

Thompsonville Fire District Charter Revision Committee
Minutes - February 16, 2017 – 6:30 p.m.
35 N. Main Street – Enfield, CT

1. Call to Order:

Chairperson Stone called the meeting to order at 6:30 p.m.

2. Roll Call:

Present were Pat Compositor, Keith Pliszka, Jeff Cross, Erline Provencher, Chair Mike Stone. Also in attendance was liaison Commissioner Patrick Gaskell.

3. Miscellaneous Discussion

Mike Stone started the discussion by saying we had two things left on that list (Commissioner's Charge); one of them to clean up the language under District Property. Mike said he looked at that and said he had no idea on how to clean that up. Compositor said she thought it was to take by the Board out but if we take by the Board out we would need to put something in, won't we? Stone said he had no idea and opened the floor to suggestions. Erline said there were too many Boards in here; public authorization by the Board, and the Board will prepare guidelines for community space, and any other use has to be authorized by the Board. I think the reason why this charge was in there was because there were too many Board responsibilities and I know one of the things the Chairperson mention was that the Charter is to control, not strangle the Commission. Discussion continued as to who should be responsible for the use of District property and a consensus formed to put Administration in instead of using the Board.

MOTION to rephrase the language under Article XII. Use of District Property. Under (a) rephrase the beginning of the sentence by deleting the word Board and replace with Administration "*Without public authorization by the Administration, and delete the last sentence, "The Board will prepare guidelines for community use of meeting space."*

Made by Erline Provencher. Seconded by Jeff Cross. Passed unanimously by raise of hands.

MOTION under Article XII. Use of District Property subsection (b) to correct the wording in the last sentence to read: *Any other use must be authorized by the Administration, and strike the word Board.*

Made by Jeff Cross. Seconded by Erline Provencher. Passed unanimously by raise of hands.

Keith Pliszka asked who is the Administration and suggested that the definition of Administration should be put under Definitions. After discussion it was decided that Administration should be either a member of the Board or the Chief.

MOTION to add under Article II, Definitions, the definition of Administration:

Administration: defined as any member of the Board, or the Chief.

Made by Jeff Cross, seconded by Erline Provencher . Passed unanimously by raise of hands.

Erline brought up going back to Section 1.2 Statutory Authority. She brought this up at last week's meeting but a half motion was made and the motion was never completed. There is an adopted date and an approved date on the website. A motion was made to add the approved date by the District in the Charter.

MOTION made to add under Section 1.2 Statutory Authority, at the end of the last sentence, *as approved by the District May 4, 2016.*

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Made by Keith Pliszka. Seconded by Jeff Cross. Motion passes unanimously by raise of hands.

Under old business, discussion turned to Financial Reporting; 10.2. Mike Stone provided what he had written for this section; however Jeff had something written also. The focus turned to Jeff's hand out – copies were handed out to all members. The first question was from Erline, she asked Jeff what he meant by basic financial reporting.

Jeff: Basic financial reporting is an Income Statement, Balance Sheet and a Bank Rec. Jeff showed what an Income statement is and had a copy from the Fire District.

Erline: Do we get a Balance Sheet?

Jeff: No, we get a portion of one. This is only the listing of the cash. I thought that this was appropriate but at the meetings with the accountants he described that we don't operate under fund accounting or government accounting. We operate under a hybrid which means we have a balance sheet, we have liabilities and we have an equity account or the net difference between assets and liabilities and that is our true financial position. That's when he tells me we are insolvent. When your liabilities, which I believe is at the eleven or twelve million dollar level and the assets are only 3.5 million, that means you are insolvent. You don't have your assets to pay your liabilities. The other reason why I want to stress this and why I feel so strongly about this is this financial reporting for 2015 – that is when the current administration went in. This is just one line, the pension expense. What was reported on our financials and what actually went to Prudential. What the legal authorities called this was misappropriation. This is not a felony, this is a misappropriation. I called it a lie. We were shorted from what actually went into the pension and what was reflected on our financial statements is a million dollar shortage.

Erline: The monthly reporting balance sheet would not show this.

Cross: Yes, if you had true bank reconciliation and the reason why I am asking for a full balance sheet is because I also have this, what was given to me by a previous commissioner. What it boils down to is account 6900 was reflected in the P&L. So that \$167,000 that's reflected here was reflected in the P&L. The account was used for another item, not necessarily used for debt service it was used to pay engineering fees, architect, etc, it was used to do that and not pay debt service on the building. Then we have another \$658,000 that was spent between June 1,2008 and January 13, 2014 that was buried in the balance sheet.

Erline: But , there was no line items, there was no Chapter 105 with that. There wasn't they couldn't take this and pay that, and pay this. They are limited to that now.

Cross: They lied to us for not reflecting these expenses on the income statement or balance sheet. I can't believe that we can sit here and accept the financial reporting regardless of what we were under.

Erline: Well I can Jeff because I do not understand the difference between a balance sheet, an income statement or a profit and loss statement. I am not good with accounting. If I became a commissioner I would not know heads or tails from anything. And how many in our District knows that, besides you?

Cross: Anybody who is in business.

Provencher: But that is not who runs for commissioner; those people don't even come to the meetings. They could care less.

Cross: I don't care if they cares less, the point is that we have the tools to insure that we are not being ripped off.

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Provencher: And like Pat (Compositor) said, anytime you need that information it is here, come down and get it.

Cross: I shouldn't have to chase it.

Provencher: I do not understand it.

Stone: to Cross, you are looking for all this information, so what if this happens. You take this entire chunk of information; you add it to a section I created where I was basically looking for more basic reconciliation. The citizens have a right, what I call a standing FOI, 12 months, that someone like yourself can request this information and have it submitted to you.

Cross: If we weren't in a position where we were blatantly ripped off for over a \$1,650,000. If this District hadn't been in that position I might agree with that.

Stone: If they produce this documentation who, other than yourself, will interpret it?

Cross: Anybody that has the background in financial statement reporting. I am so surprised that our Bank isn't screaming for this information on a monthly basis. If we looked at a loan, anybody who has banking relationships.

Stone: We don't have a loan.

Cross: What do we have?

Stone: We have leases.

Cross: What about the mortgage.

Stone: The bank holds the bond; the bond is guaranteed by taxpayers. It is a municipal bond.

Cross: Just because people in this room may not understand, but it is like the Bible, do you understand everything that is in the Bible but do you believe it is the truth. We need the facts.

Stone: My only question is if we do this we don't make this a burden of the administration or the Board that we make this a burden of the accountants. They will have to subcontract additional funds to the accounting department.

Cross: They should.

Stone: To produce this documentation, it needs to be produced by the accounting firm; also it makes it a neutral outside source providing the data. It's less frustrating for everyone trying to do it so if we are going to ask for this level of detail I believe we should have the Board fund to allow the accountants to provide us this level of documentation for our monthly meetings.

Compositor: So, we are paying for something that is already available.

Cross: Not a Bank rec.

Stone: Technically, this is not easy to produce.

Compositor: But you have all the information; come down here and look at it.

Stone: As a Board member, who had rights to see this stuff I couldn't get this information. If you said I had to give you accurate information by the end of the day and it was 8 am, I could not come in here and hand you a document at 5:00. I absolutely guarantee you there are so many moving parts it is really difficult. To the Board there are a lot of invisible pieces, for example, payroll. The Board has no visibility to what happens on the payroll side of things. The Board has no idea; that's all being happening from an outside payroll company where money is deposited and transferred. We have no idea what's going on.

Cross: I know, I'm involved in it every week, I know exactly what happens.

Stone: I would feel confident to have a third party, like an accounting firm to produce this type of documentation.

Compositor: I don't think this is necessary.

Stone: I think the expenditures are necessary.

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Compositor: not every month, no.

Cross: Okay, what expenditure do we have, a million dollars stolen from us?

Compositor: You going to bring this up twenty years from now?

Cross: Yes, yes as long as that money was stolen from us, I'll bring it up.

Stone: Let me ask you this, it's somewhat a compromise, what if we have the accountants produce this quarterly? Now you are only producing these documents four times a year. So basically you have your yearend that you are paying for so it's only three additional reports.

Cross: But, year end, here it is the middle of February and we still haven't seen it from the end of June last year. That isn't acceptable, in my world. And we are going to have to wait a year to take a look at it and what are you going to do then? I'm not impressed with these guys, you are, I'm not.

Stone: All I'm saying is that I think the burden to the Board is tremendous here.

Cross: I don't have an issue pushing it to the accountant and the amount of money with asking the accountant to do this especially if we provide them the information which is going to be to what's going to have it happen because you download a file from quick books and you send it over and you give them access to the bank statement. Currently what (Kellie) produces out of quick books is tremendous.

Stone: My only concern is we don't have an administration here that can produce what you are asking for, and the Board doesn't have the ability to interpret this. This needs to be outsourced to be done at all.

Cross: If the Board doesn't have the ability to interpret this that's not the fault of the information. You are running a 4.5 million organization; you need to learn how to read financials.

Stone: But we are volunteers, Jeff.

Cross: But what do you do, just ignore the finances? I'm not saying they (Board) do them I'm saying they need to review them and be able to look at them and to be able to see if they make sense and are we spending the money the way we are supposed to be spending the money.

Cross continued, on a TFD financial report he held, on an income basis this is tremendous because it does track everything. If you look at the one line for health insurance especially the one going across for 6 months you see a steady amount of around \$36,000 but in January of this year you see \$70,000 going out the door and all of a sudden we are \$7,000 year to date over budget. Now that is worth a question. I heard, through the grapevine that we were going to have a onetime hit on health insurance and there may be an explanation. Bottom line is we have a negative situation. We have overspent, on one line, \$7,000 at the end of January.

Stone: I'm not saying I can't read that but I do not know who the Board members will be down the road.

Cross: I don't know either but what can you put on the Board if not managing the finances of the District.

Stone: We are going to beg, borrow and steal to find five people because we raised it to five. It's going to be really hard.

Cross: To beg, borrow and steal people, then we might have people beg, borrowing and stealing our tax dollars as it already has happened.

Stone: As long as the Board is able to sign a designee to produce this.

Cross: That's fine; I never had an issue with assigning a designee. I never expected them (Board) to have the skills to produce this. The one person who might have the skills to produce it is Kellie. In every Business, in Kellie's role who is an administrative assistant and an

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accountant and a bookkeeper, should be able to produce these. Now, she hasn't been shown these things, she hasn't been taught these things, I understand. That is something these guys over there (Accountants) can teach her how to do.

Pliszka: asked Jeff if the Profit and Loss Statement was good enough to have produced every month.

Cross: Why I say it is not enough is because it does not track disbursements and the cash. Where is the actual cash going?

Pliszka: So, we only have one piece out of three of what you want?

Cross: Yes, and I know if she (Kellie) was shown by the accountant on how to produce because now all she is producing is the cash accounts. The other activity is in there as there is an offset to everything. I know there is a balance sheet; she (Kellie) just doesn't know how to produce it. He continued, one I need a bank rec., two I need an income statement showing monthly activity and year to date and comparisons to the budget accordingly. Three, a Balance Sheet showing what went in and what went out and this is my balance of a certain date so you can see the money that went in and what went out because the overall cash position should be a function of the disbursements going out the door and four is just saying the total of the disbursed items must equal the activity reflected in the current month income statement and changes in balances on the balance sheet. Basically you are accounting for every dollar going out the door because by failing to produce your balance sheet this \$650,000 was disbursed and nobody knew it because it never hit the income statement. Because money went out the door and anybody with a calculator can figure that out. The cash goes down a \$500,000 a month but we only show expenses of \$400,000, where did the other \$100,000 go? It got eaten up and spent on a balance sheet account. I'm not saying that was wrong, I am not saying it was right, I just want to know what it is because it is our cash position. Right now I'm looking, just through the end of January, full budget amount remaining \$2,141,000. If we had to spend every dollar to match budget for the rest of the year, in our investment account as of February 8th we got \$2,155,000' boy, that's close. We only have enough cash in our investment account to cover the budgeted expenses for the rest of the year.

Stone: That's what it is designed to do.

Cross: I would also like to ask the question that we should also be running a surplus of \$400,000 because we had \$400,000 of cash come in that we weren't expecting to come in. We should have an extra \$400,000 somewhere in this cash account.

Stone: I have no idea where that is.

Cross: Tell you what, neither do I and that is the question that I am asking. If we got \$400,000 more but we only have enough money to cover the budgeted expenses for the rest of the year, that's the question where is the additional \$400,000?

Pliszka: If we give Kellie the proper tools and education, could she produce this monthly.

Cross: She already produces this monthly (Profit and Loss Statement). These are functions that Kellie, including a bank rec., should be able to do. The bank rec. is one tricky item; it is the one item that fully accounts for every dime being spent.

Provencher: Does Kellie have the time to do this; this is a full time job.

Cross: No it isn't; she does this already (Profit and Loss) because the system does it.

Compositor: But she must be balancing the checkbook, or someone?

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Stone: You don't balance a checking account here because you get \$4,000,000 in the beginning and you just withdraw all the time; it's not like you have income coming in it's just going out all the time.

Cross: The question is where the money is going to. Is the \$400,000 being reflected in all these expenses?

Stone: Then there should be line items way over budget because there should be \$400,000 over budget.

Cross: We are because the year-to-date variance shows \$480,000 year-to-date variance.

Stone: What you are identifying here has been a (continuing) problem. When I was on the Board we were struggling with it and this is where I go back to it's beyond the Board's ability to get this done.

Cross: Again, delegate it and designate it.

Stone made a suggestion to change the wording in Jeff's document to say the Treasurer's designee shall produce or assist in producing so if Kellie can do it, the accounting firm cannot teach her how to do it.

Cross: It may take a year or so to do it.

Liaison Gaskell directed his question to Jeff saying that accountants don't do all the same system that is why we are sending Kellie to learn hers. The accountants have a different system than Kellie.

Stone: I think Jeff is making a valid point. What it's really coming down to is who is responsible or how do we designate the responsibility of these reports.

Compositor: I still do not believe that it should be monthly, not at all.

Cross: I'll tell you what, once you get the system set all you do is hit a button. I bet you are 90% of it there. Many times the differences are in the timing of when one report is run and the other is run. They need to be run at the same time.

Stone: I'm in agreement, you're in agreement that it is important but the only thing on the table right now is the frequency, what's your feeling (question directed to all)

Pliszka: I believe we should know what is going on.

Stone: If Kellie can do it let's bring it in house. My thought is to make some modifications in Jeff's language that allows it off to the accountants or train Kellie on how to do it.

Pliszka: I am in agreement with that.

Cross: I'll give on the one item here that is going to be difficult for Kellie or anybody to produce is the bank rec. because if you notice what they just did from the last meeting, they combined bank accounts. The reason why they did that is to simplify. Instead of doing 15 rec.s you do 4 bank recs. The one account that is difficult should be the Operational Account.

Stone: Right now I am on board with the documents being produced and I am on board with modifications.

Cross: Give them a year with the methodology for them to produce the bank rec.

Stone: To me what we don't have is a consensus on what is the time period for this to happen.

Cross: If you produce this on a quarterly basis it makes it much more difficult.

Compositor: Why.

Cross: Because you are reconciling three months activity instead of one month's activity.

Provencher: It is like balancing your account every three months or once a month.

Cross: If something goes wrong it's a lot easier to find it in one month then if its buried three months back.

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Discussion turned to work on the language written up by Cross and there was a majority decision to have these reports done on a monthly basis.

The following **MOTIONS** were made in sections to clarify the wording under Section 10.2 Receipts (b):

MOTION (first of five under Section 10.2, Receipts) to strike the entire section (b) and replace it with:

(b) At each monthly Board meeting, the Treasurer's designee shall produce or assist in producing basic financial reporting to be available for discussion at the monthly meeting.

Made by Jeff Cross, seconded by Erline Provencher. No discussion. Passed 4-1 by raise of hands

All but Pat Compositor voted in favor of the motion.

MOTION (second of five under Section 10.2, Receipts) to make a new section (c) and (i) to read:

(c) This reporting must include:

(i) An income statement showing activity by month and year to date and comparisons to budget accordingly.

Made by Jeff Cross, seconded by Erline Provencher. No discussion. Passed 4-1 by raise of hands

All but Pat Compositor voted in favor of the motion.

MOTION (third of five under Section 10.2, Receipts) to make a (ii) under the new section (c) to read:

(ii) A Balance Sheet showing the beginning balances, the ending balances, and the net activity for all accounts not reflected in the income statements.

Made by Jeff Cross, seconded by Erline Provencher. No discussion. Passed 4-1 by raise of hands

All but Pat Compositor voted in favor of the motion.

Erline Provencher asked Pat that when she did her own bank reconciliation . . . Pat spoke and said that this should be done monthly but it doesn't need to be addressed in the meeting monthly. Erline said it doesn't have to. It said to be available for discussion at the monthly meeting. They are not saying they are going to discuss it but it is going to be readily available if anyone asks questions, it is going to be there.

Compositor: No, and be available.

Provencher: No, it's to be available.

Stone: it does say and be available.

Provencher: No, he changed it to say to be available for discussion.

Compositor: But you don't want that do you.

Cross: To be available, yes.

Provencher: In case Jeff isn't there, then it is going to be a fast and easy meeting. If Jeff is there we're going to be there for a while.

Cross: And you start looking at these things they will jump out and bite you in the nose.

Provencher: And once you start doing these reports, boom, boom, bang, you can print them out once a day if you wanted to. This is the reason why.

Stone: My only concern is tying up the Board.

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Cross: And I'm not arguing that point; it should be their designee and I'm not asking the Treasurer himself to do the Bank rec.

Stone: There are legitimate problems that pop up during the month sometimes and you don't have a clue of what's going on. This really isn't a bad thing. Especially when the year starts getting closer to the end and you're not sure how much money is in the bank accounts it gets a little freaky because you may need to go to public vote to move funds into an account. Knowing what that is month to month is not a bad thing. The closer you get to year end the more likely you are to need to know this information anyways.

Compositor: But these are available for anyone to look at.

Stone: You're wrong. I was a commissioner asking for this stuff but it wasn't available.

Compositor: But if you're saying you want it for a meeting.

Stone asked Pat to go on the website and download the April 24th meeting when we were asking how much money is left in the bank accounts and nobody knew. We had a meeting with the Chief and no one had a clue as to how much was left in the bank account. It was ridiculous and insane. We literally stopped paying bills because we didn't know how much money we had.

Compositor: If you do this every month, how are you going to get to any other business? Yes, Kellie should do it every month but you don't bring it to the meeting every month.

Stone: You can't control what the public is going to ask; it doesn't say this has to become an agenda item. This is only during public comments and the Chairman can shut down public comments at any time in seconds saying we are done; let's move on.

Provencher: This commission is not here to hide anything either.

Stone: There is very little history here of how money is spent and when the largest draw comes down and when the least amount of draw hits. A lot of this builds history; it gives statistics for when the next Board comes in. As a former Board member I'm trying to make things easier for the Board and this is something that actually has benefits to the Board.

Compositor: It definitely should be done.

Discussion continued with Jeff's motions:

MOTION (forth of five under Section 10.2, Receipts) to make a (iii) under the new section (c) to read:

(iii) A bank reconciliation documenting all financial activity for the District for the month such as disbursed items, deposited items, cleared items, outstanding items, and any other reconciling items that must be documented showing the differences between the bank statement balance and the cash accounts reflected in the General Ledger. Note these items do not necessarily need to show who the item is issued to, only check number, amount, and date.

Made by Jeff Cross, seconded by Mike Stone. No discussion. Passed 4-1 by raise of hands.

All but Pat Compositor voted in favor of the motion

MOTION (fifth of five under Section 10.2, Receipts) to make a (iv) under the new section (c) to read:

(iv) All district bank accounts and District financial activity must be reflected in the financial statements produced.

Made by Jeff Cross, seconded by Erline Provencher. No discussion. Passed 4-1 by raise of hands

All but Pat Compositor voted in favor of the motion

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Pat Compositor had a question and asked, if we were at a monthly meeting and Jeff questioned the insurance question. Is that question just taken and not discussed. Stone: It can be; the Board may not know the answer. They may say we will look into it and get back to you next month. We had already made that change whereas the Chair can go into a conversational mode or shut the whole thing down. It is the Chair's prerogative as to how communications happen.

Cross; The only thing that I want to stress this gives the whole tool set to insure that the money is accounted for in a method that businesses and all financial activities. I look at this as a five million dollar a year operation and that is a lot of money.

Discussion turned to Stone's saying we need to set a public hearing date to let the public comment on the modifications that we made. Can we go two weeks out again?

Cross: All that I ask is that we have a new produced Charter.

Erline had a question on the revised Charter. Who will be putting the revisions in the Charter because I do not have a working copy of the Charter.

Stone: I can give you that.

Provencher: then you want me to do that?

Stone: yes, unless you want me to do it.

Provencher: I can do that. My second question all the changes to the Charter, how do we present this in the public hearing? Do you have to present the Charter in a legal notice?

Stone: You have to remember we are having another public hearing where we say nothing. We can produce a version of the revised Charter to review but we don't have to put it in the paper until later.

Cross: I was going to recommend that any changes be documented in red so the changes jump out.

Provencher: For our next meeting I will leave the strike outs and leave the corrections in red.

Stone: Maybe we can give a copy to Kellie to post as draft prior to the public hearing so people can have a chance to look at it. Once we turn this over to the Board, they will immediately have to have another public hearing.

Cross: I just want a final copy to review before the public hearing.

Stone: I agree with that. It was agreed to have another meeting this coming Saturday, time at 4:00 p.m. to review the motions (changes) that Erline will make. At this meeting we will decide on a date for the public hearing.

Stone: Before we leave this evening I would like to make one more motion to the Charter regarding the Code of Ethics. This basically puts the Board in charge of putting together a Board of Ethics committee. I would like to strike this entire section and the reason being who is going to volunteer for this committee. The Board can't do it themselves.

Cross: The only issue with this is that I would say, this was another specific item requested by the residents at the initial public hearing.

Stone: To me, it is a practically of getting it done, and the Code of Ethics is a self-governing document which means that the Commissioners want to follow that Code of Ethics they follow it; if they don't they don't. Anywhere in there does it say the public has any recourse if the Commissioners break the Code of Ethics?.

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Provencher; I do not agree with that. I have the minutes when (Attorney) Carl Landolina was here. He said if someone makes a complaint to the Ethics Commission, there are steps to be followed.

Compositor: If they make a complaint about a Board member.

Provencher: All that I am saying is that Carl Landolina said you can follow it through. Also, Lori Longhi, at the first public hearing, said that her, being a Board member of the Town, needed to sign an Ethic's Certificate for the Town of Enfield when she was hired.

Cross: I think this section needs to be reworded so they are not limited within 12 months.

After further discussion it was decided to strike all except for one line saying the Board needs to draft a Declaration of Ethical Behavior because of the difficulty in trying to find a group of volunteers to form this committee.

The last MOTION made to the Charter this evening:

MOTION to correct the wording under Article VIII. Commissioner Guidelines, Section 8.1 Code of Ethics by eliminating everything except for one sentence which reads: **Draft a Declaration of Ethical Behavior which, when adopted, must be executed when a Commissioner is sworn in.**

Made by Erline Provencher, seconded by Jeff Cross. No discussion. Passed unanimously by raise of hands.

Erline just had another question asking if we had any guidelines on hiring the Chief. Who hires the Chief?

Stone and Cross: The Board

Provencher: It's not ilke I'm your buddy; like the other Chief was hired?

Stone, Absolutely, it can be, but we have to vote on their contract; their labor contracts are all voted on now.

Keith Pliszka brought up if we had to stick to all the seven charges made by the Board. Stone said no, we could change or modify anything we wanted.

Pliszka said he still had a lot of heartburn on section 9.9, Contracts, with the striking of "Other than labor contracts." Stone responded saying he brought a section of Chapter 105 pertaining to Contracts. He said this is the language they had to deal with, with Frank. It basically states the following:

"No contract or obligation which involves an expenditure in the amount of (1) ten thousand dollars or more in districts where the grand list is less than or equal to twenty million dollars, or (2) twenty thousand dollars or more in districts where the grand list is greater than twenty million dollars, in any one year shall be made by the board of directors, unless the same is specially authorized by a vote of the district, nor shall the directors borrow any money without like authority."

Stone continued, when the situation with Frank came up, we were struggling with that and the attorneys said we had to go public with that because this phrase states anything that has to do with an agreement, contract, or anything else must be voted on by the public. Even if it was a court settlement. If voted down, we had to keep voting until it passed.

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Pliszka: Right here we wrote: Any contract, asset sales, purchases and/or agreements that exceed \$20,000 or where the term exceeds (1) year must be fully disclosed to the Voters at the presentation of the budget. Our contract is part of the budget, right?

Stone: No, it goes beyond one year. If you do one year contracts, it does not. If you go July 1st to June 30 and want to do one year contracts, if the budget is approved you don't have to go to a public vote on the labor contract. It will be disclosed at the public vote; but it goes beyond one year. What it is saying (Chapter 105) anything over \$20,000 or over one year. Again, we were just joking about it but what if they go to hire someone who is very disagreeable as a Chief. There is no guarantee that we won't have another brother or sister or family member join the Board at some time. Let's say your wife becomes Board member and she says Keith is the guy we should have and everyone on the Board agrees and by the way I think he should be paid a million dollars a year.

Pliszka: Yes, I would like that!

Stone: We squashed the nepotism because it was too challengeable. We need to have a balance. We passed a million dollar increase

Pliszka: but, this is just another layer of government, another vote.

Stone: Nowhere in here does it define how the contract gets negotiated. If it is negotiated in a more public way it would be less of an issue. It's only when you go "Surprise it's a contract!" that you are going to have an issue.

Cross: What happened to this District all of a sudden, here is a budget and I remember going to vote on it and said what are we voting on, them saying the budget. I told them I haven't seen it. Then, oh, here it is; by the way we have a contract in here, and the firehouse and we can't even vote on it!

Stone: We actually battled that out before because we didn't have a Charter when that went down. And that was the guidelines by which we had to regulate ourselves at the time (Frank's agreement) so basically the attorneys were saying you got to do it which was literally by us informing the judge in advance it can't be binding, any agreement we do can't be binding until the public votes on it. The judge understood; she knew the regulations and she just allowed us to go through the process. She said she will put no binding judgment on it because she knew it had to go to public vote. It also brought a more fair negotiation to the table instead of having this open ended, forever and ever payoff.

Pliszka: And I agree with that

Stone: There are benefits and drawbacks to everything

Cross: I understand your position but here we are trying to make the job of commissioner easier. I like the idea of them negotiating the contract and getting it in the best benefit of us but to put them in the political position and be the last stop to me is not the way to do it especially when the idea of this Charter was to distribute power away from the Commissioners and to the public. That's why I am not afraid of it. If we are going to have a 24/7 we are going to have to pay for it and nobody is afraid of that.

Stone: It's going to be self-governing, nobody wants to see the wrong person to be the Chief, and it's giving the taxpayers that last little bit of input.

Pat Compositor asked if there was no way of getting a Chief fired.

Stone: yes, insubordination but there is Federal laws that protect fire Chiefs. It is really expensive to do it, really expensive. It's basically a full time job to make things like that possible. I will say that as a former Board member who put many, many, many more hours than

FINAL (approved 3/30/2017)

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I ever desired of being a Board member to make sure that that stuff did not happen or that we kept things moving ahead. At no point of time was there ever an intent, all you are trying to do is correct the problem. But if someone is insubordinate that is a totally different scenario. If I say hey look, I need the following information and they say no, I am not going to do it. Like at that first public hearing that was done; the newspapers and everyone that came away from that saying, Fire Chief disciplined for not showing up at a fire. I don't even know how it got there, technically it was a comment made at the end of a very long, him not doing paperwork that we asked because we were trying to find out what a Chief's duties were and he would not tell us what he did all day long. We asked him to fill out some paperwork, like here is a time sheet, just fill out what you do throughout the day. .And that is all that hearing was about because you never tell us what you do all day long. He told us it was none of our business.

Compositor: But, you're his boss

Stone: You could drive by that package store and you could see him hanging lights with the fire truck, dressed in his uniform hanging the lights and you ask him if he was doing that and he said no I was in the office all day. And what do you do in your office all day. That is none of your business. He said he had no job description; he told us that.

Compositor: Is there a job description for the Chief?

Stone: There is none; it's another thing the Board is working on.

Compositor: There has never been a job description for the Chief?

Stone: None, there was never an employment contract for the Chief. There's never been a Chief's employment contract, ever in this district

Cross: The only one who had one was the assistant chief that he is still operating under.

Stone: So to me, having a little public input into it is a good thing.

Provencher: He didn't need one; he told us he was CEO.

Discussion and conversation came to an end; Mike called the meeting to adjourn.

MOTION to adjourn at 8:30 pm. all seconded and all in favor.