

LYMAN-DAYTON FIRE COMMISSION (FC)
Minutes of Meeting – March 20, 2014

Location: Goodwin's Mills Fire Station – called to order at 6:30 p.m.

Present – Fire Commissioners: Amos Gay, Don Hernon, Jim Roberts, Wendell Smith, Jim Sotir; Dayton/Fire Department Treasurer: Angela Cushman; GMFR: Acting Fire Chief Chad Johnston, Captain Ben Harris, Captain Thom Hooper; Lyman Selectpersons: Victoria Gavel, Ed Sanborn.

Absent - Fire Commissioner: Ray Demers; Fire Chief Rod Hooper (military leave)

Handouts

- Meeting Agenda for 3/20/14
- Draft FC Minutes/Notes of 1/23/14; 2/20/14; 2/26/14; 3/13/14.
- Expense Summary Report and Revenue Summary through Feb 2014
- Arundel Letter of Appreciation dated 3/19/14
- Preliminary cost estimates for radio repairs/hardware

FC Votes Taken/Results – After discussion FC members **voted** as follows:

- **Approved**
 - Notes of 1/23/14 Joint Meeting FC/Selectmen/Budget Committees
 - Minutes of 2/20/14 FC meeting as amended
 - Minutes of Special FC Meeting 2/26/14
 - Notes of 3/13/14 Joint Meeting FC/Selectmen/Budget Committees as amended
 - Notes and Minutes to be posted on Lyman/Dayton Town websites
 - FC Jim Roberts to consult with Attorney David Ordway regarding request made to Fire Station modernization general contractor to reimburse GMFR for repairs to Fire Station fire alarm system; **Limit of \$200 for legal fees**
 - Fire Department Treasurer to work with Lyman Town Treasurer to determine feasibility of establishing a non-lapsing reserve account for GMFR Unemployment Fund (**will require Town voter approval**)
 - Authorized Fire Department Treasurer to pay Fire Chief Hooper 80 hours for pay period before his military leave
 - Authorized Treasurer to respond to IRS forms for December 2010 and March 2012, including payment of about \$70 penalty
 - Authorized Acting Fire Chief Johnston to swap 10 portable VHF papers for a fire truck radio, with Town of Buxton Fire Department
 - Exonerate GMFR personnel cited in public complaint #IIR 14-0045

- Authorized Acting Fire Chief Johnston to proceed with termination process for two GMFR call force employees due to non-participation in required activities

- **Tabled (Note – includes items tabled in previous FC Meetings)**

- Revision solar energy proposal
- Draft of Internet Use Policy
- GMFR Personnel Policy, Section 9.2: Paid-Time Off
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Action To Be Taken – After discussion, FC members agreed on the following:

- **FC Secretary** - Send Arundel Fire-Rescue Chief Letter of Appreciation dated 3/19/14 to Lyman and Dayton Boards of Selectpersons for their information.
- **FC Treasurer** - Work with Lyman Town Treasurer to determine feasibility of establishing a non-lapsing reserve account for GMFR Unemployment Fund
- **Fire Commissioner Jim Roberts and Treasurer** - Draft GMFR related Lyman and Dayton Referendum and Town Warrant Articles.
- **FC Secretary** - Work with Acting Fire Chief to develop Information Sheet in support of referendum and warrant articles.
- **FC Chairman** - Schedule routine meetings of FC with Lyman and Dayton Boards of Selectmen, starting July 2014.
- **Acting Fire Chief**
 - Continue follow up on resolution of radio communication issue; next meeting at **9 am, Thursday, April 10th, at the Fire Station.**
 - Schedule meeting with Scarborough Fire Chief regarding the RFP process for purchasing fire trucks at **6:30 pm Thursday, April 10th at the Fire Station.**
- **Capital Equipment Plan** – FC Sub-Committee (Amos Gay and Jim Sotir) meeting scheduled for **6:30 pm, Tuesday, April 1st, at the Fire Station.**
- **FC Secretary** – schedule interviews with FC Clerk candidate(s) with at least one additional Fire Commissioner present.

Treasurer's Report – Treasurer provided information as follows:

- RHR Smith Audit firm will refund \$200 from GMFR payment for audit as of 6-30-13.
- Audit bids for GMFR FY 2014 financial audit as part of the Town of Dayton audit are due in on March 24th; decision due by April 7th.
- After further review, GMFR will retain a separate Employer Identification Number from the Town of Lyman (as recommended by financial auditor).
- GMFR has \$5000 budgeted annually for Unemployment fund; no insurance has been purchased; funds do not carry over and accumulate from year to year. After discussion, FC agreed that use of a non-lapsing reserve account (where funds accumulate until a

preset limit is achieved) appears to be a better option than purchasing Unemployment insurance. FC authorized Fire Department Treasurer to work with Lyman Treasurer to determine feasibility of establishing this type account, which will require town voter approval

- Fire Chief Hooper booked about 76 hours during the pay period before going on military leave. After discussion, FC authorized Treasurer to pay the full 80 hours for this pay period, noting the additional unpaid hours that the Fire Chief routinely works.
- Treasurer has received IRS forms for December 2010 and March 2012 concerning a tax return and an approximate \$70 penalty. There was discussion that these IRS items were probably under the cognizance of the former GMFR Corporation; however, their assets **and liabilities** were assumed by the Towns of Lyman and Dayton as part of the Interlocal Agreement. FC authorized Treasurer to take action on the IRS forms, including payment of the penalty.
- GMFR Expense Summary and Revenue Summary through February 2012 were reviewed.

Use of Unexpended Fire Department Funds at end of Fiscal Year – FC Secretary was asked by a member of the Lyman Budget Committee if using unexpended Fire Dept funds for the purchase of a Fire Truck could be considered a violation of the Interlocal Agreement Section 4.3e "Any unexpended Department funds at the end of the fiscal year shall remain in the Department's account to offset the following year's Department budget." This question was discussed and the consensus was that if the funds (if approved by Town voters) were to be used for a replacement fire truck, then this use could be considered as part of the Fire Dept's budget for the next year.

Lyman and Dayton Referendum and Town Warrant Articles – FC discussed GMFR related articles needed for the Town voters' consideration. Fire Commissioner Jim Roberts and Treasurer Angela Cushman will draft articles and provide copies to FC members. It was noted that an Information Sheet will be needed to provide reasons to voters to support passage of the referendum and warrant articles. FC Secretary will work with Acting Fire Chief to develop Fact Sheet and have final version reviewed by Fire Commission and Boards of Selectpersons.

Discussion of GMFR Capital Equipment Replacement –Acting Fire Chief will arrange for Scarborough Fire Chief Mike Thurlow to meet with FC to discuss experience with managing RFPs for procurement of Fire Department capital equipment; Note – scheduled for **April 10th, 6:30 pm at the Fire Station**. FC Capital Equipment Sub-Committee (Amos Gay and Jim Sotir) meeting is scheduled for **6:30 pm, Tuesday, April 1st, at the Fire Station**.

Short Term Fire Truck Assistance – Until Engine 3 is replaced, Town of Biddeford will provide mutual aid to help cover when additional fire trucks are needed; Town of Hollis will lend GMFR a fire truck if another GMFR fire truck is out of commission for repairs or maintenance.

GMFR Radio Communications – Acting Fire Chief discussed the issue of inadequate radio communications, including preliminary cost estimates for corrective action. Further information will be provided by Dave Cobb, Dirago Wireless, at 9 am, Thursday, April 10th, at the Fire station.

Fire Extinguisher Training for Lyman Town Employees – At the request of one Lyman Selectman, GMFR will provide fire extinguisher training for Town of Lyman employees.

Hiring Process for FF/EMTs – Hiring process for Firefighters/EMTs is scheduled from 3-31 through 4-22-14.

Arundel Fire-Rescue Letter of Appreciation –Acting Fire Chief received a letter of appreciation dated 3/19/14 regarding GMFR assistance at a structure fire at 728 Alfred Road. FC reviewed the letter and directed FC Secretary to forward a copy to the Lyman and Dayton Boards of Selectpersons for their information.

GMFR Fire Station Fire Alarm Code – FC discussed a request for reimbursement made to the Fire Station modernization general contractor for the cost of \$1473 to replace the motherboard of the Fire Station fire alarm system to permit annual testing as required by code. This action was necessary since a subcontractor changed the access code to the system due to a contract dispute with the general contractor. FC requested Fire Commissioner Jim Roberts to discuss possible legal action with Attorney David Ordway; authorized a limit of \$200 in legal fees.

Swap of Surplus Fire Department Equipment – FC discussed and authorized Acting Fire Chief to swap 10 portable VHF pagers for a fire truck radio, with Town of Buxton Fire Department.

Grants – No updates received.

Routine Meetings with Boards of Selectmen – FC Chairman proposed starting routine meetings with the Lyman and Dayton Boards of Selectmen to promote discussion and cooperation on issues affecting both GMFR and towns, starting in July 2014, on a quarterly schedule.

FC Clerk – FC Secretary noted that one application has been received for the FC Clerk position, with one additional possible candidate. Interviews to be conducted next week by at least two Fire Commissioners.

GMFRA Ball – Goodwins Mills Firefighters Relief Association will sponsor a dinner with subsequent dance at the Nonantum Resort in Kennebunkport on Friday, May 16th. No FC funds are involved. GMFRA has invited Fire Commissioners to attend. More details to follow.

Executive Session – 8:54 p.m. FC voted to go into Executive Session per 1MRSA 405(6) A, Personnel Matters, to discuss personnel matters as presented by Fire Chief. 9:20 p.m. Voted to leave Executive Session; no votes taken; nothing to report.

Live-In Firefighter Student – one of the two live-in students has voluntarily terminated participation in the program.

Public Complaint – After discussion, FC voted to exonerate GMFR employees in their conduct during an ambulance response call. Procedures of Regulation 1104, Complaint/Compliment Reporting & Investigation, were followed.

Termination Processing - After discussion, FC authorized Acting Fire Chief to proceed with termination of two GMFR call force employees (one new employee; one Firefighter/EMT) for non-participation in required training and activities. Requirements of GMFR Personnel Policy are being followed.

Next Regular Meeting- Thursday, April 24th, 6:30pm at Goodwin's Mills Fire Station.

Meeting adjourned: 9:25 p.m.

Submitted, as recorded, this date of March 20, 2014, by FC Secretary, Don Heron.