

PRUDENTIAL COMMITTEE
FIRE DISTRICT NO. 1
144 NEWTON STREET
South Hadley, Ma 01075

Minutes October 14, 2021

Location: Water Department Office, 438 Granby Road, South Hadley, MA 01075

Scheduled meeting time: 6:00pm

Clarification of District Board Structure and Future Planning / Development Ideas for the District

William [Bill] Schenker notes that, according to the bylaws, the Chairman of the Prudential Committee shall preside at all meetings and shall have general oversight of the district. In the event of the Chairman's absence, the clerk shall preside. In Section 14, which covers the Water Department, the Chairman shall preside at all meetings and shall have general oversight of the entire water system. In the event of the Chairman's absence, the clerk shall preside. He explains that, while he does not think anyone has deliberately overstepped their bounds, there has been some confusion that he wants to clarify.

John Wojciechowski agreed that he would like clarification about what each board oversees. He explains that, as he understands it, the Water Commissioners are responsible for providing clean drinking water, protecting the watershed, and water distribution.

Bill explains that, yes, the Water Commissioners are responsible for providing water to the public. Jeff Cyr adds that the Superintendent is responsible for the last free-flowing tap in the district. He also notes he runs day-to-day operations. He notes he is under the impression that the Water Board oversees the water, and the Prudential Board oversees the fire; ultimately, the rate payers and/or taxpayers approve individual budgets. Brian McClafin notes that he would like clarification about who has jurisdiction over water and fire.

John notes that one of the issues is that warrants are to be in the Clerk/Treasurer's custody, but warrants have been brought around to Water Commissioners for signatures out of convenience. He explains that it seems to be inappropriate for warrants to leave the Clerk/Treasurer's office. He also notes that, if need be, the district's legal counsel can be consulted. He brings up that the district's legal counsel was recently changed by the Prudential Committee, and he is under the impression that it is now the legal counsel for the whole district, and if there is disagreement about this point, it should be researched. Bill notes that some of the confusion is due to the bylaws. Bruce Perron presents an excerpt of a letter from their former general counsel stating that the Chairman of the Board of Water Commissioners shall preside at all meetings and shall have general oversight of the entire water system, emphasis on system, while the Chairman of the Prudential Committee is in charge of overseeing the entire district. Bruce also explains that the Prudential Committee is not in charge of the fire department, but rather, the Chief is. Instead, the Prudential Committee is responsible for the finance side of it. He also notes that the Clerk/Treasurer, working under the direction of the Prudential Committee, is responsible for all

financial matters in the district. He emphasizes that they are one district comprised of two offices.

Jeff recommends asking the State Representative or State Senator for assistance. He also asks—if the Treasurer is responsible for all funds—that it be investigated if you can co-mingle funds with water receipts and taxation.

Various questions/statements from the public and subsequent discussion.

Insurance Benefits with Elected Officials

John entertains the thought of reinstating the insurance benefits for elected officials. Bruce notes that he is in agreement with John but also states that it does not personally impact him or Bill because the two of them had their benefits grandfathered in. He would like to duplicate Westfield's policy of allowing their elected officials who have been elected for over 10 years to retire with their health benefits. Concerns are raised about the financial burden that would place on the district. Bill explains that his concern lies mostly in how the decision was made as opposed to the outcome. Terie Fleury would like to know if the initial vote to take the insurance away was done properly/legally. Scott Williams notes that, according to his research, in Massachusetts it is illegal to offer health insurance to one board member and not others. Bruce agrees that the vote was done incorrectly. Jeff suggests, given the questions raised about the legality of the decision, that another legal opinion is obtained. There is a question about whether this could be solved by a vote from the townspeople.

Warrants discussion

Terie notes that the change that has been made is that the water department is going to be in charge of their maintenance warrants, as in the past, and the signatures will be done at the Water Department or at the fire department. She notes that the warrants can be accessed in a lockbox outside of her office at the fire department. Jennifer Fernandes notes that she is okay with doing the maintenance warrants at the water department again.

Recent Appointment of Sullivan Hayes & Quinn Council for the District / T-Mobile

Bruce notes there was an executive session that was done and that it was moved to replace the general legal counsel based on the quality of representation and professional competence. Bill notes he does not agree with it, and Bruce explains he doesn't think they can get into it without going into executive session since it deals with someone's character. Jeff notes that Brendan Peterson (sp) asked him about the status of the T-Mobile amendment. John states that he signed it but did not forward it to the other board members. Jeff clarifies that in the past, amendments have been brought to the Prudential Committee and they vote to accept an amendment. Jeff again states that Brendan is asking him what the status is. Bruce notes the signature page hasn't come to him, so he has not signed it. Jeff notes he will send Brendan an email stating the Board needs to review the documents and to please send them electronically. Bruce motioned to accept the new T-Mobile contract, including the amendment. Second by Ken Beliveau. Unanimous.

T-Mobil District Account Update

Terie notes that she was asked to look into the Verizon entity since they are trying to do the test with T-Mobile. She said she spoke with a new representative who can save the fire side \$80.40, so instead of \$226.43/month, it would go down to \$146.03/month. She notes that on the water side is more difficult, but if they can average between 318-488 minutes/month, it could go down to \$97.47/month, or \$116.47/month for 600 minutes/month. Jeff asks what the anticipated savings are with T-Mobile. Scott explains that it is 10 lines for \$10/line, including unlimited calls, texts, and data. Jeff notes that, so far, the testing has not been favorable. Scott explains it must be a 5G phone in order for everything to work. Terie says she spoke with Zachary about the phones, and he is sending them iPhones and Android phones to try. Additionally, given that the district is government and first responders, if something were to happen in the area, they would get priority for getting service. Jennifer asks if the billing will be split up by department. Terie explains she thinks it will be handled like the credit card. Concerns are raised and discussion takes place about whether the switch would still be made even if the equipment and service don't work.

Other districts in the Commonwealth

Bill asks if any of the Prudential Committee members would like to volunteer to gather information from other districts in the Commonwealth to see how they are run, as Jeff suggested earlier. John declines. Bill notes that he doesn't mind doing it. He states he would like to have Jeff and someone from the fire department involved in the process.

New Business

Terie says she has been asked for an executive session to do with a personnel issue. She wants to know if she should request that in this meeting or set it up another way. The Boards set the date for the 21st at 2:00pm at the fire station.

Motion to Adjourn

Bruce motions to adjourn. Second by Brian. Unanimous. Meeting adjourned at 7:55pm.

Respectfully submitted,
Shauna Condon, Assistant Clerk/Treasurer