

DARTMOUTH FIRE DISTRICT NO. 1

ANNUAL DISTRICT MEETING

MAY 13,2009

Pursuant to a Warrant duly issued by the Prudential Committee of the District, the Annual Meeting of the District was held on Wednesday, May 13, 2009. The Meeting was called to order by the District Clerk at 6:30 P.M. who declared 35 registered voters being present and that 25 comprise a quorum, a quorum in fact was present.

The Clerk noted that the Warrant was posted in accordance with the By-Laws of the District in the several locations throughout the District as well as the Chronicle o April 22, 2009.

A Pledge of Allegiance to the Flag and a moment of silence for those of the District who have died since our last meeting.

The Clerk noted that all appropriations for the meeting would be raised from the Tax Levy unless otherwise stated in the motion.

The District Clerk then took up action on Article 1 of the Warrant

ARTICLE 1: To choose a Moderator for the ensuing year.

MOVED and seconded to elect Marcel Dumont to the position of moderator.

VOTED unanimously at 6:33 P.M.

ARTICLE 2: To see if the District will vote to compensate firefighter trainees at the rate of \$12.00 per hour, firefighters at the rate of \$19.00 per hour, lieutenants at the rate of \$20.00 per hour, house captains at the rate of \$21.00 per hour and line captains at the rate of \$21.00 per hour and dispatchers at the rate of \$17.00 per hour for toned incidents and to further compensate all district personnel for all other duties at the rate of \$15.00 per hour.

MOVED and seconded and unanimously voted at 6:35 P.M. that the District compensate firefighter trainees at the rate of \$12.00 per hour, fire fighters at the rate of \$19.00 per hour, lieutenants at the rate of \$20.00 per hour, house captains at the rate of \$21.00 per hour and line captains at the rate of \$21.00 per hour and dispatchers at the rate of \$17.00 per hour for toned incidents and t further compensate all district personnel for all other duties at the rate of \$15.00 per hour.

ARTICLE 3: To see if the District will vote to raise and appropriate the sum of \$535,000. for the SUPPORT OF THE DISTRICT.

MOVED and seconded unanimously voted at 6:36 P.M. that the District raise and appropriate the sum of \$535,000. For the SUPPORT OF THE DISTRICT.

ARTICLE 4: To see if the District will vote to fix the salaries of the several District Officers, the Assessors, and the Tax Collector for the fiscal year beginning July 1, 2009 and to appropriate a sum of money therefore.

Chief	\$63,300.
Deputy Chief	\$12,000.
District Clerk	\$ 2,000.

District Treasurer	\$10,800.
Prudential Committee (3 @ \$1,000.)	\$ 3,000.
Auditors (3 @ \$550.)	\$ 1,650.
Oil Burner Inspector	\$ 2,000.
Assessors (3 @ \$125.)	\$ 375.
Tax Collector	\$ 125.
Moderator	<u>\$ 125.</u>
	\$95,375.

MOVED and seconded and voted at 6:40 P.M. that the District raise and appropriate \$97,275. for the salaries of the District officers. 2 Opposed and 2 Abstained.

ARTICLE 5: To see if the District will vote to raise and appropriate the sum of \$42,000. for the BUILDING ACCOUNT for maintenance and running expenses of the land and building owned by the District.

The fiscal year 2009 appropriation was \$40,000.

MOVED and seconded and unanimously voted at 6:40 P.M. that the District raise and appropriate The sum of \$42,000. for the BUILDING ACCOUNT for maintenance and running expenses of the land and building owned by the District.

ARTICLE 6: To see if the District will vote to authorize the Chief, with the approval of the Prudential Committee, to sell or otherwise dispose of any surplus equipment belonging to the District.

MOVED and seconded and unanimously voted at 6:41 P.M. that the District authorize the Chief , with the approval Of the Prudential Committee, to sell or otherwise dispose of any surplus equipment belonging to the District.

ARTICLE 7: To see if the District will vote to transfer \$35,000. from free cash for the RESERVE FUND.

MOVED and seconded and unanimously voted at 6:42 P.M. that the District raise and appropriate the sum of \$35,000. For the RESERVE FUND.

ARTICLE 8: To see if the District will vote to raise and appropriate a sum of money for the following specific purposes:

A: Radio Recorder and Repeater	\$20,000.
B: Fire Pagers	\$20,000.
C: Apparatus Bay Lighting	\$16,000.
D: Commercial Grade Treadmill	\$ 3,000.
E: Remote Fire Alarm Annunciator Messaging Service	\$10,000.

MOVED and seconded and unanimously voted at 6:42 P.M. to authorize the purchase of specified equipment for the sum of \$69,000.

ARTICLE 9: To see if the District will vote to raise and appropriate the sum of \$11,000. for the following specific purpose:

To pay a stipend to all Emergency Medical Technicians at the annual rate of: \$500. These stipends to be paid on the first pay date in July.

MOVED and seconded and voted at 6:42 P.M. to pay a stipend to all Emergency Medical Technicians at the annual rate

Of \$500. These stipends to be paid on the first pay date in July. Voted 2 opposed.

ARTICLE 10: To see if the District will vote to amend the District By-laws Section 7, to change the following fees Charges by the District:

SCHEDULE OF FEES:

Alcohol License Renewal Inspections	\$ 50.00
Blasting	\$ 50.00
Bonfires and Burning Christmas Trees	\$ 50.00
Copy of Fire Report	\$ 25.00
Cutting and Welding	\$ 25.00
Explosives and Black Powder	\$ 25.00
Fire Alarm Permit (Commercial / 5 or more Dwelling units)	\$ 50.00
Fire Suppression Permit (Commercial)	\$ 50.00
Fireworks Display	\$ 25.00
Flammable and Combustible Liquids	\$ 25.00
Flammable Gases and Solids	\$ 25.00
Install / Remove Underground Storage Tanks	\$ 50.00
LP- Gas	\$ 25.00
Municipal Fire Alarm Connection	\$ 100.00
Oil Burning Equipment	\$ 25.00
Re-Inspection Fee	\$ 10.00
Re-Issue Permits	\$ 10.00
Smoke Detector / Carbon Monoxide (Per Unit)	\$ 25.00
Smoke Detector / Carbon Monoxide (5 or more dwelling units)	\$ 125.00
Tank Vehicles Parked Overnight	\$ 25.00
Tanks and Containers	\$ 10.00
Tar Kettles on Roofs	\$ 25.00

MOVED and seconded and unanimously voted at 6:55 P.M. to amend the District By-Laws Section 7, to change the fees charged by the District.

ARTICLE 11: To see if the District will, pursuant to M.G.L. C. 48, & 65, to vote to accept the provisions of M.G.L. c. 48 & 42.

The purpose of this Article is to accept the provisions of M.G.L.c. 48, & 42 as permitted by M.G.L. c. 48, & 65. The proposed Amendment shall empower the Prudential Committee to become the appointing authority of the District's Chief Engineer who shall become known as the Chief of the Fire Department and to empower the Chief of the Fire Department to exercise all powers and duties confirmed upon or imposed upon by law upon the Board of Engineers of the District and to be sole authority of the District's Fire Department.

MOVED and seconded and unanimously voted at 6:57 P.M. to accept the provisions of M.G.L. c 48 & 42 .

ARTICLE 12: To vote to amend the District's By-laws as specified below.

If the District accepts the provisions of M.G.L. c. 48, & 42, the District's By-laws will require amendment to reflect the adoption of M.G.L. c. 48, & 42.

The By-laws to be amended by vote on this Article are as follows:

1. Delete the first paragraph of ARTICLE III – OFFICERS, Section 1 and replace it with the Following:

The officers of the District shall consist of a Chief of the Fire Department, also to be known as the Fire Chief, a Deputy Chief, also to be known as a Deputy Fire Chief, a Clerk, a Treasurer, a Prudential Committee of three and three Auditors. The Prudential Committee, Clerk, Treasurer and Auditors shall be chosen by ballot and shall serve for a term of three years each. The Chief shall be appointed on merit by a

majority vote of the Prudential for a term not to exceed three (3) years. Upon appointment, the Chief of the Fire Department shall thereafter be given an annual review and may be removed at any time for cause by the Prudential Committee after hearing and by a majority vote of the Prudential Committee. The Chief of the Fire Department shall appoint the Deputy Chief for an initial one (1) year probationary period and during that probationary period the Deputy Chief may be removed at any time with cause after hearing. Following completion of the one year probationary term, the Deputy Chief may be reappointed to the office of Deputy Chief by the Chief of the Fire Department and may be removed at any time for cause and after a hearing.

2. Delete ARTICLE IV – FINANCES, Section 9

3. Amend ARTICLE V – FIRE DEPARTMENT Sections 1 and 2 by deleting the current Section 1 and 2 replacing them with the following:

Section 1

The Fire Department shall consist of the Chief of the Fire Department, a Deputy Chief, a Fire Alarm Supervisor, a Fire Inspector and as many officers and firefighters as shall be deemed necessary by the Chief of the Fire Department to manage the fire apparatus within the District not to exceed the numbers allowed by law.

Section 2

The Chief of the Fire Department shall appoint the Deputy Chief as provided in Article II of these By-laws and such officers and firefighters as he/she deems necessary to maintain the apparatus of the Fire Department and shall fix the compensation of the same subject to the approval of the Prudential Committee. The Chief of the Fire Department shall appoint all newly appointed officers and firefighters to initial one (1) year probationary periods and during that probationary period said officers and firefighters may be removed at any time with or without cause. Following completion of the one year probationary period, said officers and firefighters may be removed by the Chief of the Fire Department at any time for cause and after a hearing. The Chief of the Fire Department shall have control over the officers and men of the several companies attached to the Fire Department and all other persons present at fires. The Chief of the Fire Department shall have charge of extinguishing fires in the District and the protection of life and property in case of a fire. He/she shall purchase, subject to the approval of the Prudential Committee, and keep in repair all property and apparatus used for and by the Fire Department. He/she shall have and exercise all the powers and discharge all the duties conferred or imposed by statute upon Engineers of the District except as provided herein. He/she shall have the full and absolute authority in the administration of the District's Fire Department and shall make all rules and regulations for its operation, governance and discipline and preservation of order in the time of fire. He/she shall have superintendence and control of all apparatus, equipment, fire alarm supplies and the contents and use of the Fire District buildings. The Chief of the Fire Department shall report to the Prudential Committee from time to time as they may require and shall report to the District on the condition of the Fire Department with his/her recommendations thereon. In the expenditure of money, the Chief of the Fire Department shall be subject to such limitations as the Prudential Committee may from time to time prescribe and no purchase of supplies, equipment and services shall be made without the approval of the Prudential Committee.

4. Amend Article V Section 9 as follows:

Replace the words "as Engineers" with the word "Senior Officer in charge."

5. Amend ARTICLE VI – DUTIES OF OFFICERS Section 5 as follows:

Section 5

Delete the existing Section 5 and replace it with the following:

The Prudential Committee shall be the appointing authority in the appointment of the Chief of the Fire Department also to be known as the Fire Chief.

6. Replace the words “Chief Engineer” with the words “Chief of the Department” in the following By-law provisions:

Article IV, Section 7 and 10

Article V, Sections 3, 4, 5, 6, 7, 8, 10 and 11

Article VI, Section 1

MOVED seconded and unanimously voted at 6:57 P.M. to accept the provisions of M.G.L. c. 48 & 42 pertaining to the By-Laws of the District.

ARTICLE 13: To see if the District will vote to approve the following:

The current holder of the office of the Office of Chief Engineer shall serve as the interim Chief of The Fire Department until such time as the Prudential Committee may appoint a Chief of the Fire Department after the District’s acceptance of M.G.L. c. 48, & 42 and approval of the amendments to the By-laws incorporating the acceptance of M.G.L. c. 48, & 42. Upon the District accepting the

provisions of M.G.L. c. 48, & 42 and approval of the By-law amendments incorporating the acceptance of the provisions of M.G.L. c. 48, & 42, the positions of First Assistant Engineer and Second Assistant Engineer shall be abolished effective May 1, 2009.

If the District accepts the provisions of M.G.L. c. 48, & 42, this Article must be adopted to ensure a continuity in command until such time as the Prudential Committee can convene and exercise their powers under M.G.L. c. 48, & 42 to appoint a Chief of the Department.

MOVED seconded and unanimously voted at 7:07 P.M. to accept the provisions of M.G.L. c. 48 & 42.

ARTICLE 14: To see if the District will vote to further amend the Fire District’s By-laws as specified below:

The purpose of this article is to amend the District’s By-laws to prohibit a person from holding both the office of Prudential Committee member and the position of a District firefighter or officer.

The Article shall amend ARTICLE III – MEETINGS by adding a Section 9 as follows:

Any person that is a registered voter of Dartmouth Fire District No. 1 may seek election to the position of a member of the Prudential Committee. No member of the Prudential Committee shall be appointed or shall serve as a firefighter or officer of the District’s Fire Department during their term or terms as a Prudential Committee member. In the event that a person elected to the position of Prudential Committee is a firefighter or officer of the District’s Fire Department, that firefighter or officer shall, upon being sworn as a Prudential Committee member, immediately resign his/her position as a firefighter or officer with the District’s Fire Department. Notwithstanding any other provisions in these By-laws, if the officer or firefighter refuses or fails to so resign, his/her service as an officer or firefighter shall be terminated immediately by operation of this By-law provision and without need for cause and a hearing before the Chief of the Fire Department.

MOVED seconded and unanimously voted at 7:10 P.M. to amend the District’s By-Laws to prohibit a person from holding both the office of Prudential Committee member and the position of a District firefighter or officer, amends ARTICLE – MEETINGS by adding a Section 9.

There being no further business to come before the meeting it was:

MOVED seconded and unanimously voted that the meeting stand adjourned at 7:10 P.M.

Given under our hands this twenty-fifth day of March in the year of our Lord Two Thousand Nine, at Dartmouth.

A TRUE COPY ATTEST:

Edward V. Pimental, Jr., District Clerk