



Tilton-Northfield Fire & EMS

Stephen M. Carrier, Chief

Michael Robinson, Deputy Chief

By-Laws Committee Meeting October 20, 2009

The meeting was called to order at 6:37 PM.

Members Present: Pat Clark, Scott McGuffin, Kevin Waldron, Leif Martinson

Members Absent: Scott Davis

By-Laws

Pat Clark started the discussion by stating that at the last meeting Leif Martinson had done a draft by-laws by taking the Library By-Laws and converting them over to as if they were the Tilton-Northfield Fire Districts with a few changes. Everyone had talked about picking up different articles. There are seven articles. It was suggested that Scott McGuffin take Article II, Leif would take Article III, Kevin would take Article IV, Pat would take Article V, and Scott Davis would take Article VI. Article I and VII are still open.

Article II: Membership

Scott McGuffin looked at RSA 670 which is Village District Elections. Under Article Two of the Draft By-Laws it talks about membership. Under Section I it says the commissioners shall be composed of three members who are residents of either Tilton or Northfield. RSA 670:2 indicates *the voters of each village district shall, at each annual village district election, elect a moderator, a clerk, 3 commissioners, a treasurer, and such other officers as may be directed by law or as the voters thereof may judge necessary for managing the district's affairs. Any village district voting to do so may elect one commissioner to serve for one year, one to serve for 2 years and one to serve for 3 years and, at every annual meeting thereafter, elect one commissioner to serve for 3 years. A village district officer shall assume office upon his election and qualification for office, and shall serve until the election and qualification of his successor.* If you recall, last year, that was one of the questions about whether Paul was or was not elected. The vacancy section which is 670:12 which is under the subsection of post election procedures says *the commissioners shall make appointments to fill vacancies in the offices of the village district clerk, moderator, and treasurer, and their own board. In the case of a vacancy in the office of commissioner with a 2- or 3-year term, the remaining commissioners shall make an appointment to fill said vacancy until the next annual meeting of the district, at which time a commissioner shall be elected to fill the unexpired term.* Discussion ensued regarding the filling of vacancies in the District.

RSA 670:2 was reread. Scott McGuffin recommended that they go through all of RSA 670 and lift all or part of it for the by-laws adding what they felt was needed to be expanded upon, i.e. swearing in of elected officials. A discussion ensued regarding how the commissioners were chosen, i.e. a minimum of one commissioner from each town or at large. Kevin was in favor of at large, Leif was undecided. Pat felt having representation from both towns was very important. Scott felt that would be his preference as well. It was

decided that Scott will write up Article II. He might change the term members to procedures. He will do pre and post election stuff that talks about post election would be tie vote, recounts, vacancy, i.e. how you fill the vacancy.

Article III: Duties of the Commissioners

Leif is still working on this. It requires a fair amount of research as it deals with the duties of the commissioners.

Article IV: Meetings

Kevin gave a copy of the article he had worked on to everyone at the meeting.

- Section 1 should state not less than once a month.
- Section 2: RSA 91 and RSA 91-A were discussed. Scott McGuffin offered to get a copy of 91-A for their review. How the meetings are to be run and Robert's Rules of Order were discussed.
- Section 3: Excused and unexcused absences were discussed. It was decided that absences shall be considered excused if prior notice is given to the department secretary and/or another member of the commission.
- Section 4: A quorum was discussed.
- Section 5: Robert's Rules shall be used to settle any unresolved parliamentary disputes. It was decided that the Chairman should have a copy of Robert's Rules.

Article V: District Fire Chief

Pat accepted everything that was down there. He made a revision to Section 3 and added Section 5.

- Section 1 says the Fire Chief shall hire qualified staff with the approval of commissioners. Scott McGuffin recommended it read the Fire Chief shall be responsible for hiring, evaluating and terminating employees. Otherwise this is micromanagement. Discussion ensued.

For Article III Section 6 it was felt that the commissioners should hire, evaluate and fire the Fire Chief. Communication was discussed. The voters vote on the budget and the commissioners manage the budget. The chief is accountable to the commissioner in terms of implementing their management plan.

- On Section 1, Pat liked the Fire Chief shall hire qualified staff and would add will communicate that with the commissioners. The Fire Chief shall advise the commissioners in advance of any termination and the basis for termination. Scott McGuffin was not concerned that a commissioner is unaware that a new hire has been made. He would be concerned if the commissioners were unaware of the circumstances, the facts and details around a termination. Further discussion ensued regarding by-laws and policy.
- Section 2: The Fire Chief shall be held responsible for proper training and supervision of staff, the care and maintenance of District property, the selection of District materials in keeping with the policies established by the Commissioners and the efficient provision of District services to the public. Scott McGuffin explained this is all you need in the by-laws. Then the commissioners need to develop a job description or a letter of hire that describes what the expectations are. That's what you evaluate to. If you terminate the Fire Chief and you haven't established what the criteria is to evaluate them on you are in trouble.
- Section 3: The Fire Chief shall prepare and send each commissioner a copy of the regular meeting agenda currently states and other relevant material at least five

days before the meeting. Pat added an occasional item may be added within the five day period and listed under other business. Leif suggested that item 3 be stricken because this was specific to the library and this was a task that was delegated to the director. It is really the commissioner's responsibility to set the agenda. Scott McGuffin didn't feel it was inappropriate. The Fire Chief shall provide input to the Commissioners relative to desired agenda items. Further discussion ensued regarding the agenda. It was felt that the Fire Chief should be encouraged to provide the commissioners with advance notice of things affecting the operation of the department rather than surprising them at the meeting during his report. Reports were discussed. The Fire Chief shall provide the Commissioners with proposed agenda items and other relevant materials to be considered at the next meeting at least five days in advance.

- Section 4: Monthly reports. It was felt that monthly reports are fine as is. It was asked if there should be some sort of basic information in the monthly reports. It was felt that could be handled under policies.
- Section 5: The Fire Chief is responsible for managing expenditures on a day-to-day basis that are provided for in the budget and the Commissioners should review expenditures at their regular meetings. Both parties are bound by and limited to what was passed by the voting body at the District or Special meeting. The Commissioners may set reasonable spending limits above which the Fire Chief would need commissioner's review at the regular meeting prior to the Fire Chief expending funds. Basically what Pat is saying is just as the Fire Chief has the responsibility of hiring and firing the staff people that he is responsible for he needs to keep within that budget. He can't spend more than that and he has to follow policies that the Commissioners set. Kevin stated they have a purchasing policy in place. Discussion ensued regarding the purchasing policy. Kevin is to bring a copy of the purchasing policy to the next meeting.

Scott McGuffin made a motion to adjourn. Leif Martinson seconded the motion. Meeting adjourned at 8:25 P.M.

Minutes transcribed by: Kathy Tobine

Next Meeting Date, Time, Place: October 27, 2009 at 18:30. Meeting to be held at Tilton School, new Academic Building, School Street, First Floor, Ninth Grade Classroom, Tilton.

Approved November 17, 2009