

Coventry Fire District Meeting  
Monday, July 14, 2015  
Club Jogues  
184 Boston St. Coventry RI  
6:30pm

Agenda

1. Emergency Evacuation Procedure
2. Roll Call
3. Pledge to the Flag
4. Minutes to previous meeting
5. Tax Collector's report
6. Treasurer's Report
7. Chief's report
8. Litigation and Tax Sale status
9. Discussion/Action – All MOU/MOA since last meeting
10. Discussion/Action – Accounts payable
11. Discussion/Action – “Grandfathered” health benefits
12. Discussion/Action – Street Lights
13. Discussion/Action – Sale of excess/unneeded equipment/property
14. Discussion/Action – Publication of delinquent tax report
15. Discussion/Action – Formation of a committee to investigate improving Rescue Recovery
16. Discussion/Action – Repair of ladder truck
17. Discussion/Action - Layoffs
18. Discussion – Referendum for additional tax revenue
19. Public Forum
20. Move to Executive Session Reason: Pursuant to RIGL 42-46-5

a. Pursuant to RIGL 42-46-5(a) (2) Sessions pertaining to collective bargaining and litigation.

21. Reconvene Public Session

22. Adjourn Meeting

Posted

Anthony Fire Station

Coventry Housing Authority

Coventry Shell

Meeting is called to order, Chief Warren reviews evacuation procedures. Roll Call, Board members present, John Cook, John D'Onofrio, Frank Palin, Brenda Raposo, absent Sam Rachiele. Others in attendance, Board Attorney Tim Williamson and Board Treasurer Dave Krekorian. John Cook leads the Pledge of Allegiance.

John D'Onofrio makes a motion to accept the minutes from the previous meeting. Seconded by Brenda Raposo. All in favor, motion passes.

Tax collector / Treasurer's report delayed till the arrival of David Krekorian. Frank asks attendees to refrain from public comment as per order of the agenda. Public comment requires you come to the front of the room, state your name and address for the record.

Chiefs Report:

Chief Warren states the topics he would like to discuss ie: sale of equipment, repair of ladder truck, are listed separately, further down on the agenda, he will address them at that point.

Moving to item 8, litigation and tax sales. Tim Williamson states that currently there is a lawsuit pending in the Kent County Superior Court regarding Kent County Water Authority for past collections. That matter is currently in discovery. There has been a complaint filed with the Department of Labor and Training, regarding Jeanne Lukowicz vs Coventry Fire District regarding the issue of unpaid wages as it relates to her severance package. Arbitration has been requested by the Union for a collective bargaining agreement for fiscal 2017. We are anticipating National Grid filing something as it relates to their claim but it has not been filed yet. Tax sales: two meetings with Arthur Reed the rep. from Country Title LLC, provided proposal documents to Board. Tim has been advised that he can engage Country Title LLC to do the tax sale. Agreement to be signed tomorrow.

John D'Onofrio questions why the Board wasn't notified about the litigation surrounding Kent County Water Authority. John states he would have like to know that information as it would have had a bearing on the Boards decision to go forward with the vote for the supplemental tax increase. John asks when Chairman Frank Palin knew about this and why the rest of the Board wasn't notified. Tim states that Frank had forward him the documents and takes responsibility for not notifying the Board. Tim indicates that he did apologize as he thought it had been discussed at the June 10<sup>th</sup> meeting. Tim states it's a complaint only, an answer has been filed and it is in discovery right now. John asks if Frank

was aware prior to Tim notifying him. Frank states he was aware of it, but he thought the board had been notified, back in June by Tim but was mistaken. John states for the record that he is filing a complaint with the Board, that information has been withheld. Frank Palin responds “complaint so noted”.

Treasurers Report: Dave Krekorian

We have collected approx. \$33,000.00 since Friday, \$58,000.00 in the bank right now. \$270,000.00 due by July 31, 2015. Receivables from prior years (before Nov. 30<sup>th</sup> 2014) total \$127,000.00. From Q1 & Q2 of 2015 \$126,000.00. Dave states late last week, there was not enough money in the bank account to make a full payroll. A decision was made whereby each employee got up to \$1000.00. Payable list to be reviewed and paid by priority. Approximate misc. payables including the rest of last week’s payroll is \$113,000.00. This figure does not include National Grid or Kent County Water. Dave states he has prepared some projections to include

- a. Full staff and change nothing
- b. Same staff but with no overtime and no longevity paid
- c. 6 layoffs
- d. Layoff all staff and just continue to pay bills.

John D’Onofrio asks Tim Williamson to advise the Board on the bills for Kent County Water / National Grid due to litigation. Tim states that the litigation is for past due amounts, and depending on the amount of revenue to pay what is due now or going forward would be up to the Board. David brings to attention that approx. \$23,000.00 is owed to the State retirement system, due tomorrow, of which \$6000.00 is escrow funds. These monies were held from employees pay and those MUST be paid. David states that he talked to the Director of Finance at the Board of Retirement System and went through some ramifications if the entire bill is not paid, basically they can begin legal action. John D’Onofrio confirms with Dave that the total amount of current unpaid bills is \$364,000.00. John asks why the letter from the Department of Revenue states CFD has unpaid bills totaling \$900,000.00. John D’Onofrio asks David if that number came from him. David explains he has not stated \$900,000.00 but he thinks what they are referring to is a projected deficit. John reads from the letter the exact wording as “currently has unpaid bills”. John asks David again “what is our current unpaid bills, \$364,000.00?” Correct replies Dave Krekorian. John Cook states that the Department of Revenues’ amount is \$600,000.00 more. John states that the letter from the Department of Revenue that came out today is incorrect, we do not currently have \$900,000.00 in unpaid bills, we have \$364,000.00. Frank and John get into a discussion over semantics and deficits.

Frank takes this time to read the letter from Department of Revenue (see attached fig 1) and states a copy went the press. After reading the letter, Frank states he appeared before the Coventry Town Council last month and had pointed out in the Coventry Home Rule Charter 12.02c. States the Department of Public Safety and Welfare shall be responsible for control of the town activities relating to firefighting, an interjection from John Cook that this is not on the agenda, Frank responds that it has to do with the letter. John Cook raises a Point of Order, Frank continues on to say that it looks like the Department of Revenue has agreed with the Boards position that the Town of Coventry is responsible. John Cook and John D’Onofrio state that it is not the Boards position, Frank states it’s his position. John Cook states Frank got the District “into this”. Frank calls John Cook out of order.

Moving on to Agenda Item #9. Discussion/Action – All MOU/MOA since last meeting. Tim Williamson addresses. Tim states that three MOU’s were discussed with David Gorman of Local 3372, as it relates to John Paul Balise, Ben Perra, and minimum manning and the number of full time employees and how the rotation and duties will be held to assist the district during this fiscal crisis. Two draft versions received July 14, one regarding Ben Perra and the other dealing with the financial constraints, Board members have copies. Mr. Blais’ MOU has not changed and relates to his severance package, this

position will remain open. There will be no filling of that position on an overtime basis. Relating to Ben Perra, same thing would occur, if he was paid particular dollars regarding his severance package, and also a request for medical and dental coverage for him and his wife up until the age of 65. This position will also remain open. Relating to Mr. Jacavone, who left service and went to work for the town of Jonston, no MOU as of yet.

#### Agenda Item #10- Accounts payable

\$35,000.00 needed for overdue payroll, \$6,000.00 due to State of RI Retirement Plan. Dawson Group, \$1500.00 per month for Rescue Run billing, generating approx. \$25,000.00 per month in income, Fuel Bill \$1500.00 per month, Electric & internet. Brenda Raposo ask about Blue Cross bill, David Krekorian states that bill is \$23,000.00 and has been paid. Regular insurance all paid for the year, one insurance bill left that is due in October. Unemployment for former Chief, \$7,000.00. Accounts payable due approximately \$400,000.00. \$66,000.00 in collections so far for July. Frank Palin asks Dave Krekorian to go through the list and tell the Board which bills have to be paid within the next 15 days. Dave responds by going through a list provided to Board members, John D'onofrio suggest to pay payroll first, then anything that would result in a penalty pay next. Chief Warren states the importance of paying the fuel bill and Ocean State Diesel, who repairs our trucks as we currently have a truck out of service. Board decides to pay as follows: Payroll, State of RI Retirement Plan, including other withholdings due, Fuel and Ocean State Truck & Diesel. John Cooks asks Chief Warren about contracting with one fuel vendor, Chief explains that the current system is the easiest and most convenient way right now as the card in use is accepted at many locations. John D'Onofrio makes a motion that bills will be paid in the following order.

1. Payroll
2. \$6,100.00 to ESERSRI
3. Fuel card
4. Ocean State Truck & Diesel

From there, any bills that would result in penalty next. Brenda mentions the Cox Communications bill for internet and asks if that can be added, it can, per Dave Krekorian. Motion is seconded by John Cook, all in favor, motion passes.

#### Agenda Item 11 -"Grandfathered" health benefits

Frank Palin asks Dave Krekorian for clarification regarding anyone left who is paying the district for their insurance, through former administrative employees. Dave Does not believe so.

#### Agenda Item 12- Streetlights

Frank Poses question. Do we want to ask National Grid to turn them off so we can at least stop the meter? John D'Onofrio does not, he suggests exploring the possibility of a series of lights, but not the entire system. He expresses they provide safety and security, especially in elderly neighborhoods and states it's dangerous to turn them off. Frank asks John D'Onofrio if he would be willing to chair a committee to run that down, John agrees. Brenda Raposo makes a motion that John D'Onofrio chair a committee to explore Streetlights. Seconded by John Cook, all in favor, motion passes.

#### Agenda Item 13 Sale of excess/unneeded equipment/property

Chief Warren addresses: We don't have a lot of equipment to sell.

1. Engine 2
2. 2001 pickup truck needing \$2,000.00 in repairs ( current offer \$500.00)
3. 2 Portable generators maybe worth approx. \$200.00 each.

4. 5500 watt diesel generator that has never run, Chief Warren suggested a \$500.00 price to service technician, not interested.
5. Morton Building –discussed taken down and selling- Chief feels as though too labor intensive. John D’Onofrio states the discussion was renting, not taking down and selling. To be discussed.
6. Honda Positive Pressure Ventilation Fan- \$2,000.00
7. 14 acres of land with one buildable lot on Hilldan Street.
8. 2 Vehicles, Chiefs car and Chief Parra’s car should he retire.

Frank asks if the land in which the district owns is land locked or if there is an easement. Chief thinks there is an easement. John D’Onofrio asks Chief for lot number so he can research. John D’Onofrio asks Chief for a copy of the repair estimate for the pumper truck. Chief explains that the estimate is \$17,000.00. Chief does not feel it is worth the repair.

Frank asks the Board how they want to go about selling the Items. Conversation about the pumper truck and offers previously made. John D’Onofrio makes a motion to put Chief Warren in charge of selling said items, seconded by John Cook. All in favor, motion passes.

Agenda Item 14- Publication of a delinquent tax report.

John D’Onofrio asks who would be included on the list. Frank suggest a 60 day window. John D’Onofrio does not want to shame people but states it’s not fair to the people who are paying their taxes. John agrees to a delinquent date as of Jan 31, 2015. Frank states a half page ad in the Reminder would be approximately \$500.00. John Cook makes a motion that the board publish a list of delinquent taxpayers as of Jan 31, 2015 in the newspaper, seconded by Brenda Raposo. All in favor, motion passes.

Agenda Item 15- Formation of a committee to investigate improving Rescue

Frank states that it has been reported that Central Coventry Fire District has been having quite a bit of success with their rescue recovery program, considerably more than CFD. Frank would like to suggest that the person best equipped to understand what rescue recovery is about is Mr. Cook. John D’Onofrio states that he has contacted a gentleman who has worked with the Bristol Fire Department who is willing to work with CFD. John D’Onofrio makes a motion that John Cook chairs the committee on rescue recovery, Seconded by Brenda Raposo. All in favor, motion passes.

Agenda Item 16– Repair of ladder truck

John Cook, asks Chief Warren ask what the time frame of the repair would be and could we borrow a ladder truck. Chief Warren states we could probably have it repaired in a few days. The turbo of the truck is what’s wrong. Ocean State Diesel has agreed to do the work for appox. \$5,000.00 however he wants the cash up front. John D’Onofrio asks the chief if we could rely on mutual aid for the ladder, Chief responds if it is available. John Questions how many calls per week for the ladder truck, Chief responds, it varies. Discussion around funds available to fix truck. Frank suggest that the repair is made a priority. John D’Onofrio would like to hear from Mr. Budziak. Mr. Budziak ask about a warranty for the truck. Chief Warren responds that it is currently out of warranty. Mr. Budziak feels as though the district needs to get a hold of the company who sold the truck and let THEM take care of it. Ben Perra adds that the truck is 7 months past the warranty. Efforts will be made to revisit warranty coverage. John D’Onofrio makes a motion that the repair is next on the priority list, after CFD makes payroll, seconded by Brenda Raposo. All in favor, motion passes.

Agenda Item 17- Layoffs

Frank asks that we table that for the moment, in light of the letter that came from the Department of Revenue to the Town of Coventry and additionally negotiations that are taking place. Frank wants the Board to review the figures that Mr. Krekorian has provided, which are a number of options. Frank asks the Board to take a look at all of those and this will be looked at again at the next meeting. Frank asks the Board if anyone has a problem with tabling this for the moment, no objections from Board. John D'Onofrio makes a motion to table that item, seconded by John Cook. All in favor, motion passes.

#### Agenda Item 18– Referendum for additional tax revenue

John D'Onofrio passes out a document to Board members containing forecasted figures for 2015 to assist in this topic. The source of the information has come from Treasurer Dave Krekorian. John explains, bottom line for 2015 there will be a deficit of \$432,000.00, through November. John says this is the number he keeps coming back to. John states that the budget was cut \$432,000.00 back in December and would like to suggest that the Board goes back, calls for another financial district meeting, presents the numbers again and asks to raise taxes to what was proposed back in December. John D'Onofrio begins to make a motion, however Frank Palin reminds John D'Onofrio that this item is one the agenda as discussion only. John D'Onofrio makes a motion to modify the agenda to include discussion and a vote on this item, seconded by John Cook. For discussion, Frank Palin states the numbers given by John D'Onofrio are being presented for the first time. John D'Onofrio states that these are the same numbers that the treasurer has given to the Board last week. Frank states that he sees numbers that don't make a lot of sense to him and before a vote is taken he would like to be well prepared, he would also like to see letters that would be going out to taxpayers. John D'Onofrio states that there would be no letters as they just confused tax payers last time, he states the meeting would be posted five days in advance just like any fiscal meeting. Frank Palin states he is opposed to that motion. Frank asks that the Board take a look at this, prepare a letter that won't confuse taxpayers and discuss it at the next meeting. John D'Onofrio would be opposed to this. Frank Palin asks Brenda Raposo what she thinks. Brenda questions the Kent County Water hydrant bill. John D'Onofrio states that Kent County Water and National Grid have not been included in the deficit figure presented this evening, reason being, the district could go to them and work out a payment schedule over the next 12 months. John adds this deficit figure does not include any concessions from the Union. Brenda suggest that we factor in what concessions would be, before we go back. Frank states he would like more time to review it. John D'Onofrio reminds everyone that the district has not had a tax increase in five years and the original budget would have cost the average taxpayer \$36 more per month over previous year's tax bill. John states the longer we delay this, the quicker the bills will pile up, we can solve this problem now. John mentions, Union contracts, media and Central Coventry. John and Frank have a discussion over the budget that passed back in December. John once again makes a motion to amend the agenda to include a vote on the referendum. John Cook seconds, Frank Palin opposes, John D'Onofrio reminds Brenda that the motion on the floor is to change the agenda, to have a vote not take a vote. Brenda replies aye, ayes have it, motion passes. Agenda is now amended. John D'Onofrio opens up more discussion and asks what the concerns are as to going back to the taxpayers and reinstating the budget cut that should have never happened. John D'Onofrio asks Frank Palin if we got an infusion of \$432,000.00 cash are we better off than we are now. Frank asks John if it's the right number. John D'Onofrio asks if we put off the possibility of the FSA being invoked if we do this. Franks response is we don't know if they are coming or not. John D'Onofrio states we know the expense if they do come. A discussion ensues around \$290,000.00 that is not included in the deficit number that John D'Onofrio has presented. Frank feels the only way to have a vote that is fair to taxpayers is to have an all-day referendum and states its being done in secret otherwise. John D'Onofrio disagrees. Questions arise about tax increase per household from taxpayers. Tax rate versus tax levy topic is discussed. John D'Onofrio makes a motion to that the Board vote on calling another financial meeting to discuss raising taxes back to the proposed 2015 budget. Motion is seconded by John Cook, opposed by Frank Palin, Brenda votes no, motion is a draw, and motion fails. Frank says he would go along if an all-day referendum is done along with a letter to taxpayers, and he had more time to review. John D'Onofrio

states we have gone that road and the numbers that went to taxpayers were twisted, convoluted and confusing.

#### Agenda Item 19- Public Forum

Roland Gamelin of 10 White Rock Road ask Chief Warren if the Positive Pressure Fan is excess equipment. Chief Warren responds it is not excess but not used daily. Roland asks if it is critical the Chief responds it is very critical would prefer not to get rid of it. Roland states it should be taken off the list. Roland asks how Engine 2 is an excess piece of equipment. Chief states it's not in service and not going to be put in service. Roland questions why it was at Johnsons Pond for fireworks. Chief Warren explains that the Chief of Central Coventry needed a standby truck and Chief Warren did explain all the issues around that truck. Roland discusses ages of nearby trucks, in case Engine 1 goes out of service, he would rather see money spent on our truck as a reserve. He does not believe the repair would be \$17,000.00 and suggest getting an exact figure for repair. Roland request copy of current repair estimate. He recommends a pump test for the truck.

Steve Shurtleff of 22 Rathbun Street recommends shutting off ever other streetlight to save money, also suggest holding spaghetti suppers to raise money.

Joe Degraide of 48 Patton Street, questions when getting rid of surplus equipment as a municipality, if it needs to be advertised and auctioned off. Tim Williamson answers the Fire District is not a municipality so it is not governed by similar rules. Joe asks why streetlights would be shut off on his street when he pays his fire tax bill which is part of what this bill is meant to pay.

Walter Jalbert of 9 La Casa Drive asks the Chief about the one bid to repair Engine 2 and questions if there are other facilities to go to for the repair. Chief Warren explains the estimate is from a company the district has been using for many years and has no problem checking with other vendors. Walter suggest more estimates. It is taken under advisement.

Linda Struebing of 200 Read Ave. would like more information regarding the piece of property owned by the District. Chief Warren explains the District has owned it for quite a while and is located at the end of Hildan Street, and has one buildable lot and mostly wetlands. It was donated to the District.

Roland Gamlin states that he has lived in Coventry a long time, he served on the Board under Chief Mruk, and has 30 years on the Fire Department. Roland quotes President Truman and asks Frank Palin to resign as Chairman of the Board. Frank Palin takes it under advisement.

Mr. Scott Gutheri speaks of how \$432,000.00 was cut from the budget yet 3 ½ months later asked the Town for \$600,000.00 and then the voters for \$600,000.00. and a non-binding question to dissolve. He states that was manufactured so that the Fiscal Stability act couldn't come in. Which triggered something in the state and they sent a letter today saying that yes, we are coming, if you can't "right your ship". He agrees the Town should have one Fire Department. He continues to say that the problem with fire district in this town is mis-management by district boards. He speaks of a meeting where he passed out copies of an act, enacted by the Senate in 1947 creating a town wide fire department. In 1947 the town fathers wanted to put a town wide fire department. The vote was never taken. He states this is the enabling legislation that says "let's go to the voters and ask them what they truly want". He states they want ONE fire department under ONE administration, mainly the Town Council, and the financial Town meeting. He speaks of how fire district work together. He states the new people on the Town Council will not allow a town-wide vote for a fire department and how the Council President has gotten up at the last few meeting and stated "we can't have that". He continues that if the town were to take over fire districts, a

supplemental tax would be put in place to pay off all debt from districts. He goes on to state that it is the responsibility of the Town Council and the Town Council President, who would be the person that is sued if CFD's plan (to dissolve) went through and the first call wasn't answered. John Cook questions why this didn't come to light when Mr. Guthrie was a State Representative. Mr. Guthrie states he put it in their hands and they ran away. Mr. Guthrie questions who was invited to vote for the referendum and why letters were sent to taxpayers versus registered voters.

Steve Fay of 38 Mumford Street asks where the delegation for the Town from the House of Representatives tonight is, rep is present. Mr. Fay acknowledges and apologizes. Mr. Fay asks Frank Palin where he came up with that \$430,000.00 figure back in December. Frank states he can tell Steve very clearly. Steve says his question is two parts, he states that this evening Frank has stated he wants to study and review, yet Steve recalls back in December Frank came up with a figure without any study or review. Mr. Fay states a CFD employee who puts his life on the line took home \$70.00. and asks Mr. Palin if he thinks that's fair. Mr. Fay tells Frank Palin to take responsibility for what he did and states he put this community in jeopardy. Mr. Fay invites people to the Town website, to go to Town ordinances, go down to the appendix you will see A260 follow that down to Special Acts you will find documents previously mentioned by Scott Guthrie.

Jamie Donais of 15 South Pond Drive ask for clarification of the letter received by the State. Frank responds that the letter states that it is the Town's responsibility however the Town is disputing that. Frank states this has been his position, citing the town charter that states they are responsible for fire service. Frank states it will probably end up in court. Frank states that he was told he could go to the Town for money as long as he was not asking for a loan, so he asked for a grant, and failed.

Joe Degraide speaks of a program offered by the Department of Revenue in which letters can be sent to delinquent taxpayers. John D'Onofrio states we have used this program.

John D'Onofrio states that Rosmary Diluglio, had come in and sat with the Board back in October, who stated the District had a cash flow issue.

Roland Gamelin asks how much the last referendum cost the District. Frank Palin responds about \$5,000.00. Mr. Gamelin asks Mr. Williamson if the referendum was binding or non-binding. Mr. Williamson responds that it was a legal, binding vote. He adds that what the Board does with it, is where we are today and moving forward. Mr. Gamelin asks the Board if they are going to have, at the next meeting, whether the Board will go with another meeting for financial assistance. Mr. Gamelin asks to see a show of hands of people who are sick of the "can going down the road" and would like to see the Board make a decision. John D'Onofrio clarifies and poses the question, how do the tax payers in this room feel about a financial district meeting to reinstate the budget cuts?

Mr. Guthrie speaks of complaints from voters as it relates to a quarterly fire tax. He states it would be a lot easier if all the fire districts just let the town collect their taxes and put the money out accordingly, otherwise get legislation passed to allow it to be put into mortgages. He also mentions that within the paperwork he has handed out, there contains is every article from the Pawtuxet Valley Daily Times that prompted that and brought it to its conclusion. He states it would nice if the new owner of the newspaper would re-print those articles so that the voters in this town will know that every single fire department, with the exception of one, was in favor of it.

David Gorman of 24 Hornbeam Rd. states that if the Town were to take over, a tax exemption for the elderly, which you do not get in all the fire district, would go into effect.

Frank Palin asks to hear a motion to move to executive session Reason: Pursuant to RIGL 42-46-5

- a. Pursuant to RIGL 42-46-5(a) (2) Sessions pertaining to collective bargaining and litigation.

Brenda makes that motion, Seconded by John D'Onofrio, all in favor, motion passes.

Move to Executive Session.

Respectfully Submitted

Rob Catalfamo  
Tax Collector / Clerk