

DARTMOUTH FIRE DISTRICT NO. 1

WARRANT

NOTICE is hereby given that the Annual Meeting of Dartmouth Fire District No. 1 will be held at the Engine House, 10 Bridge Street, Dartmouth, Massachusetts on Wednesday May 14, 2014, at 6:30 P.M.. Then and there to act on the following Articles:

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

ARTICLE 2: To see if the District will vote to compensate firefighter recruits at the rate of \$17.00 per hour, firefighter Step 1 at the rate of \$22.00 per hour, firefighter Step 2 at the rate of \$20.00 per hour, lieutenants at the rate of \$24.00 per hour, house captains at the rate of \$21.00 per hour and line captains at the rate of \$26.00 per hour and dispatchers at the rate of \$18.00 per hour for toned incidents and to further compensate all district personnel for all other duties at the rate of \$18.00 per hour.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 3: To see if the District will vote to raise and appropriate the sum of \$528,400. for the SUPPORT OF THE DISTRICT.

The fiscal year 2014 appropriation was \$529,200.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 4: To see if the District will vote to fix the salaries of the several District Officers, the Assessors, the Tax Collector and Fire Department Officers for the fiscal year beginning July 1, 2014 and to appropriate a sum of money therefore.

Chief	\$70,000.
Deputy Chief	\$12,000.
District Clerk	\$ 2,500.
District Treasurer	\$15,600.
Prudential Committee (3 @ \$2,000.)	\$ 6,000.
Auditors (3 @ \$600.)	\$ 1,800.
Oil Burner Inspector	\$ 2,000.
Assessors (3 @ \$125.)	\$ 375.
Tax Collector	\$ 0.
Moderator	\$ 125.
	<u>\$110,400.</u>

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 5: To see if the District will vote to raise and appropriate the sum of \$38,000. for the BUILDING ACCOUNT for maintenance and running expenses of the land and building owned by the District.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

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.

This article is an annual request.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 7: To see if the District will vote to raise and appropriate the sum of \$40,000. for the RESERVE FUND.

The Reserve Fund is utilized for extraordinary and unforeseen expenditures. The unencumbered balance will revert to Surplus Revenue at the end of the fiscal year.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 8: To see if the District will vote to raise and appropriate the sum of \$12,000. for the following specific purposes:

EMT stipends to be paid the last payroll of the fiscal year providing the EMT's make the necessary requirements.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 9: To see if the District will vote to raise and appropriate the sum of \$40,000. for the STABILIZATION FUND.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 10: To see if the District will vote to raise and appropriate the sum of \$ 50,000. For the purchase and equipment for a District Utility Vehicle.

Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 11: To see if the District will revise its By-Laws as follows, in order to ensure that they are in accord with Chapter 460 of the Acts of 2012 and various provisions of Massachusetts General Laws, and in order to avoid redundancy with the same:

1. Delete the entirety of Article II, Section I, and replace it with the following language:
"The officers of the District shall consist of a District Clerk, a Treasurer, three Prudential Committee members and three Auditors, each of whom shall be chosen by ballot for terms of three years. The regular meetings of the Prudential Committee and of the Auditors shall be on the second Wednesday of each month or at any other time as determined by the Prudential Committee."

2. Delete the entirety of Article III, Section 6.

3. Delete the second sentence from Article IV, Section 8, Paragraph 3, and replace it with the following language: "The fine for the third false alarm shall be \$ 100.00, the fine for the fourth false alarm shall be \$ 200.00; and the fine for each false alarm thereafter shall be \$ 300.00."

4. Delete all but the first sentence of Article IV, Section 9, and replace it with the following language: "If the District Clerk, the Treasurer, an Auditor, or a member of the Prudential Committee accepts an appointment as Chief, Deputy Chief or any other subordinate officer of the Fire Department, such acceptance concurrently shall constitute said member's voluntary resignation from the Prudential Committee, effective immediately. If the Chief, Deputy Chief or any other subordinate officer of the Fire Department is elected as the District Clerk, the Treasurer, an Auditor, or a member of the Prudential Committee, that person's swearing of oath of office for that elected position concurrently shall constitute said person's voluntary resignation from the Fire Department."

5. Delete the phrase "a Fire Alarm Supervisor, a Fire Inspector" from Article V, Section 1.

6. Add the following paragraphs after the first paragraph of Article V, Section 1:

"The Chief shall be appointed by the Prudential Committee for a term of not more than 5 years; provided however, that the Chief may be reappointed for another term as often as the Prudential Committee desires; further provided, that any reappointment may only occur in the last year of the Chief's current term. The Prudential Committee may suspend or remove the Chief for just cause at any time after a hearing; provided, however, that the failure to reappoint the Chief shall not constitute a removal and shall not require a hearing.

The Chief shall receive a salary as determined through the execution of a contract with the Prudential Committee for the term of the appointment; provided, however, that such salary, once established by contract, shall be annually appropriated by the District Meeting for the length of the term of appointment.

The Chief shall be given an annual review by the Prudential Committee and shall attend every meeting of the Prudential Committee unless the Prudential Committee authorizes otherwise."

7. Delete the phrase "as provided in Article II of these By-Laws" from the first sentence of Article V, Section 2.

8. Delete the second sentence of Article V, Section 2, and replace it with the following:

"The Deputy Chief and said officers and firefighters may be suspended or removed by the Chief of the Fire Department at any time for just cause after a hearing."

9. Delete the phrase "and shall make all rules and regulations for its operation, governance and discipline and preservation of order in the time of fire" from the seventh sentence of Article V, Section 2, and add the following sentence thereafter: "The promulgation, amendment and deletion of any rules and regulations for the operation of the Fire Department shall be undertaken by the Chief, subject to the approval of the Prudential Committee; provided, however, that if the Prudential Committee fails to approve or disapprove any such promulgation, amendment or deletion within 60 days of being submitted to the Chair of the Prudential Committee by the Chief, the rule or regulation shall be considered to be constructively approved."

10. Delete the phrase "limitations as the Prudential Committee may" from the last sentence of Article V, Section 2, and replace it with the following: "limitations as the District may".

11. Delete the second sentence of Article V, Section 4.

12. Delete the entirety of Article V, Section 7, and replace it with the following: "The Prudential Committee, at the request of the Deputy Chief or other officer or firefighter of the Fire Department whose suspension or removal is contemplated by the Chief, may appoint a hearing officer, who shall make factual findings that are binding upon the Chief, but who shall not make any decision with respect to what, if any, discipline is merited by those findings.

13. Delete the entirety of Article V, Sections 9 and 11.

14. Add Article V, Section 12, which shall be worded as follows: "Should the Chief, the Deputy Chief or any other officer or firefighter of the Fire Department choose to appeal a suspension or removal, such appeal shall be made in writing, within 10 business days, to the Chair of the Prudential Committee, and shall be subject to mandatory, binding arbitration. Upon the timely receipt of such a written appeal, the Chair of the Prudential Committee shall submit a request to the American Arbitration Association for the appointment of an arbitrator to conduct the arbitration of the appeal; provided, however, that the Prudential Committee and the appealing individual may agree upon a different arbitrator. There shall be no hearing for, and no appeal of, any lesser discipline."

15. Delete the last sentence of the first paragraph, and the entirety of the second paragraph, of Article VI, Section 1, and replace them with the following: "The purchase of any equipment, goods or services by the Chief of the Department shall be in accordance with Massachusetts General Laws, Chapter 30B, and shall be subject to the prior approval of The Prudential Committee."

16. Amend Article VI, Section 2, by adding the word "District" before each instance of the word "Clerk".

17. Amend the third sentence of the second paragraph of Article VI, Section 2, by adding the Phrase "and the Chief" after the phrase "several District officers".

Or take any other action relative thereto.


Inserted by the Prudential Committee

PRUDENTIAL COMMITTEE RECOMMENDS 3-0-0

ARTICLE 12: To amend Article VII, Section 1 paragraph 1 by removing the first sentence and replacing it with "these By-Laws may be altered or amended at the Annual District Meeting or at any other Special District Meeting regularly called for the purpose."

Inserted by Citizens Petition

PRUDENTIAL COMMITTEE


John Haran, Chairman


Marcel Dumont, Clerk


Alan Ferguson

Given under our hands this ninth day of April in the year of our Lord Two Thousand Fourteen, at Dartmouth.

A TRUE COPY ATTEST:

Edward V. Pimental, Jr., District Clerk