

PRUDENTIAL COMMITTEE FIRE DISTRICT #1
144 Newton Street
South Hadley, MA 01075

Prudential Committee REGULAR Meeting Notes

Meeting Date: August 1, 2019

Location: Fire District Headquarters, 144 Newton Street, South Hadley, MA

This session is being recorded

Call to Order: 5:30 p.m.

Prudential Committee Members Present: Bruce Perron, Chairman
 Kevin Taugher, Clerk
 John Wojciechowski, Member

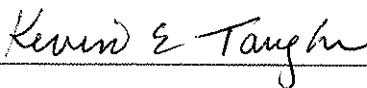
- Call to order
- Review Chief's vehicle selection and replacement process per District Counsel
 - Bruce said that he was uncomfortable with the discussion and decisions made at the last PC meeting. The vehicle selection process was underway, and he believed the PC was interfering.
 - Kevin raised the point of order that the agenda item was to review the process per District Counsel, and that Bruce's discussion was not in accordance with the agenda item.
 - Bruce went on to say he had contacted Marcotte Ford and changing the color of the vehicle would cost \$3000.
 - Bruce stated he would be open to a motion to restart the process of getting the vehicle. Then we can talk about redoing it if you want after that.
 - Kevin said that since deciding on the issue was not on the agenda, he made the motion to table the discussion on the vehicle until the September 12th PC meeting. This is what we had agreed to at the last meeting.
 - John wanted to have some open discussion. John stated that added markings were proposed at the last meeting, and that John understands from Bruce that the additional expense is \$3000 to change the color to red. John said he was in favor of additional markings to denote that the chief's vehicle has emergency status.
 - John asked for clarification regarding the correspondence received from District Counsel. (the email thread is attached.)
 - Kevin explained that it's up to the PC to make the final decisions on any purchases, by law.
 - Kevin said that the current chief's vehicle clearly did not come equipped the way it should have been and had no markings. To fulfill the PC's responsibility, we must be involved in the procurement process. The District Counsel said that it's up to the approval of the PC.
 - John wanted confirmation that funds were appropriated for the vehicle. They were.
 - John wanted to know the basis for the decision to replace the chief's vehicle. Why are we entertaining the purchase of a replacement vehicle?

- Bob Authier said that the 1990 pickup was used for utility purposes. It was also used for inspections, but needed to be replaced. The plan is for the current chief's vehicle, with 62,000 miles, to be used for inspections.
- Bruce said that the chief has made a selection for the vehicle, and the PC should approve.
- John wanted to know that if the current chief's vehicle suits the chief's needs, why don't we purchase a vehicle that suits the *inspector's needs, like a Ford Escape*.
- Bob responded that it's customary practice to replace vehicles by attrition.
- John asked if the new vehicle is equivalent to the current one, and under budget for what funds have been appropriated.
- Kevin said that the appropriated funds were not enough to cover the proposed vehicle and options.
- Bob reviewed the details of the estimate, and noted that at the last meeting, the PC authorized an additional \$10,000.
- John asked Kevin where Kevin was at.
- Kevin said he believed we are out of order because the agenda did not identify the purchase of a vehicle. Kevin said that at the last meeting, we would table the discussion on the vehicle until the September meeting, when the facts and figures could be presented.
- Bruce stated that the original estimate was \$42,800.
- John asked if we go ahead and approve this tonight, are we doing something that's going to come back on us? That's the only thing I'm concerned about.
- Kevin said yes.
- Bruce said no.
- Kevin asked to show him on the agenda where it says we're going to purchase a vehicle tonight.
- Bruce said that we're doing is that we've approved the vehicle selection replacement.
- Bruce said he was assured by Ira Brezinsky that we could take a vote to authorize purchase.
- Kevin said that what we don't know how the car is to be marked up and what it would cost.
- Bruce said that he could quote what the District Counsel said at one point in time, he said because of this the possibility of it coming back and Bob refusing it, has the potential. I'm just stating, I have the notes. You have written correspondence that's in error to a degree, it's off by a day. An actually, there's another correspondence that's in today.
- John said that the way he's reading this is that replacing the vehicle is on the agenda.
- Kevin asked if John has seen the document on what exactly the chief wants to buy, have you looked at the gaps between what he wants to buy and what the completed vehicle has to be.
- John asked if Bob had the specification.
- Bob said the original quote was presented at the last meeting and provided John a copy.
- John asked if this price was "get in it and drive it."
- John asked Kevin if we have the extra funds to pay for this. Kevin said that at the last meeting, he recommended have the Clerk/Treasurer confirm with District Counsel if that could be done.
- John says that he rethought about the last meeting and that he doesn't believe it needs more than that. The chief's current vehicle could be marked differently to be more indicative of an emergency vehicle.
- John made the motion to approve the purchase of the vehicle. Bruce seconded. Motion carried, 2-1.

- Business unforeseen earlier than 48 hours before this meeting.
 - District Counsel is seeking permission to follow through on correspondence from Ed Wall regarding the PC policy on not funding health insurance for new water commissioners. (copy attached)
 - Bruce has reservations regarding this because the PC labor lawyer (Sullivan Hayes) has already been working on this issue. The lawyer has responded to it. Bruce also said that the correspondence in discussion is not from a lawyer.
 - Kevin said unbeknown to him was that Sullivan Hayes was already working on this.
 - Bruce explained Sullivan Hayes role vs District Counsel to John.
 - Kevin said that it seemed that PC members were being kept in the dark regarding ongoing litigation.
 - Kevin moved that the PC take no action on having District Counsel pursue this request regarding the correspondence, because Bruce has informed us that another legal counsel is already looking into this. John seconded. Motion carried 3-0
 - Communication
 - Kevin complained about not being contacted regarding availability when this meeting was scheduled. Bruce acknowledged that he did not attempt to contact Kevin. Bruce said that he directed Bob Authier and Ira Brezinsky to set up the meeting. There was no direction to contact PC members. Bruce denied the characterization of this meeting as an urgent meeting. Kevin countered by saying any meeting posted 55 hours in advance without proper notification to PC members is by design, urgent.
 - Kevin made the following motion: "I move that in the event a meeting needs to be scheduled outside of PC meetings, that the Chair direct the Clerk/Treasurer to contact each PC board member in a group email, and then by phone and text message, to identify the purpose of the meeting and to confirm availability of each member."
 - Bruce said he didn't think we could vote on that because it is already in our bylaws that the chair sets the meetings.
 - Kevin said this is notification about a meeting.
 - Bruce said that the chair setting the meeting and notification is the same. Bruce acknowledged he had a faux pas on this one, but he didn't think we should change anything.
 - Bruce apologized for not having board member contacted to confirm availability. He sees no reason for any change in the process.
 - John asked if this was already in the by-laws. Kevin said it was not, Bruce said the chair sets the agenda.
 - Kevin said the by-laws don't cover notification. We need a procedure where the full-time person confirms availability to set the meeting date and time.
 - Kevin outlined previous practice where the Clerk/Treasurer reached out to the PC members to confirm availability before the meeting schedule was set. This just sets a procedure that we all agree to that confirms PC members can attend meetings.
 - Bruce says that's a good idea and it should be looked into to ensure there is nothing in place like that in the MA laws.

- Kevin said a motion has been made. John agreed that we need something like that. John said we need more clarity in everything we do. John seconded the motion. Motion carried 3-0.
- John agreed with the need to ensure a notification process was in order. John seconded the motion. Motion carried, 3-0.
- Kevin said we need better communication to board members regarding advice and counsel from District legal representatives. There were questions regarding this could be accomplished with respect to the open meeting law. It was decided to table any action on this issue until such time as legal counsel attended a PC meeting.
- Motion to adjourn
 - John moved and Kevin seconded a motion to adjourn. Motion passed 3-0.
 - Meeting adjourned at 6:14 p.m.
- Voted and approved by the Prudential Committee on November 21, 2019.

A true copy, attest:



Kevin E. Taugher, Clerk