

# Tilton-Northfield Fire & EMS

## Commissioners' Meeting

### Special Meeting

### January 26, 2007

Corrected 2/1/07

Meeting called by:	Commissioners	Date, Time:	January 26, 2007 at 16:00 to 17:40
Note taker:	Janine Vary	Place:	Center Street Station

Attendees: Comm. Tom Gallant, Comm. Bob Watson, and Clerk Janine Vary. Absent: Comm. Harold Harbour, Treasurer Roland Seymour

Comm. Gallant called meeting to order at 4:00pm. The nature of the meeting this afternoon is to review privileged communication between counsel and commissioners. Until action taken by commissioners, information cannot be shared. Comm. Gallant motioned to go into a non-public discussion. Comm. Watson seconded. At 4:02pm Commissioners went into non-public session and members of the public were asked to leave the meeting room.

Hour being 4:10 out of nonpublic session and into public session.

Tom motioned that we unseal the minutes and make the outcome known. Bob seconded. No more discussion. None opposed. Minutes of the nonpublic session have been unsealed.

Tom: explained that Janine had started a process this summer to determine the process to follow to elect people at the polls. Working with Sec. of State's office, dates for annual meeting and dates for district elections, polls, sup. of the check lists, etc. We thought we were all set on that and there was a question about that last week indicating that voting would have to take place the same date as the meeting. Polls have to be open 8 hours. Estimated to take 2 hours to tally the ballots. This information was received from Northfield town clerk. Polls have to be open until 7 at night, and then 2 hours to count votes. This would mean we'd start annual meeting at 9:00pm. Ms. Fulweiler had a telephone conversation with Sec. of State and Sec. of State indicated that the question being asked really was something that we should seek legal counsel on.

Tom read the opinion letter, Item #1 from Atty. Chandler. Those elected will begin to serve at that time forward. There's no change who will be presiding at the annual meeting.

Then a question had been brought up again as to who serves as commissioners and where they come from. Again, the Sec. of State asked we seek our own counsel on it.

So Comm. Gallant read item #2 of Atty. Chandler's opinion and the supporting paragraph. So Atty. Chandler has indicated that appropriate warning had not been given, so vote taken on 3/7/05 was invalid. It was added onto a warrant article but not valid. The commissioners will abide by this opinion. If we want to consider this again, it would have to be a petitioned warrant article.

Kevin Waldron – asked if this was the election when he was nominated and it was voted to have fair representation. Tom said yes. He felt it was resolved earlier when Chief Petrin was here that there would be representation from both communities. At that time we had no proof that that had taken place. So the Moderator said 'let's clear that up' and stated if the body wanted to do so, they could. This is what Atty. Chandler is saying is a tagged item. Kevin asked if the counsel attends the meetings. Tom told him no. He doesn't go to any town meetings. This is his opinion and the commissioners will abide by it. Tom suggested that if someone wants to put out a petitioned warrant article, then it would be properly warned. But he is of the opinion that we are one district and represent the entire district. The school district is different. At the water district, we have one from Tilton and 2 from Northfield. Could have 3 people from Tilton and 3 from Northfield. Because of falling under the district regulations, it is a broad brushed regulation. Gretchen Wilder commented if you are going to limit volunteers from a particular area it might be harmful to the pool of interested people. Tom: said that the town of Northfield has always had a higher percentage of representation in the fire district commissioners.

Kevin Waldron asked if Comm. Gallant if, as a commissioner, he would like to see a petition article. Tom said until 17 years ago the commissioners always came from Northfield. Harold asked him to run and he did. Bob is the only other one from Tilton who has been in the commission. If it is an issue, let the body decide and do it by a vote. The petitioned warrant article will be posted publicly, it will appear on the town report. This way it can be discussed at the public hearing and let the voters decide. Then it's not a legal opinion. As a commissioner representing the district, he agrees with Atty. Chandler's opinion that we serve a district. That only works assuming the people who sit in those chairs share that common theme. If it were like the school district and, if we could break it up in thirds, then that would be great. But we can't break it up evenly. As an individual, let's put it to rest and let the voters decide. The perception of the body is what is important. If a commissioner was exercising a bias, then people would not be represented properly. Reason for petition warrant article is that it would be at the

TNFD Commissioner's Special Meeting Minutes  
January 26, 2007

pleasure of the body and not something recommended or not recommended by the commissioners. The body is asking to discuss it and let's resolve it. Kevin Waldron asked if Comm. Gallant felt there should be 2 from Tilton and one from Northfield. Comm. Gallant stated personally has served on this commission as the only Tilton representative and it doesn't make any difference. But the perception of some in the district is that they may feel that they don't have fair representation if they don't have a person from their town on the commission. We all thought it was the right way to do it when we voted in 2005.

These minutes will be public and on the website. This whole procedure should be transparent. Comm. Gallant asked if there was any other item for discussion.

Comm. Watson mentioned that we are proposing an alarm system warrant ordinance with charges depending on the offense. Bob read the draft warrant article:

"To see what action the District will take in adopting Ordinance #3, Alarm System Ordinance. Such Ordinance sets out standards for Alarm Systems and associated equipment as well as the enforcement of the same. The Ordinance further sets out a fine fee structure for excessive false alarms. (Recommended by the Fire Commissioners)".

Discussion: Some places have had too many false alarms. They have to follow the fire code. Have UL listing. Have the key safe, cat 30 keys and false alarms will be violations. If solely owner negligence, will result in fines. Tom addressed that you could have absentee landlords that don't pay attention to fire code violations. This will add to the fee structure we began last year. We are doing all kinds of safety services in new buildings and we can now get compensation. Kevin asked who would be responsible if there was a problem. He asked if there is an appeals process if someone feels that they have been penalized unjustly. Tom doesn't think it is defined in the info we have. But at least it gives us a means to determine fees.

Petition warrant articles can come in through the 30<sup>th</sup> to be added to the warrants.

Kevin Waldron asked about money put in the budget for the part time secretary. He was told that that position was taken out of the budget before the budget was finalized. Then there was a lot of discussion about the clerk's position. Janine Vary does not intend to run for clerk because of the amount of time it has taken away from the duties of her secretary's position.

Comm. Gallant mentioned that Atty. Chandler will be rendering a position on a question asked mutually by the commissioners and the budget committee. He is still working on it. There was more discussion on this. Atty. Chandler will give an opinion to us before the Tuesday, 1/30/07 meeting.

Comm. Watson had a question on the Apparatus and Equipment fund. Will residents have to pay if transported? Comm. Gallant said it would have to be a warrant article. He's not sure; maybe he should meet with Chief and Comm. Watson. Kevin Waldron stated that if he has insurance, then we should be happy with that. But no more. However, Comm. Gallant mentioned that a lot of transports are from uninsured residents and we have written them off. It really is too late to look at how much is being written off now. We have people from all over that get assistance. Comstar is not a collection agency. Comm. Gallant is aware that there is a petition warrant article requesting to vote out the Apparatus and Equipment fund. Both towns select people have agreed to sign this petition warrant article petition. There will be a warrant article on Tilton to do a feasibility study to get out of the fire district. There was more discussion on town's warrant articles.

Comm. Gallant motioned to adjourn the meeting at 5:40 Comm. Watson seconded. Meeting adjourned at 5:40

**Next Meeting Date, Time, Place:**

**Thursday, Feb. 1, 2007 at Center Street Station**