

## Tilton-Northfield Fire & EMS Commissioners' Meeting

Meeting Called By:	Commissioners	Date, Time:	May 16, 2012 at 17:32
Transcribed By:	Kathy Tobine	Place:	WRHS Cafeteria, 435 West Main Street, Tilton

Commissioner Clark called the meeting to order at 5:32 PM.

Present: Commissioner Patrick Clark, Commissioner Thomas Gallant, Commissioner Paul Auger, Chief Brad Ober, Treasurer Roland Seymour, Deputy Chief Mike Robinson, and Administrative Assistant Kathy Tobine.

Present from the Tilton Board of Selectmen: Sandra Plessner and Patricia Constantino.

Budget Committee Present: Jane Alden

Public Present: Gretchen Wilder.

Reporters Present: Donna Rhodes.

### Minutes

#### April 30<sup>th</sup>

Commissioner Gallant motion to accept as printed. Commissioner Clark 2<sup>nd</sup>. Discussion: Commissioner Auger asked if Gretchen received all the information she had requested. Gretchen responded she did, Commissioner Clark followed up with her. There being no further discussion, vote was taken. Motion passed unanimously.

### Correspondence

Commissioner Clark reported on their meeting with the Water District on May 14<sup>th</sup>. Their contract for \$125,988.48 expires at the end of this year. He has requested Roland get some figures together for them. Roland Seymour presented a memo to the Commissioners with these figures. Commissioner Auger asked about the new hydrants being installed. Roland stated the one on Bean Hill would probably be in by the end of September. Commissioner Clark stated we are currently being charged for 69 hydrants and asked if all 83 are up to snuff right now. Roland replied they would be by the end of the summer. Discussion ensued about the rates.

### Public Comment

Donna Rhodes asked why the meeting had been moved three times. Kathy explained that there is testing going on this week and the Media Center was not available. We were told this morning that it was being moved to the Teachers Room. When we got here we found a sign on the front door that the meeting was in the Cafeteria.

Gretchen Wilder asked if we were up-to-date on all the meeting minutes being reviewed with the exception of the April 30<sup>th</sup> meeting. Commissioner Clark stated we are. For the meeting with the Water District, the Water District will be providing the minutes on that since they were invited to be with them.

Gretchen asked about the hydrants. There will be no change to hydrant fees just the number of hydrants will change. Discussion ensued about hydrant coding.

### Treasurer's Report

Roland stated they have a packet in front of them. The first page is the account balances as of today. The second page is informational. They are the balances as of April 30<sup>th</sup>. The reason he supplies that is because these are the balances that balance with the bank balances.

#### Operating Budget

The next page is the Operating Budget up through the 16<sup>th</sup>. This report has been modified to make it easier readable. Attached to that is the expanded detail. If the Commissioners do not want the expanded detail they do not need to have it. The first page is a summary of the next four pages. Roland suggested they get the expanded report quarterly. The Commissioners unanimously decided they would like the expanded detail report quarterly.

#### Apparatus & Equipment Fund

The Apparatus & Equipment Fund postings went up through May 3<sup>rd</sup>. April was down quite a bit on revenues. Roland stated Kathy told him that we have collected more in the month of May than what was collected for the whole month of April.

#### Cash Flow

The Cash Flow projection shows actuals through April. Roland stated this ties in with our request to FSB to issue a TAN. He doesn't project that we will be in need of any cash. Discussion ensued about a TAN. The Commissioners decided to hold off on the TAN until we actually need it as it only takes five days to process the paperwork.

Commissioner Clark made a motion to accept the Treasurers Report as printed.  
Commissioner Auger seconded the motion. There being no discussion, vote was taken.  
Motion passed unanimously.

### Fire Prevention Report

Chief Ober stated Captain Joubert was unable to attend tonight. They have Captain Joubert's and Firefighter Powell's activity reports in their packets. Captain Joubert wanted him to point out a couple things to them.

The State adopted a new edition of NFPA 1 and 101, the two primary fire codes we use. It took effect in December. They have attended a seminar on what the changes and updates are. They received three books when they attended.

The Pauli's building is starting to become occupied with new businesses. It gives good feel of the contractor that is working in the building now so they are pretty confident the building will come up to snuff.

They did have to issue an order to vacate this week to a property on West Main Street. It is a single family rental home, several complaints. Tim has been working with them since November of last year on trying to correct some violations. Alongside with us is the Health Officer working on several health issues. They have 15 days to correct the remaining violations. It's a pretty serious situation.

Commissioner Clark asked if all the hours in the right hand column reflecting the time. Chief Ober replied he is still working on it.

Commissioner Auger asked about Pushing Fire. Chief Ober replied that is a training topic. It is part of a series they have done.

Commissioner Auger asked about Spaulding Youth Center. He noticed they are doing a lot of renovation up there. Chief Ober replied they work really well with Dennis.

Commissioner Gallant made a motion to accept the Fire Prevention report as written. Commissioner Auger seconded the motion. There being no discussion, vote was taken. Motion passed unanimously.

#### Chief's Report

Chief Ober gave his report. The first page in the packet looks a little less than in months prior. He took a weeks vacation in the month of April. Nothing stands out.

Commissioner Clark asked about CPM. Chief Ober stated that is the Certified Public Managers class he has been taking. The class ended today. Graduation is on Friday.

The next report is Incident Type Summary. Commissioner Auger asked about the six building fires. Chief Ober said it has a busy month for fire activity. He reported we had two brush fires over the weekend. The next report is the Incident Type Period Comparison. It is interesting that our activity for the same period last year and this year is the exact same total, 482 incidents January 1<sup>st</sup> through the end of April.

Commissioner Clark asked about if anything jumped out at him. Chief Ober replied no.

Commissioner Auger commented that EMS calls and vehicle accidents are up.

Chief Ober reported he signed an agreement with Granite State EMS. It is a brand new company that has signed a contract to provide EMT classes at Lakes Region Community College. They want to use us as a clinical site for their students. After they get about half way through their EMT class they need to do about 10 hours ride time on an ambulance. We will be one of their sites. Discussion ensued about how this works. Commissioner Gallant asked about the liability issue. Chief Ober stated they are covered under the school's liability. We require them to sign a ride along release for us.

Chief Ober reported the fire alarm system at Center Street is finished and up and running.

Chief Ober reported the locker project has been completed. The Wood Shop from the State Prison delivered and installed them a week ago last Friday.

Firefighter Gilman graduates from NHTI paramedic program this Friday. He has already passed the written exam. His practical exam is Sunday. We hope to have him licensed by the end of May maybe by the first of June. They have a shift schedule change scheduled for July 1<sup>st</sup>. Currently Firefighter Gilman is working with Captain Michaud. It doesn't make any sense to have two paramedics working on the same shift. He will take the remaining time in June and work with Greg, kind of like an orientation. Then he will be on his own. Commissioner Clark asked if that gives us three paramedics. Chief Ober stated no, two. Commissioner Auger asked if any were interested. Chief Ober replied a few. He is looking at a different school instead of NHTI. It will shorten up the time frame a little bit and less tuition.

Commissioner Auger asked if he was aware of his commitment. Chief Ober replied he is. Commissioner Gallant asked what time graduation is. Chief Ober replied Firefighter Gilman is at 10:00 AM. Commissioner Clark asked what time Chief Ober's is. He replied 1:30 PM at the Old State Hospital grounds.

Commissioner Auger made a motion to accept the Chief's report as written. Commissioner Gallant seconded the motion. There being no discussion, vote was taken. Motion passed unanimously.

New Business

Purchasing Request

Chief Ober stated there are no purchasing requests.

Engine 2

Chief Ober stated this is the memo they have labeled Gilford Fire-Fescue. They talked about briefly at the last meeting. He has talked with Chief Carrier. What he is asking us to provide is a Plan B to their Plan A. They have use of a Laconia engine. If Laconia needs their engine back and Gilford has a couple of dates they know their engine is going to be out of service. Commissioner Gallant asked if they are going to have Laconia's engine in house. Chief Ober replied he believes so. He thinks this is a good opportunity for a neighbor to help a neighbor. Commissioner Clark asked if this will put us in jeopardy in any way. Chief Ober replied no. He and the Deputy have discussed it. Discussion ensued about the use and terms of our engine. Commissioner Gallant made a motion to adopt the resolution outlined in the memo dated 5/14/12 by Chief Ober relative to the Gilford Fire-Rescue's use of our Engine 2 based on the caveats that are therein called for being manifested. In other words when all the I's are dotted and T's are crossed. Commissioner Clark seconded the motion. There being no discussion, vote was taken. Motion passed unanimously.

Ladder 1

Chief Ober reported his goal is to have the spec ready to send out the first week of June. He wants to be sure we get it right. Commissioner Clark asked if we ran into a demo that was close to those specs would that be something they would look at. Chief Ober reported they have already looked the demos that will be available. They don't meet our spec and the price is okay but it's not the deal of the century. Right now there doesn't seem to be a demo worth our purchase. Commissioner Auger asked if there might be something at the show that is coming up. Chief Ober replied there might be. There are a handful of them going down. Commissioner Auger stated if you do find one that will suit our needs we will have the option to purchase that. Chief Ober stated absolutely. The only thing with a demo is that we must have the money in the account to pay for it when it is delivered. If the price is right you will have the money to do it. It certainly is an option on the table. Discussion ensued about funding. Commissioner Clark asked Chief Ober to walk them through the process for purchasing a demo. Chief Ober stated the process would be they would be invited to submit an estimate to us and it would be considered along with everybody else that submitted. Then it comes back to the Commissioners for approval. If they find one, they will start the conversation.

Chief Ober reported the current ladder remains out of service. We continue to have a hydraulic leak in one of the valves that controls the stabilizers. We continue to have a charging problem that is due to the corrosion on the wiring harness. When the vehicle is running it is not producing enough voltage to charge the battery. He recommends taking the vehicle out of service as far as the use of the aerial. He is not comfortable with the leaking valve that controls the stabilizers. He will continue to work with Duane on this to see what they can do to get the truck in service enough to use it as a support vehicle so can use the equipment on it at a fire scene. He will continue working with Duane and Mike and reclassify the truck to a support mode. They will not spend any significant money on it.

RFP for the Emergency Standby Generator for Center Street

Chief Ober stated he is getting ready to send out an RFP for the Emergency Standby Generator for Center Street. He explained they have a copy of that and asked for any

comments. Commissioner Gallant stated the site visit is not mandatory. He thinks it should be mandatory. Chief Ober stated the only reason he put that in there is the quote they received is from last fall and they have already visited. Discussion ensued. Chief Ober stated he will change it to mandatory. Commissioner Clark asked about the fuel line and oil tank. Chief Ober stated it is far enough away so won't be a problem. He will adjust the dates out a week or so to give people more time to schedule as May 24<sup>th</sup> and June 4<sup>th</sup> might be too soon,

#### UST

Chief Ober stated we have the final copies of the UST agreement. There are five copies. The Chairman needs to sign all of them. Don't date them as the date will be added once all signatures are completed. The Board needs to appoint a representative to Board for the Oversight Committee. Discussion ensued. The Commissioners unanimously appointed Chief Ober as the representative to the Oversight Committee.

#### Old Business

##### 91-A Request Charges

Commissioner Clark stated at their last meeting they discussed how they were going to handle charging for all the requests they have been receiving. There wasn't anything clearly laid out in the policy handbook other than the \$25 charge for documents that we do for insurance companies. He requested Chief Ober present the information collected. Chief Ober stated they have a chart with the information. We still have not received the information from Belmont and the Water District is still getting back to us. Whatever the Board decides they would like to do, they will have to post a public hearing to change the ordinance. It was decided they would wait to deal with this next month when they have all of the data.

#### Other Business

##### COMSTAR Billing

Commissioner Auger requested a copy of how COMSTAR does the billing. He would like to know how they break down the charges. Discussion ensued. Chief Ober stated the information is at the office.

##### Residency Requirement

Commissioner Clark stated June 13<sup>th</sup> is deadline for the 18 month residency requirement. He feels they really need to deal with that. He has thought about it a great deal and thought that \ mediation might be worth considering. He broached it with the Chief. At this time it has not been accepted or rejected by the Chief so it is still on the table. He wanted to find out how people on the Commission feel about mediation. Mediation may be the alternative to resolving this. He explained how mediation would work versus litigation.

Jane Alden asked how much mediation would cost the taxpayers. Commissioner Clark stated it depends on who you get for a mediator and how much they charge per hour. It could be \$100 to \$250 an hour. Hopefully they will hear back from the Chief on how he feels about that.

Commissioner Clark asked Commissioners Auger and Gallant how they felt about that. Commissioner Auger stated he has no problem doing that. He wants to get it behind them so they can move on. It has been long enough. They have to come up with a solution. Commissioner Gallant stated he is not in favor of or opposed to mediation. He does not feel they are at a point right now where mediation would be called for. Commissioner Clark asked where he felt they are. Commissioner Gallant responded he is not sure where they are. They have not sat down and talked about it. He knows they are not at a 5½ mile radius for residency. They haven't defined residency.

Commissioner Clark stated the next meeting is June 20<sup>th</sup>. The deadline on this is the 13<sup>th</sup>. Commissioner Clark stated he has been trying for a month and a half, maybe two months, to get legal counsel in the event they need legal counsel. He did meet with the Tilton Selectmen. They had me request under Right to Know for a list of law firms that they have dealt with that they feel would be in conflict of interest if they should choose to use one of them. The two law firms he looked at that might be interested and knowledgeable are Mark Broth at Devine & Millemet and Lauren Irwin at Upton & Hatfield. Mark Broth is on the list that Tilton Selectmen gave him but Mark pointed out that we are currently using him so that pretty much takes the conflict off the table. We are also a subscriber of sorts to LGC utilizing counsel under LGC as a member. In his eyes he is will to have us represented by him and Lauren Irwin is not on that list and she is willing to have us be represented by her. Both are sending packets of information with all the details of their law firm and what they charge. He will bring that to a meeting that he would like to call for. He is requesting June 5<sup>th</sup> for a special meeting of the Commissioners to review and decide which firm they would like to use.

The mediation process can be done two different ways as well. You can meet with the mediator and have him shuttle back and forth between the parties or you can do the same thing but each party has legal counsel. If the Chief wants to have legal counsel, we should be prepared to do that as well. One of these two firms would meet that. They specialize in employment law and can deal with that.

Commissioner Clark stated he was thinking tonight that he would be comfortable in moving the time line out. June 13<sup>th</sup> is coming up and he thinks people want to get it behind them. He is comfortable right now in leaving it at June 13<sup>th</sup>. He sees four different options.

1. The Chief moves into the District.
2. They stick with their initial requirement that the Chief move into the District. If he doesn't he would be terminated.
3. We would waive the residency requirement
4. We would enter into a mediation process and deal with it through the mediation process.

These are the only four options that he sees right now unless other people have some ideas.

Commissioner Gallant recommended they schedule a work session to discuss the residency requirement solely. Commissioner Clark stated we can put that on the agenda for the 5<sup>th</sup>. It is certainly something we can have on the docket.

Commissioner Gallant stated if they are shooting for the 13<sup>th</sup> they should meet next week rather than the 5<sup>th</sup>. It was decided to meet on the 22<sup>nd</sup> at 17:30 at Winnisquam Regional High School in the Media Center if it is available.

#### Budget Committee

Jane Alden stated she is on the Budget Committee for the Fire District. They don't meet during the summer which is a concern to her. She has no idea where they stand on anything in the budget. It would be helpful if when Roland prepared the detailed report on the budget if he put percentages rather than dollar figures for the difference between actual and budgeted. Looking at the dollar figure doesn't really tell her anything. It would be helpful to have the percentage figure as opposed to a dollar figure. Commissioner Gallant stated percentages can be misleading. Discussion ensued. The Commissioners decided to change from the dollar figure to percentages.

TNFD Commissioner's Meeting  
May 16, 2012

91A Request

Jane Alden stated Commissioner Auger was very concerned if Mrs. Wilder had received all of the information she requested under RSA 91A. Jane stated that her request was submitted long ago and she has not received all the information she requested. She knows there are handwritten notes from meetings because she has been there and seen them being taken. She has not received those. She would appreciate receiving those as soon as possible. Commissioner Clark stated he would check on that. Oftentimes he does not save scratch notes he takes himself.

Residency

Pat Consentino stated in the spirit of communication on this residency issue. When you list the options that the District has, she finds it most interesting that you list the most negative ones first and then the most positive ones the last so he gets terminated before you have mediation. In the interest of communication she would hope they would be flexible in numbering those options and list the more positive ones first. Commissioner Clark stated he feels the most positive one was right up front and that is the Chief moving into the District. It is a difficult situation and June 13<sup>th</sup> is coming right up. Pat Consentino stated if you terminate him in option 2 there is no reason for mediation in option 4. Commissioner Gallant stated that is correct. He asked Commissioner Gallant if it would be fair to say that he has listed four options but not necessarily in any particular order. Commissioner Clark stated that is right. Those are four that they consider.

Commissioner Gallant asked if the meeting on the 22<sup>nd</sup> would be strictly on residency. Commissioner Clark stated it would also be reviewing the legal packets we get from the lawyers which have to do with that.

Adjournment

Commissioner Clark made a motion adjourn at 18:38. Commissioner Auger seconded the motion. There being no discussion, vote was taken. Motion to adjourn passed unanimously. The meeting adjourned at 18:38.

Respectfully submitted,

Kathy Tobine  
Administrative Assistant

**Next Meeting Date, Time, Place:** June 20, 2012 at 17:30. Meeting to be held at Winnisquam Regional High School, Media Center, 435 West Main Street, Tilton.