1 COVENTRY FIRE DISTRICT - ANTHONY FIRE DEPARTMENT

2 SPECIAL MEETING

3 JULY 19, 2006 - 7:00 P.M.

4 ANTHONY FIRE STATION

5 571 WASHINGTON STREET

6 COVENTRY, RHODE ISLAND

7

8

9

10 CONRAD BURNS

JOHN GOLOMB, CLERK

11

BOARD OF ENGINEERS:

12

EDWARD WEBSTER

13 GARY COTE

SHIRLEY MATTHEWS

14 PAT LEFEBVRE

DOMENIC TERRANICCO

15

JOANNE LEROUX, DIST. SECRETARY

16

ARTHUR CAPALDI, SOLICITOR

17 CHRISTOPHER PUCINO, SOLICITOR

ANTHONY FERRUCCI, FINANCIAL ADVISOR

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(COMMENCED AT 7:08 P.M.)

MR. BURNS: Ladies and gentlemen, let me first explain the safety rules to you. The overhead doors are not considered emergency exits. If there is an emergency, and we have to evacuate the building, that is not the way to go. You go out the door in the side here and the door on the side here. You have to go out through this door over here. Do not go out through those doors. I want to welcome you to the special meeting of the Coventry Fire District being conducted here tonight at the Anthony Fire Station. If at anytime anyone cannot hear me or the speaker, give me the Mickey Mouse sign; I'll respond to it.

Okay. One thing I'd like to make you understand is that there is a change in the rules for who can vote at this meeting. By court decision, you have to be a registered voter in the Town of Coventry and an inhabitant of the Coventry Fire District. That's a little different from the rules we used to work under before. If there is anyone in this group here, including those of you standing in back, who is not a resident, who does not live in the district and is not registered as a voter, please move over to the side. That way, I only

have to count these people over here. If I could recognize the uniform, sir, you're all right where you are. I can recognize the press, you're all right where you are. Okay. All right. I ask you as a courtesy to the other people here to turn off your cell phones or put them on vibrate so we don't have any ringing of the bells. The meeting is hereby called to order, and I'll ask the clerk to read the call of the meeting and then I will explain the rules of order. Mr. Golomb.

MR. GOLOMB: Good evening, ladies and gentlemen. My name is John Golomb, and I'm clerk of the Coventry Fire District. Legal notice of

the special meeting of the Coventry Fire District. In pursuance of the Charter of the Coventry Fire District, a special meeting shall be held on July 19, 2007 at 7:00 p.m. at the Anthony Fire Station, 571 Washington Street, Coventry, Rhode Island for the purpose of -- this is the agenda -- one, explain and ratify a new union contract. Two, explain and ratify all work done by executive board. Three, discuss hiring new chief and new chief's contract. Number four, discuss charter changes and ask for taxpayers' approval. Number five, discuss legal case pertaining to both deputy

chiefs with taxpayers' input, and six is the adjournment. Now, no other business shall be legally transacted, and this is handicapped accessible, and this is signed by me, John Golomb, as the clerk, and this was properly posted in areas throughout the district and the town hall, and also published in the Pawtuxet Valley, I guess it's the -- it's the Kent County Times. And this was posted on the 13th of July 2007. Thank you.

MR. BURNS: The call of the meeting having been legally satisfied, I want to read to you the rules of order of the meeting. Only

13 registered voters of the Town of Coventry, who are
14 residents of the Coventry Fire District are
15 allowed to participate in the meeting and must be
16 seated in the voting area of the room. All
17 individuals attending the meeting who are not
18 eligible to vote are here to observe and must
19 refrain from any form of participation in the
20 meeting, including any shouting, clapping,
21 cheering or other distraction or indication of
22 participation in the meeting. All
23 non-participants must remain in the area assigned
24 to them for non-voting members. No recording
25 devices may be allowed in the meeting, as they may

1 be viewed as intimidation of the voter. A copy of
2 the minutes will be prepared by the stenographer
3 and will become a record of the meeting and will
4 be available under the open records law for the
5 state of Rhode Island here at the fire station, as
6 well as on the secretary of state's web site. All
7 inhabitants wishing to be heard will seek
8 recognition from the chair and come to the front
9 of the room and turn and use the non-existent
10 microphone. You're going to have to bellow it out
11 tonight, fellows, we don't have a microphone, and

we can't find the podium. If I can be heard, most of you should be heard. Again, if you can't hear the speaker, let me know, because you're not here to listen to mumbo jumbo. We want to hear the speaker, so I'm going to ask you come up and speak from up here if you have something to say. The first time you come up to speak, please give your name and address to the stenographer in a loud and clear manner so the stenographer can record it, and on any subsequent response to the front of the room, you can just give your name. Once you have given your name and address once, you don't have to repeat your name and address every time, so she knows who makes the motion and who second motions.

Every participant here will be given the opportunity to speak on every matter. This is democracy in its rarest and most pure form, not to be abused. It's to be used. In order to avoid repetition, we please ask you not repeat what has already been said, and inasmuch as we have a special agenda, it is requested your comments be directed to the matter in question and the matter in question only. The next order of the business, the chair will recognize Gary Cote for a

procedural motion.

MR. COTE: Gary Cote, 29 Pettine Street, Coventry, Rhode Island. I move to allow attorneys representing Coventry Fire District, Arthur Capaldi and Christopher Pucino, and the financial advisor of the district familiar with the union contract, Anthony Ferrucci, to remain with the Board of Directors during the meeting so they may assist the Board as needed.

MR. BURNS: You've heard the motion. Is there a second?

MS. MATTHEWS: I second it.

MR. BURNS: Stand and give your name and address, please.

MS. MATTHEWS: Shirley Matthews, 566

Knotty Oak Road, Coventry.

(MOTION AND SECOND)

MR. BURNS: We've heard the motion. Discussion on the motion?

MR. GORMAN: Discussion on the motion. David Gorman, 24 Hornbeam Road. At the tune of how many hundreds of dollars is it costing us to have this legal team up here to represent the district board this evening?

MR. BURNS: I don't know if somebody can address the cost.

MR. GORMAN: In order for me to vote on the motion, I'd like to know where I'm spending my money, or why I'm spending my money to have a legal team sit around at one, two, three, six hundred dollars an hour, maybe?

MR. BURNS: I would say considerably less than that. Would you say less than four?

MR. COTE: Less than four.

MR. GORMAN: Less than $400 an hour?

MR. BURNS: For the night, so we don't make mistakes.

MR. GORMAN: $400 for the night or $400 per hour?

MR. COTE: I would venture to say less

than $400 for the night.

MR. GORMAN: It's $400?

MR. BURNS: Hopefully we don't make a mistake.

MR. GORMAN: Let's hope. $400 could be put elsewhere.

MR. BURNS: Any other discussion on the motion? Hearing none, I indicate we're ready to

vote. Those in favor, signify by raising their hand.

(HAND VOTE)

MR. BURNS: Opposed? The ayes have it. The motion carries.

(MOTION PASSES)

MR. BURNS: The next order of business is the first item on the agenda. The chair will recognize Gary Cote for the presentation of the resolution.

MR. COTE: Sir, if I may, point of order. It was approved for legal counsel and financial counsel to join us at the head table. If you gentlemen would please come up, I have three chairs available for you up here. Resolved, that Coventry Fire District approve and ratify the union contract with the Coventry Fire Fighters

Local 3240 of the International Association of Fire Fighters, as negotiated by the Board of Directors for the years covering 2007 to 2010.

MS. MATTHEWS: I, Shirley Matthews, second it, please.

(MOTION AND SECOND)

MR. BURNS: The Chair recognizes the

8 second. Discussion? Explanation?

9 MR. COTE: Yes. Under the, I'm going to

10 call it, for this meeting's purposes, under the

11 contract that was being followed when this board

12 was elected, this board, and contrary to the

13 union's stance, did not recognize that contract as

14 legal and binding, because our charter clearly

15 states that all contracts in the district will be

16 ratified by the taxpayers. The taxpayers of this

17 district have ultimate ratification power on all

18 contracts. They have ultimate ratification power

19 on all contracts. That was not done during the

20 last negotiation session. The union, through

21 developing an opinion and a partnership with the

22 Board of Directors, agreed to sit down and go over

23 what was being followed as the old contract and

24 made the changes that we could agree upon and

25 renegotiate or redefine that contract and come up

1 with a new contract that was more suitable to both

2 sides. This was only accomplished through a

3 partnership with the unionized employees that we

4 have here working for us, working for you. They

5 were under no legal obligation to sit down and

6 talk with us. They were absolutely under no legal

7 obligation. They recognized that contract as due,
8 legal and signed. Through a cooperation of
9 partnership with the Board of Directors, we were
10 able to achieve this. We made some major changes
11 to the contract. We had several negotiation
12 sessions. The reason I asked counsel and
13 Mr. Ferrucci, the financial man, to join us up
14 here tonight is because they were involved in the
15 negotiation sessions along with the union. They
16 have knowledge of the changes that took place, and
17 we're trying to do things different than they were
18 done in the past. We're trying to follow the
19 rules. We're trying to do things the way they
20 were supposed to be done from the beginning. So,
21 we are here tonight asking for taxpayer
22 ratification of this new contract that will carry
23 on through June 30 of 2010. Thank you.
24 MR. BURNS: Okay. Does anyone have any
25 specific questions? We have these people here.

1 Do you have any specific questions with regard to
2 the contract? With regard to any negotiations
3 that can be discussed? There's some limit to what
4 they can discuss. Mr. Cotnoir, will you stand up
5 and give your name.

MR. COTNOIR: Ernest Cotnoir, Sandy Lane. I would certainly think that the taxpayers have a right to know all of the details of a contract before we vote to ratify it, so I would like Mr. Cote or somebody to go through the contract word by word.

MR. COTE: Mr. Cotnoir, I understand your sentiment, but because the contract has not been signed, it is not a legal binding document, it cannot be opened up for public viewing until it has been signed. I can go over some of the memorandums of agreement and the changes that were reached on that contract and the monetary values associated with them. I have a list that we would be perfectly willing to show you.

MR. CAPALDI: Let me explain something. Arthur Capaldi. We were asked several months ago by your Board of Directors to look into several matters involving the fire district. For those who don't know me, I can't say I'm an expert in

municipal law, but I represented your Town of Coventry as a town solicitor for over ten years. I represented the Coventry Housing Authority for over thirty years. I've been your municipal court

5 judge for over twenty years. I represented the
6 Coventry School Committee for over ten years. I'm
7 somewhat familiar with legislation and with
8 municipal law. You're a municipality. And we
9 were asked to review the charter and the contracts
10 between the union and this fire district and the
11 various things that this fire district did since
12 2002. It was quite an undertaking. It took us
13 several, several months to get information.
14 Information was very hard to come by. Every time
15 we came to a decision, some information would pop
16 up, and we'd have to change that decision. But
17 basically, we're talking now about your contract,
18 and you raise a very good question, sir, but
19 basically, the contract that we have tonight is
20 paramount to the contract that this fire district
21 voted on in 2002 and in 2003 and eventually in
22 2006. Whether this district and voters knew all
23 the terms of those contracts, I don't know. I
24 wasn't here. This contract has been in existence
25 since 2006 where the union actually, and the union

1 signed it and your Board of Directors signed it.
2 MR. COTE: The Board of Engineers.
3 MR. CAPALDI: I mean, your Board of

4 Engineers, now called the Board of Directors. So,
5 the terms you've been paying on, i's not -- this
6 contract terms are nothing knew that this district
7 hasn't been paying on. I don't know if you know
8 those terms, but they should have been known to
9 you, because you voted on them in the past, okay,
10 but what I suggested tonight, and I don't know how
11 to get things out to the voters any sooner, that
12 we do make copies of these contracts. I think
13 that you want to know as to every detail of the
14 contract, maybe that's not as important as how
15 much the contract is going to cost you and what
16 the old contract possibly could cost you. I think
17 the voters really want to know what are we getting
18 ourselves into as far as money and where are we
19 going with that. If you want to know all the
20 details, I don't think that the Board or Mr. Cote
21 can give you the details, without actually taking
22 the contract and reading it, along with the
23 amendments that were made recently, but I
24 appreciate your question, and I think that's why
25 we have Mr. Ferrucci here tonight, and maybe we

1 can answer some of the questions, if you can give
2 us an idea of the area you want to go into

3 concerning the contract, but I think your question
4 is a fair one, and I think that it ought to be
5 addressed to some extent as best we can, without
6 spending fifteen hours going over the contract
7 with you, but I think your question is very well
8 taken, and I think you ought to know what is the
9 money end of this contract and why should you be
10 entering into this contract tonight.
11 MR. COTE: A brief history of the labor
12 contracts. There is a 2006-2009 union contract
13 that was never brought before and ratified by the
14 taxpayers, however, the district was paying on
15 that contract when the Board took over. Many of
16 the terms of the contract posed problems. Some
17 terms posed financial issues that would hurt the
18 district, maybe even raise taxes. There were also
19 several union grievances going on, including the
20 arbitration of post-retirement health care
21 benefits. The district and the union decided to
22 open discussions to amend problem areas and work
23 on grievances and have a valid binding legal
24 contract. That's why it's on the agenda for
25 tonight. In negotiations, we wrapped up several

1 grievances. For the first time in the history,

2 there is a good working relationship between the
3 district and union. Previously, there was a great
4 deal of time consuming and costly litigations.
5 One of the issues I mentioned was post-retirement
6 medical. Under the old contract, Mr. Cotnoir,
7 post-retirement medical would have cost this
8 district $3,485,985.30. That's what it would have
9 cost this district, three and a half million
10 dollars for round numbers. Through the work, and
11 believe me when I can't stress the word "work"
12 enough, that our union members and this board put
13 into redefining and opening up and talking about
14 this contract for the first time, post-retirement
15 medical benefits are now going to cost this
16 district $1,481,922. A savings of over $2,000,000
17 to this district just on that one issue alone.
18 Just on post-retirement medical alone, this
19 district is going to recognize over a two million
20 dollar savings, okay, just on that issue. Other
21 issues that were resolved were not minimum
22 manning, because we stayed with what we had, three
23 man minimum manning. I believe that's what this
24 district deserves. I believe our taxpayers
25 deserve that kind of coverage. The old contract

called for a minimum of two paramedics that are cardiac certified per shift. Contractually, we were obligated to do that. The union gave one of those positions back to us. We only have to now keep one cardiac per shift, which is a savings to the district, because cardiacs, people with cardiac certification make more money than people with non-cardiac certification. That is a savings to the district. Under the old contract, the union employees were granted 20 sick days a year, plus four sick days for every prior year of service that they've been employed here, because under Chief Murk, they had unending sick leave. He gave it to anybody who needed it and continued to pay them. Okay. That is not the case anymore. We now have a well-defined sick leave policy that the firefighters have agreed to, that the Board of Directors have agreed to, that we worked very diligently to negotiate, and during and at negotiations, when they had already been given four sick days per year for every prior year of service, they gave one back and settled for two -- I mean, settled for three -- I'm sorry, three sick days per year for every prior year of service, which in some cases meant we have men give back

twenty paid days. Twenty paid days they had already been given by this district. They gave it back, because they wanted to create a partnership with the taxpayers, because they want to do the right thing by the taxpayers, because they want the taxpayers to get the best they can for their money. They didn't have to do any of this. They did this, because they are trying to develop an attitude of partnership with the district that they represent. They did it, because we as a whole have developed a good working relationship. We as a whole have developed a team effort to bring things in the Anthony Fire District back in line where they should be and still be able to give the taxpayers the kind of coverage that they need. That's not the only changes that were made to the contract, Mr. Cotnoir, those are the ones I can remember off the top of my head. 99 percent of the changes that were made to the contract were a cost savings to the district. In return, we gave them a quarter percent increase -- a quarter percent increase on their longevity, in return for what they gave back to us. I have to stand here and tell you that I recommend ratification of this contract, and I don't think there's any way, shape

or form anybody can add it up and figure that the taxpayers came out on the losing end of this. I really don't. Thank you.

MR. BURNS: Anyone else who wishes to speak on the motion before the floor? Come up here, give your name and address.

MR. CRAEMER: Rick Craemer, 121 Columbia Ave. Gary, may I address you personally on that comment? First of all, on the contract, how many stations are involved in that contract?

MR. COTE: One. Just ours.

MR. CRAEMER: Just the one. Okay. How many firefighters are involved in the contract?

MR. COTE: Thirteen.

MR. CRAEMER: Thirteen. How do those firefighters, if there's anybody here from the district, feel about that contract on a personal level?

MR. COTE: The union in this fire department ratified those changes before we brought them to you. They ratified those changes before we brought them to you.

MR. CRAEMER: Are there any firefighters here from our district?

25 MR. COTE: Yes, there is, and if they

1 care to answer any questions, Mr. Craemer, I'll
2 give them that opportunity, but the thing I want
3 you to understand is about the medical. Under the
4 old contract, they were given lifetime -- well,
5 eligible for lifetime medical after 20 years of
6 service. Okay. Now after 25 years of service,
7 they get single plan medical until age 65. They
8 can buy family plan coverage through the district
9 at our cost, their expense. That was given to
10 them before. That was all given to them before.
11 They have agreed, and I'm not going to get into
12 monetary, because that involves these gentlemen's
13 paychecks, and I'm not going to discuss that, but
14 they have agreed to a co-pay on the part of their
15 medical. They never had a co-pay before.
16 MR. CRAEMER: Gary, excuse me, thank you,
17 very much, because that was the follow-up question
18 on my part, knowing how did you get from $3
19 million change to $1 million change, and that's
20 how you did it. Good going. Thank you, very
21 much.
22 MR. BURNS: Any other discussion? There
23 being none, I sense you're ready to vote. Sir,

24 come up here.

25 MR. SILVA: Joe Silva, 26 Clark Road. My

1 question is in the event of a merger in the
2 future, considering the contract goes to 2010,
3 what would be the result of the merger of the
4 districts in this contract?
5 MR. COTE: It is my understanding that
6 when the merger took place with the other
7 districts, the contracts that were in existence in
8 those merger districts were honored until their
9 completion by the merger district, and then they
10 renegotiated a contract for all of their employees
11 that one contract that would cover all of their
12 employees. In the event of a merger, if that is
13 what takes place if that's what the taxpayers
14 decide, they want in the future, if that ever
15 happens, it would be the Board of Directors'
16 responsibility to our guys to make sure that they
17 went in equal with the mergered department, so
18 that our guys wouldn't take a beating in the
19 merger, and not for a minute do I think they
20 would. That's not how things are done up there,
21 and I know that, but it would be this Board's
22 responsibility to our guys to make sure that it

was done correctly. It would be this Board's responsibility to the taxpayers. That's who elected us to make sure that that is done

correctly. That's the best answer I have for you.

MR. BURNS: Thank you, Mr. Cote. Any other further discussion? There being none, I sense you're ready to vote. Those in favor will signify by raising your right hand.

(HAND VOTE)

MR. BURNS: Opposed, raise your right hand. Opposed, raise your right hand. I see no hands up. Clerk, record the vote as unanimous.

(MOTION PASSES)

MR. BURNS: The second order of business is the second resolution and call of the meeting. Mr. Cote.

MR. COTE: Resolved, that the actions taken by the Board of Directors since December 2006 on behalf of the Coventry Fire District are hereby ratified and confirmed by the Coventry Fire District.

MR. BURNS: You heard the motion. Is there a second?

MS. MATTHEWS: Shirley Matthews. I

22 second the motion.

23 (MOTION AND SECOND)

24 MR. BURNS: Thank you. Mr. Cote, do you

25 want to explain that?

1 MR. COTE: Yes, I would, please. Since

2 we were elected as the Board of Directors at our

3 annual meeting in December, I just want to hit on

4 some of what this board has undertaken and what we

5 have accomplished in the months since we've been

6 in office. Okay. These include union contract

7 investigation and negotiations from previous

8 resolution, as you know, arbitration proceedings

9 after union filed for arbitration. We've made a

10 payment, we made our first payment on the rescue.

11 Review of retirement package given to Chief Murk

12 to determine if it complied with resolutions from

13 the 2006 annual meeting. We've had that reviewed.

14 Evict non-paying tenants in the district's

15 property owned -- the house next door is now

16 empty. Neither tenant was paying their rent on

17 time. The gentleman on the first floor was

18 fifteen months behind. Neither tenant is there

19 anymore. Hiring of the attorneys that now

20 represent the district. Conducting of board

21 meetings. When we started, we conducted board
22 meetings on a weekly basis. After two and a half,
23 three months, we moved to biweekly, and recently,
24 we have dropped to one meeting a month of the
25 Board of Directors. We have referred a number of

1 different items to insurance carriers for payment
2 for the insurance carrier so it didn't have to
3 come out of our budget, and we have, through an
4 application and interview process, we have
5 reenacted the citizens advisory board, and when we
6 get further on in the resolutions, I'll be able to
7 explain more what the responsibilities of the
8 citizens advisory board will be, but we wanted to
9 do that, because it's my belief that the more
10 taxpayers that are involved and can learn about
11 how this fire station is run, the better
12 understanding that everybody will have about how
13 their tax dollars are being spent and what exactly
14 their tax dollars are being used for. So, we try
15 to involve as many members of the community as we
16 can. So far, besides the executive board, we have
17 appointed, through an interview process, like I
18 said, a citizens advisory board, and we're going
19 to be looking at forming probably at least two

more subcommittees to review and bring back recommendations on a couple of other issues that are facing this department. So, we're trying to bring the taxpayers in, because there's no better advertisement than word of mouth, and if one of you are involved and tell five people in your

neighborhood about what's going on down here and how their tax dollars are being spent, that's less questions we have to field from people at our annual meeting that don't really know what's going on, but they got their tax bills and now they want to come and ask questions. That's what we're trying to do there, you know.

MR. BURNS: Any questions for Mr. Cote or the Board? Mr. Cotnoir.

MR. COTNOIR: One question. At the last district meeting in December, I asked if the Board would review or check into whether we could merge with the other districts. I'd like to know whether they did that, because this is involved on the next item on the agenda, selecting the chief would be involved in that, too, because there's no need for a chief if we can merge with the other districts, and it might be cheaper than staying

19 alone. I don't know.

20 MR. BURNS: Does somebody from the board

21 want to respond to that?

22 MR. COTE: I don't believe that a merger

23 was on the agenda, but I will answer that just

24 because I want to and because I believe you

25 deserve an answer. We've had Chief Hoxsie here

1 for a meeting, and at this point, this district is

2 not appealing to the merger. We have too much

3 in-house work to do before they would accept

4 responsibility for this district. We had one of

5 their chiefs here for a meeting. That question

6 was asked directly to that chief. It's in the

7 public minutes, and his answer was, "Right now,

8 the Anthony Fire District is not attractive to the

9 merger to become part of that merger. There's too

10 much work that needs to be done here." But I

11 remember making the statement to you at the annual

12 meeting, and that has been discussed, it has been

13 discussed with Chief Seltzer and Chief Hoxsie.

14 Chief Warren is in the back of the room; he can

15 attest to that. So, I'm a man of my word,

16 Mr. Cotnoir, and those discussions did take place,

17 and it's just not the right time right now. We're

working towards the future as we speak, though.

MR. BURNS: Any other discussion? If not, since you're ready to vote, those in favor signify by raising their right hand?

(HAND VOTE)

MR. BURNS: Those opposed, raise your hand. The chair will direct the secretary to record it as unanimous again. Go onto the next

resolution. The motion passes.

(MOTION PASSES)

MR. COTE: The Board of Directors is hereby authorized to hire a full-time chief of the Coventry Fire District, who will serve at the pleasure of the Board of Directors for initial term not to exceed one year, with the option for renewal at the Board's option and a salary based on what the taxpayers have already budgeted, $64,900 per year, with adjustments for medical coverage.

MR. BURNS: I move passage of that resolution?

MR. COTE: I move passage of that resolution.

MS. MATTHEWS: Shirley Matthews. Second.

(MOTION AND SECOND)

MR. BURNS: Motion made and seconded. Discussion Discussion? Mr. Gorman.

MR. GORMAN: Is that a full-time or part-time? I couldn't hear you.

MR. COTE: Full time.

MR. GORMAN: Full time.

MR. COTE: I'm sorry. I usually speak loud enough for you to hear me. I'm sorry.

MR. GORMAN: To the tune of how many thousands of dollars are we talking about?

MR. COTE: $64,900, that's what was budgeted in 2006 for the chief's salary. That money was already budgeted for a full-time chief. That was already approved by the taxpayers.

MR. BURNS: Any other discussion? Gentleman in the back.

MR. CALCI: Keith Calci, 789 Washington Street, Coventry, Rhode Island. I just have a question for the board. What type of qualifications are, like no disrespect to the board, but obviously there's no experience or anything on the Board, as far as interviewing candidates for the fire chief's position, what is

16 the Board looking for for qualifications, what
17 does the person need to have, what history, how
18 many years experience?
19 MR. COTE: As the Clerk of the Board of
20 Directors, as you know, at all our meetings, you
21 have a voice. You don't have a vote. I asked you
22 back as a clerk for a very specific reason,
23 because you have the experience in fire service
24 that we don't have, and believe it or not, as far
25 as the Board is concerned, you will be one of the

1 leading authorities on what we need for a chief
2 when we start looking for one, because the Board
3 doesn't know what a minimum job requirement for
4 the chief would have to be. You do. We have
5 firefighters here that, through the partnership we
6 have developed, have offered their help with
7 coming up with a list of minimum job
8 qualifications for the chief's job. And we would
9 be asking for that help. And I don't mind saying
10 that publicly, because this board does not know
11 everything about fire service, but when we don't
12 know, we're not afraid to ask for help, and we
13 will absolutely do that, and we will post the
14 position in the newspapers, and we will seek

15 applicants for the position from as far as we have
16 to to get the best qualified for the money that we
17 have to spend, and when we post the position,
18 there will be a list of minimum job requirements
19 posted with that position, so they know what they
20 have to have before they even come down to fill
21 out an application.
22 MR. CALCI: Okay. I personally don't
23 think I have the -- I have many years of fire
24 service, but not the experience to obviously
25 interview a chief or, you know, that type of

1 thing. Certainly not, you know, but I would
2 normally make recommendations as we stated before,
3 I discuss things with you and the Board, but I
4 think we need to, if we're going to pass a
5 resolution in general, we need to specify some
6 type of requirements. So, whether or not the
7 requirements need to be drawn up and then another
8 resolution passed on the exact requirements of the
9 chief's position. I don't want to hire a chief
10 that might be, you know, a private somewhere or no
11 fire experience. I know you wouldn't do that
12 anyway. It needs to be, you know, minimum
13 qualifications, such as, you know, either

14 experience as a chief officer in another
15 department for so many years.
16 MR. COTE: I agree. I agree. I
17 absolutely agree. I absolutely agree.
18 MR. CALCI: That's one of the big things
19 I would like to do first.
20 MR. COTE: When I say to you that we are
21 going to get the best that we can for the money
22 that we have to offer, I mean, I can't make the
23 statement any more honest than that, and when we
24 have our regular meeting and you say look, you're
25 asking me questions that I don't know, then we

1 will get the answers we need. Then we will get
2 the answers we need. Whether it's from other
3 chiefs in town who can recommend what we need to
4 look for. I don't mind asking for help. I don't
5 mind asking for help. I really don't. I am going
6 to get the taxpayers the very best I can get them
7 for the money we have to spend.
8 MR. CALCI: The only other thing I
9 recommend changing in our resolution, at least put
10 a minimum year's experience in a chief officer
11 type position, just because that would cover us,
12 so if there's any question, we know the person

we're hiring has some experience as chief officer in another department, the way this district has been run in the years past, without much leadership, in my personal opinion.

MR. BURNS: Mr. Calci, your proper intention here would be to make an amendment to the motion; do you have an amendment?

MR. CALCI: I'd like to amend the motion to say that there would be at least a year's experience as a chief officer, whether it be the assistant chief, deputy chief, requirement in this chief's position.

MS. LEROUX: How many years?

MR. CALCI: At least a minimum of a year chief experience, I would say, unless you have a different opinion.

MS. LEROUX: How about eight years?

MR. CALCI: For $64,000, I don't think we'll get a chief with eight years experience.

MR. BURNS: I have a motion made on the floor for one year's minimum experience as the chief officer. Is there a second to that motion?

MR. GORMAN: I second the motion.

(MOTION AND SECOND)

MR. BURNS: Motion seconded by Mr. Gorman. Discussion on the amendment only? The only part he is amending is the years of requirement as chief officer experience, correct?

MR. CALCI: Right.

MR. BURNS: Any discussion on that? Mr. Cotnoir?

MR. COTNOIR: I guess my question is somebody ought to have to define what a chief officer is to me.

MR. BURNS: I think we can do that. A chief officer would normally be assistant chief or a chief of an operating department, who normally would be considered to have been full time and to

have experience in administering the department, that's contract negotiations, budgeting, P.R. in the community, equipment purchasing, the things that you would have to do if you were running this department as the chief of the department. You have a board that sits over you, but they look to you to take care of the day-to-day operations and things, and they look to you to recommended to them if you want a fire truck with ten wheels or 28 wheels, if you want three rescues or one. You

11 have to have the experience of a chief officer.
12 Mr. Calci's motion is looking for that type of
13 person who has at least one year's experience.
14 Does that answer the question of chief officer
15 adequately? Well, if I'm wrong, somebody correct
16 me, please. If not, is there any further
17 discussion on the amendment? There being none,
18 those of you who are willing to want to have the
19 amendment passed for a chief officer requirement
20 to have at least one year's experience, signify by
21 raising your right hand.
22 (HAND VOTE)
23 MR. BURNS: Those opposed?
24 (HAND VOTE)
25 MR. BURNS: 18 to -- 19 to four. Motion

1 passes.
2 (MOTION PASSES)
3 MR. BURNS: You have one job requirement
4 so far. Mr. Gorman.
5 MR. GORMAN: Discussion. I'd like to add
6 a couple of, either one or two things. You know,
7 we add the job requirements now, or the Board sets
8 up some type of personnel board with fire union
9 representation and they sit down and decide who is

10 going to or what the job description, job
11 requirements are. I know me, personally, I'm a
12 firefighter; I could rattle off some job
13 requirements to you. I don't know if the rest of
14 the taxpayers would be able to understand what
15 they are. I would think it would behoove both
16 parties, the union and the fire district board, to
17 form a committee, a personnel committee with the
18 fire district and a union rep and sit down so they
19 could explain to you the operation side of what
20 you need to be a fire chief. Because I know,
21 Gary, truck driver, correct? I couldn't tell you
22 how to do your job. I'm sure you could ask a
23 firefighter how to do their job, and my amendment
24 would be we direct you to be a personnel board
25 with union rep on there.

1 MR. COTE: I believe that it's a matter
2 of the public record now, because I said it the
3 first time I spoke, that because we don't know, we
4 would ask our union firefighters for input on
5 minimum job requirements for this position.
6 MR. GORMAN: I would make the amendment
7 formality that they're required to be input into
8 that.

MR. BURNS: Let's get your amendment motion further. There be --

MR. GORMAN: Personnel board consisting of a minimum of one board of directors, one union representation, and one taxpayer at large.

MR. BURNS: What they're doing, Gary, is amending the motion to say you have to have a minimum of one union representative, one director, and one taxpayer on the board minimum.

MR. GORMAN: I should say that should be the personnel board.

MR. BURNS: Is there a second to that motion?

MR. STEVENS: Second. Michael Stevens, Two Mountain Laurel Drive.

(MOTION AND SECOND)

MR. BURNS: We have a motion to add three

people minimum to the personnel board to set criteria for the job qualifications for chief. It's a minimum of one from the union, one from the board, and one taxpayer at large. Is there any question on the definition of the amendment? Mr. Budziak.

MS. MATTHEWS: Excuse me, Conrad, can it

be termed differently to be advisory board?

MR. GORMAN: I can term it to be the chief seeking committee.

MR. BURNS: Personnel board.

MR. BUDZIAK: I got a question for you with that amendment. That union person, can he also be the taxpayer?

MR. BURNS: I would think the spirit of the motion was they wanted three different types of people. The motion doesn't say no.

MR. BUDZIAK: That's what I'm asking you. So, should we draw a line there? In other words, if you're going to have a fireman, a union fireman, and you're going to have a taxpayer or you're going to have a taxpayer union fireman. In other words, like Mr. Gorman or Mr. Stevens?

MR. BURNS: Mr. Gorman, do you have an objection to that taxpayer being a non-union

person?

MR. GORMAN: The spirit of my motion, let me try to clarify it, is to have the union representing this fire department, one member, whether it be their president, whoever, sitting on the board and a taxpayer at large. I don't care

7 who you are at large or what you do.
8 MR. BUDZIAK: But if you're the union
9 fireman, say -- in other words, you're the union
10 fireman?
11 MR. GORMAN: I don't work for the
12 district, though.
13 MR. BUDZIAK: No, let's say you are the
14 union fireman representing the district, right,
15 and the taxpayer; now there's another union
16 fireman here, but he is representing it as the
17 taxpayer. Now you got two union firemen
18 representing it.
19 MR. GORMAN: You could have two union
20 painters? I don't know. You can't preclude
21 someone from being union or non-union.
22 MR. BURNS: He's trying to get a rounder
23 board. Can you buy that concept?
24 MR. GORMAN: I can buy the concept, but
25 you can't preclude somebody from their

1 organization.
2 MR. BUDZIAK: Now you're putting two
3 union people there at the same time, that's what
4 I'm trying to tell you.
5 MR. BURNS: You're directing the

6 committee as a taxpayer, you put no restrictions
7 on it.
8 MR. GORMAN: Taxpayer. That is all I'm
9 trying to get.
10 MR. BURNS: Can we call him a taxpayer at
11 large?
12 MR. GORMAN: That is what I'd like to
13 call it, if you -- that was the original, if you
14 want to read back.
15 MR. BURNS: That would put me in at
16 large. I think the maker of the motion is in
17 agreement the board would consist of three people,
18 one a taxpayer at large, one union representative
19 representing the union, and a third one
20 representing the board. Can you take that in
21 context and keep that?
22 MR. COTE: Yes.
23 MR. BURNS: Okay. Fine. Do we have any
24 other questions on the amendment?
25 MR. STEVENS: Was it a minimum three

1 members only?
2 MR. BURNS: Minimum three members.
3 MR. GORMAN: There could be more. Could
4 be less.

MR. BURNS: Could have seven. Could have nine. That's their choice. You're just putting people on that committee. So you can't say one, committee of one went out and picked the chief. And we have that happen sometimes. Any question on the amendment? Amendment has been defined. Those of you in favor of the motion will signify by raising your right hand.

(HAND VOTE)

MR. BURNS: Those opposed, raise your right hand?

(MOTION CARRIES)

MR. BURNS: Okay. You have a motion that's been amended twice. All right. One is for them to hire a chief. The second one is to put a three member personnel board and to have a minimum requirement one year of chief officer experience. Is there any further discussion on the main motion? There being none, I sense -- Mr. Calci.

MR. CALCI: I just have one question, just to clarify. The Board that we just voted on

and discussed, is that to hire the chief or is that to put qualifications?

MR. BURNS: That's to put qualifications.

Mr. Gorman.

MR. GORMAN: The intent of my amendment, and I'll make another one if I need to, was to set up a board, I should have said it, and I stand corrected, was a selection committee.

MR. BURNS: You didn't say that that wasn't your motion. Whether that board is selecting or putting the criteria is two different things. Motion made, and the motion here is for them to hire. All right. Your motion to have a selection committee would be contrary to the motion. You'd have to vote the motion down. The motion has been made. Two amendments have been passed. Any further discussion? There being none, those in favor of the main motion as amended will signify by raising your right hand.

(HAND VOTE)

MR. BURNS: Opposed, nays, raise your hand. I'd like the clerk to record the motion as unanimous. Approved.

(MOTION PASSES)

MR. BURNS: Mr. Cote.

MR. COTE: Resolved, that the Board of Directors is authorized to review and correct all

3 conflicts between the Charter and By-laws and to
4 hire professionals to assist in drafting
5 legislation for the General Assembly and that the
6 voters shall ratify all changes and amendments to
7 the Charter. May I?
8 MR. BURNS: You move that resolution?
9 MR. COTE: I move resolution.
10 MR. BURNS: Second to the resolution?
11 MS. MATTHEWS: I second the resolution.
12 (MOTION AND SECOND)
13 MR. BURNS: Motion duly made and
14 seconded. Mr. Cote, explanation?
15 MR. COTE: Yes, please. What this
16 resolution is intended to do is bring our charter
17 out of the dark ages and into the modern times,
18 and to also bring it in line with our by-laws that
19 were amended in 1994 and '96 -- '06, right, and
20 '06, although those changes have never been typed
21 in. And what we're asking is to investigate the
22 changes that need to take place and come to the
23 voters at our annual meeting in December and let
24 the voters ratify those changes before they take
25 effect. So, this is just giving us permission to

1 do more work, believe it or not, and to hire a

2 professional, which we already have in the
3 district that are working for the district
4 already, to help us draft the legislation
5 correctly so the changes are made correctly to the
6 charter. Before those changes take effect, you
7 will have an opportunity as the contractual agents
8 for this district to ratify those changes at our
9 annual meeting in December before any of those
10 changes can take effect. So, all we're asking for
11 is permission to review and to make a list of
12 changes and hire professionals to help us do that
13 where it's necessary. Believe me, the board will
14 do as much of it as we can. That's where the
15 citizens advisory board comes in. We'll have five
16 more members on the citizens advisory board that
17 can assist us, because if you ever saw a copy of
18 our charter, 60, 70 pages, it's too much for five
19 people to be able to do alone. So, we bring the
20 citizens advisory board in to help us review the
21 charter. We name people to the subcommittee to
22 review the by-laws to make sure our by-laws are
23 now legal. We're trying to tie up all the loose
24 ends that weren't tied up in the past, so we as a
25 district, because I'm a taxpayer here, too, we as

a district will not have to go through this after the next election of a new board, if the taxpayers decide to elect a new board when our tenure is up. This work will have already been done. They can come in to a set of rules and regulations that the district is already adhering to. We're just trying to clean things up from the past that, for whatever reason, we are a very busy department, have fallen by the wayside. We are trying to clean those up now, and that's all we're asking for permission to do.

MR. BURNS: Any discussion on the motion? There being none, those in favor will signify by raising their right hand.

(HAND VOTE)

MR. BURNS: Those opposed, raise your right hand. Unanimously approved. Thank you, very much. The call of the meeting calls for another matter to be brought before the group here tonight, and that was to discuss a legal case pertaining to the deputy chief with taxpayer input. Is there someone prepared to make a motion on that issue tonight?

MR. HARTMAN: Yes. First Assistant Chief Joseph Hartman, 107 Columbia Avenue. Resolved,

that the taxpayers of the Coventry Fire District assume financial and legal responsibility for the expenses incurred by Assistant Chiefs Joseph E. Hartman and Robert Warren, in defense of lawsuit filed by Quinn and Quinn on 2/27/07 while serving in their capacity as district officers/ representatives of the Coventry Fire District.

MR. BURNS: You move passage of that resolution?

MR. HARTMAN: I move passage.

MR. BURNS: You heard the motion. Is there a second to the motion?

MR. COTE: Mr. Speaker, I second it.

(MOTION AND SECOND)

MR. BURNS: Joe, do you want to explain what this is all about for people who don't have any idea what is going on?

MR. HARTMAN: Back in 2003, in the annual financial meeting of the district, we tried to get an audit of the department done at that time, and we couldn't find anyone. I believe the district secretary drove herself nuts trying to find somebody, and we couldn't do it, and time went on. We had a board meeting upstairs. There was a very loud and clear message from the taxpayers that

attended that board meeting. Several of you are here tonight, and the call that night was made to have a forensic audit of the district funds. A motion was stated, it was seconded, and it was passed by the board of engineers, which was myself, Deputy Chief Warren and Chief Murk. Deputy Chief Warren was given the job to find a company to handle that. He did that. When it came time to put these people on board and put that audit into gear, we ran into difficulty getting a meeting to get the approval for that audit. Through advice of the company who our attorneys said that we were within our rights to call the meeting, which they, by the way, assisted in writing the call for that meeting, we had the meeting. It was voted to hire the company, and they were put on board. Approximately eight to twelve days later, the past administration decided to go to court to get an injunction against that audit, and for all intents and purposes, it was stopped. And it's kind of been in limbo since 2004. Unbeknown to me, and I've been on the Board of Engineers for a good many years, I didn't know about the suit that went against the district that

25 was put in by Quinn and Quinn, and that sort of

1 laid dormant in Superior Court in Providence, and
2 then these lawyers decided, well, we can't go
3 after the district. So, we're going to go after
4 the two guys that we worked with, and that's what
5 they've done. They've personally filed a lawsuit
6 in Superior Court, Providence, against myself and
7 Assistant Chief Warren. It's pretty unfair that
8 we're being sued individually for this. We were
9 here, we listened to the requests of that evening
10 for this audit, and we wanted to get this audit
11 done. We were here working for you, not as
12 taxpayers, although I am, and so is Bob Warren,
13 but we were here as district officers, and we're
14 being sued individually, and I'm sorry, that's not
15 fair. You look at what goes on within the town,
16 within the state government, their officers, their
17 representatives have legal counsel, but we didn't
18 have any legal counsel, and we had to hire it.
19 And that's put a big hardship on my family, and I
20 know it's put a big hardship on his. It's very
21 expensive to have to retain attorneys. I move
22 passage of that resolution.
23 MR. BURNS: Motion has been made and

24 seconded. Discussion? Mr. Cote.

25 MR. COTE: I'm standing here before you

1 tonight a little torn, because I'm the chairman of
2 this board, and I was elected to do a job by the
3 taxpayers. I believe -- I believe in my heart
4 that Deputy Chief Hartman and Deputy Chief Warren
5 were acting in what they thought was the best
6 interest of the taxpayers of the Anthony Fire
7 District, I have to tell you that. I firmly
8 believe that they were. I really hate this part
9 of the job. As the chairman of the Board of
10 Directors, what I have to tell you is that the
11 work done by Quinn and Quinn was deemed illegal,
12 because it was voted upon and approved at an
13 illegal meeting that was not called by the
14 president of the Board of Engineers, who had the
15 only power to call a meeting. Although our two
16 chiefs received erroneous advice from their legal
17 counsel, they called the meeting without the chief
18 engineer's knowledge or approval; therefore, the
19 case was deemed illegal and thrown out of court.
20 Quinn and Quinn worked approximately twelve days.
21 MR. HARTMAN: Around eight days.
22 MR. COTE: Eight to twelve days, and the

23 bill they submitted is $86,000 for payment. As I
24 said earlier, we're here tonight for ratification
25 of the union contract, because our charter clearly

1 states that ultimate contractual ratification lies
2 with the taxpayers of the Anthony Fire District.
3 At the meeting where this was approved, there was
4 not a quorum. They did not have 32 people. The
5 meeting was called illegally, therefore, the case
6 was dismissed in a court of law. We have been
7 named as third party suits -- third party
8 defendants in the suit against both acting chiefs.
9 We are going to have to defend ourselves in that
10 action. Know, so we know all of the information,
11 that if you approve Deputy Chief Hartman's
12 request, you will be paying legal counsel to
13 defend us against that suit, and you will also be
14 paying legal counsel to sue us. So, you're kind
15 of in a catch-22.
16 MR. BURNS: Thank you. Mr. Gorman.
17 MR. GORMAN: I was quite involved in last
18 year's fire district, and I recall the meetings
19 vividly. I do recall Chief Warren and Chief
20 Hartman both acting, actually, Chief Murk, we
21 couldn't get much out of the Chief Murk at the

22 time, he wasn't giving these taxpayers anything.
23 Chief Warren and Chief Hartman stepped up to the
24 plate for the taxpayers. They came to us, they
25 were on their own. They did everything they had

1 to do to get this district in line, and Chief
2 Murk, somehow, on a technicality, was able to get
3 away with it, again, in my words or my opinion,
4 and circumvent the will of the taxpayers. My
5 recommendation is that we support these two
6 gentlemen and vote for them, because they were
7 acting with corporate authority of this district.
8 They were running the district when they made that
9 decision to hire Quinn and Quinn. If we do not
10 support them, it's a bad move of the taxpayers,
11 because they were doing the work of us we asked
12 them to do.
13 MR. HARTMAN: A couple of other things
14 I'd like to add, that bill is eighty something
15 thousand dollars that we're being sued for. Well,
16 that's because, for all intents and purposes, the
17 original suit was buried. It was fought, or
18 whatever happened, I don't know, I wasn't privy to
19 any of that.
20 MR. COTE: Nor were we.

MR. HARTMAN: Nor were you guys. As a matter of fact, I found out through discussion I had when I called these attorneys to tell my opinion to them, but anyway, I found that out just as a for instance in the conversation I had with

them, and I was surprised, because I didn't know it. One of the things that we were advised by many people that we talked to along the way, including our own attorneys, was that we should file suit against the district. We had to do that to protect our homes and our families. I think if the district comes forward and takes over this, which they rightly should, I think that suit will go away. I can't speak for Bob, but I think I can allude to my own. The 80,000, there's a lot of interest in there that was allowed to incur through inaction, and I don't see where Bob and I are required for that.

MR. BURNS: Ms. Ledoux, do you want to speak?

MR. HARTMAN: Joanne Ledoux, district secretary for the Coventry Fire District. If my recollection is correct, at either the October special district meeting held at the middle

20 school, the taxpayers voted not to pay the
21 lawyers. They voted it from the audience. It was
22 approved not to pay the lawyers. So, it wasn't
23 buried, it was -- we weren't going to pay the
24 bill, because it was found deemed illegal in court
25 what they tried to do.

1 MR. BURNS: Mr. Cote.
2 MR. COTE: The other thing I want to let
3 the taxpayers know is that we have tried, the
4 Board referred this matter to our insurance
5 company under our errors and omissions section in
6 our policy. The insurance company -- what
7 happened was the insurance company, and I'm going
8 to say, dropped the ball. They knew there was a
9 deadline on this case being answered. We were
10 told they were going to take care of it, they
11 would get ahold of the attorneys and take care of
12 it while the investigation was going on as to
13 whether we had coverage or not. They received a
14 continuance on it. Before the continuance was up,
15 they determined that the two deputy chiefs were
16 not eligible under the errors and omissions
17 section in our policy, and our policy in no way,
18 shape, or form covered these legal fees. What

19 they forgot to do was inform anyone involved in
20 the case that they had received a continuance on
21 it and that it was up in twenty days. So, the
22 claim went unanswered, at which point a default
23 judgment was issued against the chiefs, okay, and
24 that's when they hired attorneys for themselves.
25 What I would like to do, because he's worked on

1 the case on behalf of the district, was I would
2 like for Arthur Capaldi to stand and explain to
3 the taxpayers exactly what is going on with this
4 case. I'm not an attorney. I don't know how to
5 explain it to you. He is an attorney. He does.
6 MR. BURNS: Mr. Capaldi.
7 MR. CAPALDI: I empathize with Chief
8 Hartman and Chief Warren. I feel bad for Chief
9 Hartman and Chief Warren, but right now you're in
10 the middle of a conflict. You're being sued by
11 them. At the outset of their case, I spoke with
12 them concerning whether or not the fire district
13 could represent them in this lawsuit, and I told
14 them no, because eventually, you're going to turn
15 around and sue the fire district once you're sued.
16 I had told them that when I talked to them. This
17 case was not thrown out on a mere technicality.

18 There was an attempt to take over the fire
19 district to take its records. Doors were locked.
20 Records were taken, all at the advice of these
21 lawyers. They didn't even call the meeting
22 properly. Your district went to court, and after
23 hearing in superior court, the superior court
24 determined that the actions taken at that board
25 meeting were illegal, and everything that flows

1 from that meeting was illegal. That means that
2 contract with that lawyer or those lawyers, in my
3 opinion, was illegal. I don't really believe they
4 have a case at all against these two gentlemen.
5 That's not what they were worried about, and I
6 think he said -- I don't think these lawyers are
7 going to get their money. I don't think they are,
8 either, but what they're looking to do is for you
9 to pay their legal fees while this is going on. I
10 think that's premature at this time. I don't know
11 how a client of mine can pay for the defense of
12 the people who are suing my client. I mean, I
13 just never heard of that before. There is a suit
14 that is pending in superior court, and there's a
15 motion to dismiss that suit that's pending before
16 a judge where those lawyers sued you people. That

17 case is going to be dismissed, because, as Joanne
18 said, there was a vote not to pay those lawyers.
19 Besides that, their actions were illegal. Their
20 bill is illegal. So, ultimately, I don't think
21 that anybody is going to pay these lawyers a dime.
22 In fact, they should be sued for malpractice, and
23 I mentioned that to your lawyer. Okay. I am
24 cooperating with his lawyer. I know the charter.
25 I'm giving him all the information I can give him

1 to help him dispose of this case in a timely
2 manner so that the stress that these men are going
3 through because of being sued is over. May I
4 recommend and just throw this out, I don't think
5 it's proper for you people to pay two lawyers, one
6 to defend you, and one to sue you. I mean, it
7 just doesn't make sense. What I think you may
8 want to consider is maybe at a later time, a
9 reimbursement once the matter is finished and
10 over. This case is going to go away, and I'm
11 almost 100 percent positive that these lawyers are
12 not going to be paid. And I would suggest that
13 maybe your motion would be better placed before
14 this body when the case is over, we're no longer
15 in it, and you can come back and say, "Listen, it

16 cost me $8,000, it cost us $10,000, we were really
17 trying to help you people out. We got in the
18 middle of this. Can you help us out?" I think
19 that would be when the case is over and dismissed.
20 So, I'm just going to recommend that maybe you
21 want to reconsider this at a later time, but I
22 have to tell you that it's very awkward for you
23 people to pay two lawyers, one to defend you and
24 one to sue you.
25 MR. HARTMAN: I'd like to respond to

1 that. As I stated before, I think the lawsuit
2 that we had to invoke on the district, we had to
3 try to protect our families and our homes. And I
4 think if the right thing is done here tonight,
5 that lawsuit will go away, because I will
6 recommend to the lawyer that he pull that lawsuit,
7 and I think Bob is in agreement with me. I know
8 he's in agreement with me. Secondly, I understand
9 where Arthur is coming from, he wants us to wait
10 until this adjudication is done. Well, I don't
11 have a whole lot of extra money to sit and pay
12 this lawyer constantly for what may or may not
13 happen. And what do I do, come back here in a
14 year after my house is up for sale. I don't think

so.

MR. BURNS: Any further discussion? Mr. Calci.

MR. CALCI: I would also be in agreement to support the chiefs in this endeavor, because they were acting as district officials in the best interest of the district at the time that this happened. There's no way that they should have to come up with money in advance and then worry about getting reimbursed by the district afterwards. It makes no sense at all. It was never done before

that way. We never had any other suits that anybody put money out of their pocket and then came back to the district for reimbursement. The chief never did that before with who knows how many lawsuits we've had and paid out in legal fees years ago, hundreds of thousands every year. So, to not represent the two chiefs as district officials, when they were acting in their capacity as that, I think, is kind of crazy. It's our duty as taxpayers. I think we'll be in worse shape if we wait and then are sued by them, and now there's three or four lawsuits. Who knows what suits are going on. Why can't the district represent these

14 two chiefs? I don't understand as far as maybe
15 the attorneys can explain it how, in other words,
16 the district can't step forward and represent
17 these two gentlemen, like you said, even as a
18 malpractice as the other two attorneys did wrong
19 by giving them misinformation?
20 MR. CAPALDI: He asked me. The basis of
21 all of this was that the fire district never gave
22 them authority to enter into that contract.
23 That's the bottom line. There was never authority
24 from the fire district, from the voters
25 authorizing them to do what they did, and only you

1 people have that right. So, that's the bottom
2 line, and so you got to take that into
3 consideration when you're looking at what you're
4 doing as far as paying for defense, okay, and I
5 would also suggest that if that lawsuit was
6 dismissed today before he came here, it may be a
7 different light on the whole thing, but certainly,
8 you have to remember, you people did not vote for
9 the actions taken that day by the chiefs and by
10 those lawyers. It was contrary to what you people
11 voted.
12 MR. CALCI: I would disagree with that,

13 that we absolutely voted for it. During that
14 meeting, we voted to have those chiefs do that,
15 and the opinion that the attorneys gave us at that
16 meeting was they had every right to do this. They
17 told them, "Gentlemen, you're within your rights
18 as district officials to do this." So, the intent
19 was always not to, you know, to go under or
20 anything or to go under the radar. The intent was
21 always to be aboveboard, but they're getting legal
22 advice saying okay, you as a district chief have
23 the right to do this, and then they do it. They
24 should be covered by the district. Why should
25 they put a penny out of their pocket?

1 MR. CAPALDI: But remember, those
2 lawyers were not representing the fire district.
3 They were never hired by the fire district. They
4 were never representing the fire district. So,
5 whatever advice they gave was not for the fire
6 district. I don't know who they were
7 representing, but they weren't representing this
8 body.
9 MR. CALCI: They were, I believe they
10 were representing the taxpayers that had always
11 wanted this audit, and the way they interpreted it

and the way they moved forward on it, I think the intent was always to do it that way.

MR. CAPALDI: I know, and I know your name well, because I read all these minutes, and I know the minutes. I know Mr. Gorman, and what you brought up at these minutes, you have to have a valid vote, and you can't show me any meeting that this body attended that was official, a legal meeting where they voted to do what was done at the meeting you're at.

MR. CALCI: Okay. But my last statement to the taxpayers would be for years and years, we may have done things and spent hundreds of thousands of dollars on things we never voted for,

that I believe were wrong, and we should have never spent a dime done, and we did it. I think it is time we stepped up to the plate and defend the two chiefs that did act upon what they believe was right for the taxpayers.

MR. BURNS: Mr. Calci.

MR. GORMAN: I'd like to move the question to a vote.

MR. BURNS: Motion on the floor to move the question. Effectively, moving the question

11 eliminates debate.

12 MS. MATTHEWS: Excuse me, would you

13 remove that? I'd like to speak. I'd like to have

14 Mr. Gorman remove that motion, just so I could

15 speak, please, for a minute.

16 MR. BURNS: Mr. Gorman, are you

17 acceptable for that?

18 MR. GORMAN: For Shirley only. In my

19 opinion, I think we beat a dead horse.

20 (MOTION WITHDRAWN)

21 MS. MATTHEWS: I have been sitting here

22 and wanted to say, as Mr. Hartman referred

23 earlier, I was one of the people involved in this,

24 and I can tell you that it was not the intent of

25 these two men, which I'm sure everybody here

1 realizes, to undermine the taxpayers or anything

2 else. I was there. I was at several meetings.

3 You have two attorneys, competent attorneys who

4 gave advice and gave bad advice, but we didn't

5 know that. They followed the attorney's advice

6 right to the letter, right to the meeting. I was

7 at the meeting. They were told the meeting wasn't

8 posted properly. They were told several other

9 things, and they just said it's okay, it's legal,

we can go ahead, and the meeting was gone on with. So, I mean, you know, I just think it was agenda and possibly on two people to take advantage of some other people, but again, they're suffering for it, but you know, that's all I have to say.

MR. BURNS: Mr. Gorman, your motion to move the question is still on the floor.

MR. GORMAN: Move the question.

MR. STEVENS: Second to the motion.

(MOTION AND SECOND)

MR. BURNS: For those not familiar with parliamentary procedure, moving the question eliminates/stops debate. It says we're not going to talk about this anymore. If we vote to move the question, we then have to vote on the question; there will be no more debate. All

you're doing is stopping debate. Those in favor of moving the question will signify by raising your hand.

(HAND VOTE)

MR. BURNS: Okay. 21. Those not in favor of moving the question, raise your hand. Okay. The question has been moved.

(MOTION PASSES)

MR. BURNS: You're now voting on the main motion. Proceed. You're voting on the motion, and I will read it to you. Resolved, that the taxpayers of the Coventry Fire District assume all financial and legal responsibility for all expenses incurred by Assistant Chiefs Joseph E. Hartman and Robert Warren in their defense of a lawsuit filed by Quinn and Quinn on 2/27/07 while serving in their capacity as district officers and representatives for the Coventry Fire District. The question has been moved. There is no discussion. All in favor of passage of this resolution will raise your hand. Those opposed? Opposed? Motion carries. Motion has been carried. It's positive.

(MOTION PASSES)

MR. BURNS: That being the last order of

business before this meeting, unless anyone has anything for the good and welfare of the organization that's quick and breaks the humidity, you can go forward. Mr. Hartman, speak your peace.

MR. HARTMAN: Just so you know, I'm a man of my word. I will be talking with the attorney

tomorrow to stop this lawsuit.

MR. BURNS: Motion to adjourn?

MR. COTE: Motion to adjourn.

MR. GORMAN: Second.

(MOTION AND SECOND)

MR. BURNS: All in favor, say aye.

(VOICE VOTE)

MR. BURNS: Opposed, nay?

(MOTION PASSES)

(ADJOURNED AT 8:40 P.M.)

C-E-R-T-I-F-I-C-A-T-E

7

I, MICHELE KELLY GAUDET, RPR, Notary

8 Public, do hereby certify that I reported in shorthand the foregoing proceedings, and that the

9 foregoing transcript contains a true, accurate, and complete record of the proceedings at the

10 above-entitled hearing.

11 IN WITNESS WHEREOF, I have hereunto set my hand and seal this 25th day of July 2007.

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13

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14 MICHELE KELLY GAUDET, RPR, NOTARY PUBLIC CERTIFIED COURT REPORTER

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16 MY COMMISSION EXPIRES: July 2, 2009

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