

**Lyman-Dayton Fire Commission (FC)
Minutes of Meeting – May 23, 2011**

Meeting held at Goodwin's Mills Fire-Rescue Fire Station was called to order at 6:33 pm.

Present – Fire Commissioners: Chris L'Heureux, Wendell Smith, Don Hernon; Lyman Selectman Leo Ruel; Goodwin's Mill Fire Rescue (GMFR): President Normand Bilodeau; Chief H. Rodney Carpenter; Chad Johnston; Tom Hooper.

Absent - Fire Commissioners: Jim Roberts, Ray Demers.

Handouts- Draft Minutes of 5-12-11 FC meeting; Draft Letter to Lyman-Dayton Selectmen; Draft Letter from Lyman Town Attorney dated 5-12-11, Subject : Transfer of GMFR to Towns of Lyman and Dayton; Draft FC Physical Agility Test (PAT) for Municipal Fire Chief Candidates.

Minutes - FC members voted to approve minutes of May 12, 2011 FC meeting. FC meeting minutes will be posted on the Lyman/Dayton Town websites.

Replacement Fire Commissioner for Lyman – Lyman Selectmen have advertised for a replacement Lyman Fire Commissioner. No replacement has been named as yet.

Discussion of Path Forward to Transition from GMFR to Municipal Fire Department: The FC noted that the Joint Meeting of 5-5-11 with Lyman-Dayton Boards of Selectmen, Fire Commission, GMFR Representatives, Lyman Town Auditor Ron Smith, Lyman Town Attorney Bill Dale, and Maine Municipal Association Representative Marcus Ballou, discussed all aspects of the transition of GMFR to a Municipal Fire Department, with the goal of developing specific actions needed to accomplish the transition process. No minutes (to be provided by Dayton Selectmen's Clerk) of this meeting have been issued as yet.

Important items involving the transition from GMFR to a Municipal Fire Department include:

- Developing/signing a legal agreement between GMFR Corporation and the Towns of Lyman and Dayton stating that the GMFR Corporation will turnover assets to the Town of Lyman, and dissolve the GMFR Corporation. Action - Lyman Town Attorney Bill Dale.
- Developing a personnel policy for the Municipal Fire Department. Action - Lyman Town Attorney Bill Dale.
- Interviewing Municipal Fire Chief Candidates and recommending a Municipal Fire Chief to the Lyman-Dayton Boards of Selectmen. Action – Fire Commission, after the legal agreement between the GMFR Corporation and the Towns of Lyman and Dayton is signed and the Municipal Fire Department Personnel Policy is approved.
- Completing and closing the federal FEMA grants for the modernized GMFR Fire Station and the acquisition of new firefighter air packs.

Don Hernon provided a copy of a draft letter dated May 12, 2011, prepared by the Lyman Town Attorney, to be sent from the Lyman-Dayton Boards of Selectmen to the FEMA Fire Station Construction

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Case Manager (a federal government contractor), which states in part: “The new joint municipal fire department....will also assume all of GMFR’s contractual obligations, including those imposed under the FEMA grants...”. The FC agreed that, based on the 5-5-11 Joint Meeting, GMFR was to retain control of the FEMA federal grants until the grants are closed out.

Don Hernon proposed a letter to the Lyman-Dayton Boards of Selectmen providing the opinion of the FC on three issues:

1. FC Comments on the Lyman Town Attorney draft letter of 5-12-11, stating that the FC recommends that the GMFR FEMA grants be closed out by GMFR.
2. FC Statement of Action Items from the 5-5-11 Joint Meeting, specifically:
 - An agreement/contract between the Towns of Lyman and Dayton and GMFR regarding the turnover of GMFR assets to the Towns of Lyman and Dayton is necessary. This agreement is to be drafted by the Lyman Town Attorney.
 - Resolution of Municipal Fire Department Personnel policies is necessary for the hiring of the new Municipal Fire Chief and the orderly transfer of current GMFR employees to the Town of Lyman payroll. The Lyman Town Attorney is drafting a Lyman Personnel Policy for Municipal Fire Department employees.
3. FC requests that the Lyman Town Attorney review the draft Physical Agility Test (PAT) for possible liability issues, since the Fire Commission intends to administer the PAT to Municipal Fire Chief Candidates prior to their interview by the FC.

After discussion, FC voted to send a letter directly to the Lyman Town Attorney, copy to the Lyman-Dayton Boards of Selectmen and GMFR Representatives, regarding the issues noted above, in order to save time and facilitate resolution of these issues. For clarity, the letter will state that the Fire Commission does NOT intend to interview candidates for the position of Municipal Fire Chief until:

- a. There is an agreement/contract in place between the Towns of Lyman and Dayton and GMFR regarding the turnover of GMFR assets to the Towns of Lyman and Dayton.
- b. Municipal Fire Department Personnel Policies are approved.
- c. The draft PAT has been reviewed by the Lyman Town Attorney, and any issues resolved.

(Note: The FC letter was sent electronically on 5-24-11.)

Physical Agility Test (PAT) for Municipal Fire Chief Candidates –GMFR representatives stated that the PAT was given to about 22 persons when conducting interviews for a full time firefighter. The GMFR PAT has not had a legal review for possible liability issues. **Don Hernon** revised the GMFR PAT form for use by the FC. This FC PAT was attached to the FC letter dated 5-24-11 sent to the Lyman Town Attorney.

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Municipal Fire Chief Interviews – As noted above, the FC will proceed with interviews of Municipal Fire Chief Candidates only after the legal agreement between the GMFR Corporation and the Towns of Lyman and Dayton is signed, and the Municipal Fire Department Personnel Policies are approved. This means that the interviews will probably be delayed until June/July, with a revised starting date for the Municipal Fire Chief of September 2011 or later.

The FC agreed to send a letter to update Municipal Fire Chief Candidates after the use of the PAT is resolved, and there is a timeframe for the approval of the Lyman-Dayton-GMFR agreement/contract, and the Municipal Personnel Policies.

Municipal Fire Chief Applications – **Jim Roberts** has custody of the Fire Chief applications in a locked cabinet in the Dayton Town Hall.

GMFR Regulations – The FC did not discuss the GMFR Regulations for initial use by a Municipal Fire Department.

Municipal Fire Department Startup Funds–**Don Hernon** will send an email to the Lyman-Dayton Town Treasurers asking how much money was initially allocated to the startup account by Lyman and Dayton, how much has been spent to date, what the funds were spent on, and the remaining balance.

(Note: email was sent on 5-27-11.)

FC Action List – The FC Action list was not discussed at the FC meeting.

Next Meeting – Date/time/location to be determined, depending upon response from the Lyman Town Attorney regarding action items in the FC letter of 5-24-11.

Adjourned - Meeting adjourned at 7:46 pm. FC members toured the modernized Fire Station with GMFR Representatives after the meeting.