the appointment and also violation of open meeting laws.

After discussion, it was decided that this, and the other two appointments, should be tabled until the next meeting and attach name to the appointment to be on the safe side.

MOTION TO TABLE APPOINTMENTS MOVED BY COMMISSIONER KOUTSOGIANE, SECOND BY COMMISSIONER SCULLIN. PASSED 6-0.

Commissioner Parent needed to leave to the meeting.

EXECUTIVE SESSION

MOTION TO ADJOURN TO EXECUTIVE SESSION MOVED BY COMMISSIONER CHAMPAGNE, SECOND BY COMMISSIONER MATTA. PASSED 5-0.

MOTION TO RETURN TO OPEN SESSION MOVED BY COMMISSIONER CHAMPAGNE, SECOND BY COMMISSIONER MATTA. PASSED 5-0.

Chairman Lemois asked for the minutes of section A of the executive session to be sealed as it dealt specifically with personnel issues.

MOTION TO SEAL MINUTES OF EXECUTIVE SESSION MOVED BY COMMISSIONER CHAMPAGNE, SECOND BY COMMISSIONER MATTA. PASSED 5-0.

Joy Sullivan was sent a letter to bring her concerns into Executive Session but she wanted to bring into open session of meeting. There will be no hearing or input but merely take notes and information.

The Finance Director, Tom Bruce, will handle these issues and bring back to the Board. There are several issues that will need to be addressed. There was discussion on the items that need to be addressed.

OLD BUSINESS

B. R-2015-08 Relating of District Legal Representation

Tabled with item A

C. R-2015-09 Relating of District Labor Legal Representation

Tabled with item A

NEW BUSINESS

A. Separation Letters per contracts

Chairman Lemois sent a memo to the Fire Committee in regards to separation letters.

According to some of the contracts signed by the previous boards, there is a required date that the contract holders must be notified of when their contracts will end.

The notification date between contracts varies between 90 and 120 days. Some contracts do not even have a notify requirement. The District will be sending notification letters to all contracted administrative personnel. Chairman Lemois believes that they all deserve updated communications.

These letters will serve as notification that the District does not intend to continue their contract past June 30, 2015. It will also state that the opportunity for employment exists in some areas and notices will be posted at Headquarters. Positions will be different hours and compensation, which will be listed in the postings.

B. R-2015-16 Relating to Request of Cumberland Delegation to submit Super Lien Legislation

This resolution is in regards to a request for the R.I. Legislature to pass a bill granting the Cumberland Fire Department the ability to have a Super Lien status. Commissioner Champagne explained how this has helped other Districts.

The Cumberland Fire District needs a way to protect itself from delinquencies. A super lien would allow the Cumberland Fire District to have a high placement on the title for payment in the event of a foreclosure. This lien would allow for our taxpayers to place the Cumberland Fire District in escrow with their mortgage company. This Super Lien would also allow the District to collect past three years.

MOTION TO PASS RESOLUTION BY COMMISSIONER CHAMPAGNE. SECOND BY COMMISSIONER KOUTSOGIANE. AFTER SOME DISCUSSION, MOTION PASSED 5-0.

C. R2015- Relating to the support of passage of Senate Bill S-0177

There was discussion that the Cumberland Fire District should be clarified as a public body. Upon passage of this resolution it shall be forwarded to the Cumberland delegation of R.I. Senators and Representatives. Also upon passage, the Cumberland Fire District will fully support S-0177.

COMMISSIONER SCULLIN MOTIONED TO TABLE THE RESOLUTION FOR A PERIOD OF ONE MONTH. SECOND BY KOUTSOGIANE. THERE WAS A ROLL CALL VOTE AND MOTION TO TABLE PASSED 4-0 WITH CHAIRMAN LEMOIS VOTING NAY.

PUBLIC INPUT

Brian Kelly gave input.

ADJOURNMENT

MOTION TO ADJOURN MOVED BY COMMISSIONER CHAMPAGNE. SECOND BY KOUTSOGIANE AT 7:52 P.M. PASSED 5-0.

Submitted by
Debra Auclair
Acting-Committee Clerk

DEBRA L. AUCLAIR

(508)212-6110

OBJECTIVE To provide quality customer service and enable me to utilize my knowledge and capabilities.

EXPERIENCE **March 2006 to Dec 2014 Forest Properties E. Providence, RI**
Assistant Property Manager – Oversee 211 apartments and grounds, bookkeeping, collections, record keeping, coding monthly invoices, resident orientation and service requests, handling resident issues with professional manner, screening prospects/application process/proper credit and background checks/viewing of vacant apartments and scheduling of paint/cleaning/carpet repairs.

April 2004 – Feb 2006 American Form Corporation Rehoboth, MA
Administrative Assistant – Payroll, accounts payables and receivables, greeting customers, answer multi-line telephone, order supplies, filing and various other prospects as needed by the President and Vice-President of the corporation.

Sept 2002 – June 2003 Mansion Nursing Home Central Falls, RI
Administrative Assistant (Temporary Position)
Same responsibilities as listed below.

March 1998 – Dec 2002 Collette Vacations Pawtucket, RI
Group Travel Coordinator – Responsible for the generation of charter order blocks in the reservation system. Created group files and itineraries, proofed for accuracy, faxed for client approval, generated confirmation letters and ensured all information was accurate (including, but not limited to, waiver, cancellation insurance, air components, transfers and commission/comp structures, etc.) Prepared group files for account balancing by auditing pricing on flyers, confirmation blocks as a rooming list quality control check. Reviewed expired options and ensured group were contacted or inventory was restored. Monitored notifications to group leaders on expired options.

March 1994 – March 1998 Progressive Insurance Warwick, RI
Claims Assistant – Answered multi-line telephone system assisting customers with accident, fire and theft claims. Took recorded statements from customers over the phone and transcribed for documentation of their claim. Also did filing and other various duties as needed.

Aug 1990 – March 1994 Mansion Nursing Home Central Falls, RI
Assistant Assistant – Reported to the Administrator of a 62-bed long-term nursing facility. Answered/screened incoming phone calls, managed accounts receivables accounts payables, patients' personal needs accounts, employee and patient records, patient billing and filing. Also supported all other departments as needed (activities, dietary, nursing and housekeeping).

EDUCATION **1989 Sawyer School Pawtucket, RI**
Certificate with Honors awarded in Travel & Tourism

1984 – 1987 **Cumberland High School** **Cumberland, RI**
Diploma awarded in Business Studies

REFERENCES Available upon request

Kelley Nickson Morris
60 Country Hill Road
Cumberland, RI 02864

kmorris@landlawri.com

February 13, 2015

Frank Matta, Chairman
Personnel Committee
Cumberland Fire District
3502 Mendon Road
Cumberland, RI 02864

Re: Letter of Interest
Legal Services

Dear Mr. Matta,

It is with great pleasure that I send you this letter expressing my interest in providing the Cumberland Fire District with legal services. As you know, I have been involved in town government for almost ten (10) years. Prior to becoming the town's Planning Director, I practiced law at Moses Afonso Ryan, where my primary concentration was in municipal law.

I believe that my municipal government experience, coupled with my practical experience being involved in the Town for so many years, will be a great asset to the Cumberland Fire Department.

I have attached my resume for your consideration. I look forward to meeting with you and your team to further discuss my interest and qualifications.

Very truly yours,


Kelley Nickson Morris

cc: Bruce Lemois, Chairman

Kelley Nickson Morris
60 Country Hill Road
Cumberland, RI 02864
401.374.1363

PROFESSIONAL EXPERIENCE

ATTORNEY AT LAW/LAND USE CONSULTANT

August, 2012 to Present

Provide clients with consultation, reports and testimony to achieve development entitlements including zoning relief, planning board approvals, zone changes, and comprehensive plan amendments. Work ranges from small projects such as dimensional relief needed for home additions to major land development projects including 60+ acre mixed use development needing comprehensive plan and zoning ordinance amendments; draft such ordinances; work with municipalities including North Providence and Providence relative to legal services

TOWN OF CUMBERLAND, Director of Planning and Community Development

August, 2012 to Present

Responsible for all planning and development related activities for the Town. Responsible for consulting with and providing staff for all land use-related boards including, but not limited to, Town Council, Planning Board, Zoning Board, Historic District Commission, Conservation Commission, and Open Space Commission, as well as working with outside agencies to support land use and economic development efforts. Responsible for maintenance of the Comprehensive Plan, long term land use policy and economic development. Responsible for all grant writing and administration.

STATE HOUSING APPEALS BOARD

Chairperson, 2012 - present

Appointed by the Governor to chair this board that reviews and decides appeals of Comprehensive Permit decisions from municipal review board in accordance with R.I.G.L. 45-53-1, et seq.

MOSES AFONSO RYAN, LTD.

January 2000 to August 2012

Providence, Rhode Island

Principal

Concentrating in all aspects of municipal government

- *Experienced in many Rhode Island municipalities in many listed areas of government below, substantially in Providence, and also in Warwick, Cranston, Pawtucket, Central Falls, Woonsocket, East Providence, North Providence, Johnston, Lincoln, Bristol, North Kingstown, South Kingstown, Hopkinton, Westerly*
- *Building Code matters, including process and standards for building permit applications and appeals, enforcement issues; handled appeals and variance requests to Building Board of Review*
- *Planning Department and Planning Commission matters including varied types of subdivisions and land development applications, participated in review of Providence zoning ordinance amendments; experienced in reading engineering and architectural plans; perform comprehensive zoning and planning reviews for conformance to local and state requirements*
- *Zoning matters, including enforcement issues and defense of same; drafting requests for and responsive zoning determinations from zoning enforcement officers; variance and special use permits, administrative appeals from other municipal bodies; processes, standards and applications; drafted decisions; prosecuted and defended appeals of decisions*
- *Historical Area Zoning matters, including processes and standards for new construction and demolition; process for designation of historic properties*

- *Council-related matters including drafting and presenting amendments to zoning ordinances, comprehensive plans and supporting maps, street abandonment requests*
- *Title and real estate-related matters, including deeds, mortgages, easements, abandonments, real estate-related municipal decisions*
- *Probate matters, including wills and guardianships; defended and prosecuted appeals in Superior Court*
- *Alcohol and business licensing matters, including processes and standards for applications, as well as appeals to Department of Business Regulation and Superior Court*
- *Property tax-related matters including tax assessment process and standards; collection issues; handled administrative appeals through Board of Tax Appeals and Superior Court*
- *Experience with open meetings and ethical issues with boards and members*
- *Handled election issue in Superior Court*
- *Represented property owners, interested neighboring property owners, and municipalities*
- *Presented applications, objections and lawsuits to administrative bodies, Superior and Supreme Courts of Rhode Island, and United States District Court for the District of Rhode Island*
- *Worked with many state agencies on various issues including RIDEM, RIDOT, RIHPHC, RICRMC, Statewide Planning, Public Safety Appeals Board*

CUMBERLAND TOWN COUNCIL

Member, 2006 – 2010
 President Pro Tem 2008 - 2010
 Chairperson, Ordinance Subcommittee 2006 – 2010
 Vice Chairperson, Board of Licenses 2006 – 2008

Rewrote and modernized Cumberland Zoning Ordinance and Board of Licenses rules and regulations; spearheaded comprehensive review of user fees for all town departments, including building permits, planning and zoning applications, as well as town clerk-related filings; reviewed zoning text and map changes, as well as all ordinances brought before the Council for modifications and recommendations; appointed to Mayor's Economic Development Task Committee, which establishes all economic development initiatives for the community; coordinated educational opportunities for members of Cumberland Boards and Commissions, including those relating to process, standards and ethical issues; reviewed and approved tax treaties with property owners

CUMBERLAND ZONING BOARD

Chairperson, 2004 - 2006
 Member, 2003 - 2006

Rewrote and clarified all filing documents, including applications, instructions, and staff checklists; rewrote rules and regulations for zoning board; educated board members regarding rules of ethics and various zoning board legal standards for decisions

PIERCE & MANDELL, LLP
 Boston, Massachusetts
 Associate

June 1998 to
 December 1999

Concentrating in commercial and insurance defense litigation

LAW OFFICES OF CHRIS MILNE, ESQUIRE
 Dover, Massachusetts
 Associate

June 1997 to
 June 1998

Concentrating in personal injury litigation

PROFESSIONAL LICENSES

United States District Court for the District of Rhode Island
State of Rhode Island Supreme Court
United States District Court for the District of Massachusetts
Commonwealth of Massachusetts Supreme Judicial Court

PROFESSIONAL MEMBERSHIPS

Rhode Island Bar Association, Member
American Bar Association, Member
Urban Land Institute, Member
Congress of New Urbanism, Member

Massachusetts Bar Association, Member
Rhode Island Chapter of the American Planning
Association, Member

VOLUNTEER SERVICE

St. Thomas More Society, Director, Officer (Secretary), 2003, 2004
Retired Senior Volunteer Association, Inc., Director, 2002-2004
Boys and Girls Club Cumberland-Lincoln, Board Member, 2012-present

2015 --

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740 - Cumb. Fire District Bill
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

RELATING TO THE CUMBERLAND FIRE DISTRICT

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3 of Chapter 505 of the 2013 Public Laws entitled "An Act Relating
2 To The Consolidation Of The Cumberland, North Cumberland, Cumberland Hill, And Valley
3 Falls Fire Districts Into The Cumberland Fire District" is hereby amended to read as follows:

4 Section 3. Governing Body

5 The initial governing body of the consolidated Cumberland Fire District shall be a Fire
6 Committee. Membership on said committee shall be a public office. Members shall hold no other
7 public office. If any member shall hold any other public office, his or her office as a member of
8 said committee shall immediately become vacant.

9 Beginning no later than November of 2014, with the regularly scheduled general election,
10 seven (7) members of the Cumberland Fire Committee shall be elected. Each of the five (5)
11 council districts shall elect one member, with two (2) members being elected from the town at
12 large. It shall be a non-partisan election for a two (2) year term. The winning candidates shall be
13 sworn in immediately after the election results are certified. Any vacancy in the membership of
14 the Committee shall be filled by written ballot of a majority of all the members of the Town
15 Council for the remainder of the term of office, provided that the person selected to fill said
16 vacancy shall be a qualified elector from that district. A vacancy in said membership of the
17 Committee shall occur if a member dies, resigns from office, ceases to be a resident and/or elector
18 of the district in which elected, or shall be absent for four (4) consecutive regular meetings or six
19 (6) regular meetings within a twelve (12) month period unless said absence(s) are excused by a

1 majority vote of the whole Committee. Any and all elections, provided for under this act, shall be
2 governed by, and subject to, the provisions of title 17 and shall be administered by the state board
3 of elections and the town of Cumberland board of canvassers.

4 SECTION 2. This act shall take effect upon passage. "Provided that any individual
5 elected to said committee prior to November 5, 2014, shall be eligible to serve on both said
6 committee and the local town council until the next succeeding election."

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740 - Cumb. Fire District Bill
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DRAFT

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO THE CUMBERLAND FIRE DISTRICT

1 This act would establish that membership on the Cumberland Fire District Fire
2 Committee constitutes holding a public office and that the elections of the Fire Committee are
3 governed by state election laws.

4 This act would take effect upon passage.

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740 - Cumb. Fire District Bill
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DRAFT