

Cumberland Fire District

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

Established
November 10, 2014

AGENDA OF THE REGULAR MEETING OF THE CUMBERLAND FIRE DISTRICT

TUESDAY, MARCH 24, 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
 - b. Approve minutes from 03/10/24
5. NEW BUSINESS
 - a. Finance Department merger update, Thomas Bruce
 - b. R2015-02B Stipend
 - c. R2015- 17 Vision Tax Service, Presented by Thomas Bruce
 - d. R2015-18 Transfer of Legal Files to CFD Headquarters
6. PUBLIC INPUT
7. 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

Kelley Morris
General Counsel

Thomas Bruce
Finance

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 indicated that there was no statement on the agenda that an appointment would be discussed/considered involving the 3 positions. ~~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 **in regards to the finance consultant being an employee vs vendor.**

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

MINUTES OF THE REGULAR MEETING OF THE CUMBERLAND FIRE DISTRICT

TUESDAY, MARCH 10, 2015 AT 7:00 P.M.

CUMBERLAND TOWN HALL, 45 BROAD STREET, CUMBERLAND, RI

The meeting was called to order at 7:00 p.m.

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

MEMBERS ABSENT: Commissioner Parent is on vacation.

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

CONSENT AGENDA: Approval of minutes of February 24, 2015.

MOTION BY COMMISSIONER CHAMPAGNE TO APPROVE THE MINUTES. SECOND BY COMMISSIONER OUELLETTE.

Commissioner Koutsogiane stated there was no indication on previous agenda that there was going to be an appointment or even a consideration for the position of the Clerk. Secondly, he would like the comments of Brian Kelly to be indicated in the minutes.

COMMISSIONER CHAMPAGNE MOVED TO WITHDRAW HIS MOTION TO APPROVE THE MINUTES. SECOND BY COMMISSIONER OUELLETTE. PASSED 6-0.

COMMISSIONER SCULLIN MOVE TO TABLE THE MOTION. SECOND BY COMMISSIONER CHAMPAGNE. PASSED 6-0.

OLD BUSINESS

A. R-2015-23 Clerk's Position – Appointment of Debra Auclair

The Personnel Committee first met on 2/10/15 and again on 2/19/15 to discuss the appointment of three different positions, the first being the Clerk's position.

COMMISSIONER MATT A MOVED TO APPOINTMENT DEBRA AUCLAIR AS CLERK FOR THE CUMBERLAND FIRE DISTRICT. SECOND BY CHAMPAGNE.

Koutsogiane had questions as to whether there were other applicants and where the position was posted. He further stated that he was unaware that the position was available.

Commissioner Ouellette reviewed that all three positions have been discussed at previous meetings, including the presentation of the resolutions on the agenda and in the meeting package.

MOTION PASSED WITH A 5-1 VOTE. COMMISSIONER KOUTSOGIANE ABSTAINED.

B. R-2015-08 - District Legal Representation – Appointment of Kelley Morris

The Personnel Committee met on 2/19/15 and reviewed resume and has decided to appoint Kelley Morris to be the District Legal Representative.

COMMISSIONER MATTA MOVED TO APPOINT KELLEY MORRIS AS DISTRICT LEGAL REPRESENTATION. SECOND BY COMMISSIONER CHAMPAGNE.

Commissioner Koutsogiane has questions as to whether anyone else was contacted and feels that this would be a conflict of interest as she also works for the Town of Cumberland. He feels that the District needs independent representation.

Kelley Morris spoke on her behalf and stated that she spoke with the Ethics Commission and was assured that there would be no conflict of interest. She will also bring to the Board any information stating the above. Commissioner Champagne also stated that there is no conflict of interest between the Town and the District.

Commissioner Champagne stated for the record that he felt Ms. Morris'

Commissioner Scullin questioned the advertising process and who would determine her hours. Chairman Lemois stated that the District is not required to advertise publicly and that the District would be billed \$125/hour.

Chairman Lemois reminded Commissioner Scullin that he has been involved with the process from the very onset and has never voted against the process, nor has he been involved at the personnel committee. It was also stated that Ms. Morris would be manage just as Mr. Scullin managed the legal representation for the Valley Falls District. He also stated that he has budgeted \$12,000 for this expense.

MOTION PASSED 4-2 WITH COMMISSIONERS SCULLIN AND KOUTSOGIANE VOTING NAY.

C. R-2015-09- District Labor Legal Representation – Vote to Appoint Rodio & Ursillo

This item was withdrawn from the Agenda and reassigned to the Personnel Committee.

NEW BUSINESS

A. Tom Bruce's Report – Finance Updates 16:14 - 26:54

Tom Bruce gave updates on Finance and collections. He feels that there are no significant concerns. He feels that the office staff have accomplished a significant amount of work between the four districts and are being as aggressive as possible.

Mr. Bruce reported that last month he presented a combined budget with expenditures to date. It showed very little variances year to date and his staff are monitoring the major budget items that in the first seven months that are cause for concern. These items were overtime, health insurance and other large budget line items.

This month he presented a tax collection report. This report showed the net levy and amount collected to date by each of the four districts. This is for current year (2014) only; the report will grow into including prior year's tax collections.

In terms of these statistics along with last month's year to date budget report do not show any reason for concern.

Mr. Bruce pointed out the large amount of work done by Diane Karolyshyn and Beth Markey in the cleaning up of the data bases and producing delinquent letters for all four districts. In the receivables as a result of these letters, especially in the North Cumberland and Valley Falls districts were much higher than the other two districts with much lower outstanding taxes owed. With time the collection process will improve.

Mr. Bruce reported that next month he will have a cash flow report to present. He will do an 18 month rolling report. Starting around April or May the reports will include an estimate of year end expenditures.

Mr. Bruce reviewed the Visions software company and their role in our tax rolls. He also reported that with the merger of our four data bases could not be done until each of the four were clean up and as many delinquent accounts were settled as possible.

Mr. Bruce reviewed some potential issues with the proposed budget schedule as it coincides with the approval of certain areas by the State.

B. R2015-17 – In Support of S-0177 as Amended

COMMISSIONER CHAMPAGNE MOVED TO REMOVE ITEM FROM TABLE. SECOND BY COMMISSIONER MATTA.

This bill has been modified on pages 2 and 3. There is an explanation of the whole bill. The modifications will be sufficient and waiting for resolution support.

Commissioner Scullin does not agree with this and feels that it places the voters of Cumberland Fire District at a disadvantage. Commissioner Koutsogiane does not believe it involves this Board and that this is too political. Commissioner Ouellette also agrees and does not feel that this should be voted on at this time.

Chairman Lemois stated that this is not to single out the Cumberland Fire District but it is being scrutinized. All fire districts meet the criteria of a public body. Evidenced by the resent ruling against the Albion Fire District where in the decision, the Judge plain recognizes the Fire District as a public body.

A ROLL CALL VOTE WAS TAKEN AND MOTION DIED WITH A 3-3 VOTE. COMMISSIONERS SCULLIN, KOUTSOGIANE AND OUELLETTE VOTING NAY.

EXECUTIVE SESSION

MOTION TO ADJOURN EXECUTIVE SESSION MOVED BY COMMISSIONER CHAMPAGNE. SECOND BY COMMISSIONER MATTA. PASSED 5-1 WITH COMMISSIONER KOUTSOGIANE ABSTAINING.

MOTION TO RETURN TO OPEN SESSION MOVED BY COMMISSIONER CHAMPANGE. SECOND BY COMMISSIONER MATTA. PASSED 6-0

MOTION TO SEAL MINUTES OF EXECUTIVE SESSION MOVED BY COMMISSIONER CHAMPAGNE.
SECOND BY COMMISSIONER OUELLETTE. PASSED 6-0.

PUBLIC INPUT

There was no public input at this time.

MOTION TO ADJOURN MOVED BY COMMISSIONER KOUTSOGIANE. SECOND BY
COMMISSIONER CHAMPAGNE AT 7:46 P.M. PASSED 6-0.

Submitted by
Debra Auclair
Committee Clerk

FC-R-2015-02-B
CUMBERLAND FIRE DISTRICT

Resolution: To initiate a stipend for the Cumberland Fire District Commission members.

Be it resolved by the Cumberland Fire District as follows:

Whereas, the Fire District previously resolved to pay a stipend to each commissioner beginning July 1, 2015; and

Whereas, the Fire District wishes to amend the effective date to November 14, 2016; and

Whereas, all other statements contained in FC-R-2015-02-A remain effective.

NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND FIRE DISTRICT AS FOLLOWS:

Section 1. The members of the Cumberland Fire District shall be paid a stipend in the amount of \$3,200.00 annually, with the Chairman to be paid \$3,500.00 annually, to be paid in quarterly installments by the Finance Director in the amount of \$800.00 to members and \$880.00 to the Chairman, effective November 14, 2016.

Section 2. This Resolution shall become effective on November 14, 2016.

Date adopted: March 24, 2015

Bruce Lemois, Chairman

Deborah Auclair, Clerk

**FC-R-2015-17
CUMBERLAND FIRE DISTRICT**

Resolution: Authorizing Chairman Bruce Lemois to enter into an Agreement with Vision Government Solutions, Inc. in an amount not to exceed Ten Thousand Dollars (\$10,000)

Be it resolved by the Cumberland Fire District as follows:

Whereas, the four prior fire districts used the services of Vision Government Solutions, Inc. (VGSI) for their respective tax collection software and related services; and

Whereas, the four prior fire districts' databases must be merged in order to move forward as a consolidated fire district; and

Whereas, it would not be cost effective to engage any other firm, because of the extraordinary costs associated with initial implementation of new software.

NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND FIRE DISTRICT AS FOLLOWS:

Section 1. Chairman Bruce Lemois is hereby authorized to enter into an Agreement with Vision Government Solutions, Inc. in an amount not to exceed Ten Thousand Dollars (\$10,000).

Section 2. This Resolution shall become effective upon passage.

Date adopted: March 24, 2015

Bruce Lemois, Chairman

Deborah Auclair, Clerk

**FC-R-2015-18
CUMBERLAND FIRE DISTRICT**

Resolution: Authorizing Chairman Bruce Lemois to execute letters requesting the transfer of files from attorneys handling district matters to Cumberland Fire District Headquarters at 3502 Mendon Road, Cumberland.

Be it resolved by the Cumberland Fire District as follows:

Whereas, the four prior fire districts used the services of several attorneys for various fire district related matters; and

Whereas, the Cumberland Fire District appointed general counsel for the district; and

Whereas, all legal matters must be reviewed and considered by the consolidated fire district before moving forward with any action.

NOW, THEREFORE, BE IT RESOLVED BY THE CUMBERLAND FIRE DISTRICT AS FOLLOWS:

Section 1. Chairman Bruce Lemois is hereby authorized to execute letters requesting transfer of files from attorneys handling district matters to Cumberland Fire District Headquarters at 3502 Mendon Road, Cumberland.

Section 2. This Resolution shall become effective upon passage.

Date adopted: March 24, 2015

Bruce Lemois, Chairman

Deborah Auclair, Clerk