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Fire Services Study Committee

August 30, 2018

Meeting Minutes

Committee Members Present:

Don Beaudin, Douglas Erb, Kathy Parsons, Richard Sagar, Bruce Ulricson.

There were 11 people in the audience

Meeting opened at 6:00 pm.

- Doug read Warrant Article 5, as amended at Town Meeting. He reiterated that this committee is a fact-finding, not a decision-making entity. He said that the Committee is working on a status report to present to the Town at the public hearing scheduled for September 13, 2018. He further stated that the Committee is still gathering information, and any report is a work in progress.
- There was a discussion of the minutes of the previous meeting. Richard made a motion to accept the minutes as written. The motion was seconded by Bruce, and passed unanimously.
- The Committee decided that notification for the upcoming hearing on September 13, 2018 should be posted at the Town Hall, Blue School, Town website, Landaff Ledger, and the public sign. There was further discussion regarding the need to post a newspaper notice. Mike Ransmeier said that he felt that the Select Board would approve the expenditure. It was decided that a notice would be made in the Caledonian and Bridge Weekly newspapers. Richard will handle the details.
- Don reported back on the fire station assessment. He had been asked to research needed improvements and repairs that would be needed if the present structure were renovated. On August 22, 2018 Don met with Ron Howard, Kevin Schofield, Kathy Parsons, Bruce Ulricson, Jason Cartwright, and Mike Ball at the fire station to make that assessment. He provided a detailed listing of items that needed to be addressed.
 1. Lower the walk-in door on the side of the building to improve safe access, and add a cricket over the door to protect from ice and snow.
 2. Install a perimeter drain for the whole building to eliminate water seepage into the structure.
 3. Install a septic system. Based on the estimated amount of use, it is thought that a household size system would meet the needs.
 4. Regarding the septic system, Greg Russel has toured the area with Kevin Scofield and is familiar with the lay of the land. A soil test would be needed.
 5. Install a small interior bathroom with sink and possible emergency shower device. This would fit into the existing building footprint.

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6. Install a metal I-beam over the front doors, which would allow for the tanker door to be widened to 12 feet. The engine door is presently 12 feet, and adequate.
 7. Install an exhaust fan system to vent the building when the trucks are started.
 8. Ron Howard determined that there is presently blown insulation in the walls, but this needs to be checked and upgraded if necessary.
 9. Wall vents are needed in the attic end walls.
 10. There is a roof leak in the back room ceiling, and a mold problem that needs to be addressed. The present roof over that part of the building is nearly flat. It is suggested that the roof pitch be increased to deal with these problems. An increased pitch would also eliminate the need to shovel snow off the roof.
 11. Install artesian well.
 12. The steep entrance slope at the front of the building creates operational and safety issues for moving trucks in and out of the building. A possible suggestion to address this issue would be to eliminate the slope by digging out the existing cement floor. This option would also allow for the installation of a more efficient floor heating system, and add the possibility of a heated apron area which would increase safety and reduce risk.
 13. Review electrical system for possible additional needs. The present system was upgraded within the last 10 years.
 14. The main roof has missing metal. Option A would be to upgrade the existing roofing; option B would be stripping the whole existing roof and installing new roofing. Further inspection is required to determine the condition of the underlying wood structure in the roof.
 15. Don will seek cost estimates for needed improvements. He will contact Jamey Carr and Capitol for the well; Thad Presby and Frank Dodge for building work; Kevin Schofield for ground and septic work, and Superior Insulation for insulation work.
- Pat Webb commented that the I-beam was a great idea. He also reported that past studies had determined that there was adequate water on the site.
 - Kathy had concerns regarding the lowering of the concrete floor. She felt that it would be a very expensive project. She wondered if the problem could be addressed with better sanding and plowing. She asked if the road agent presently plows and sands the area. She also suggested that, when returning during slippery conditions, the truck might be driven forward into the station. Jason responded that the road agent does plow, but that there was still a problem with fresh snow before the plow arrived. He said that the Town and Fire Department had recently coordinated their radio frequencies, allowing them to communicate better. He said that the system was new, and he was hopeful that it would be helpful. He

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said that due to coverage issues, there could still be times when the road agent would be beyond range for contact. He explained that the reasoning for backing the trucks into the station was to insure that they were ready for a rapid response to any calls.

- Doug thanked Don and the others on a good comprehensive report.
- Claudia Lavoie had asked for an opportunity to address the Committee with her thoughts on the issue of public trust in the fire department. The Committee felt that, as this issue is a major concern with many in town regarding the debate over the future of the fire department, it would be appropriate to hear her thoughts. Claudia generally read from a prepared statement which follows in these minutes. In some instances she added to the prepared statement, and those comments are included.
- Claudia began with the following statement: Upon hearing Chief Cartwright's comment at the August 13th meeting that he would like to know why townspeople may have lost trust in the Fire Department, I, as a long time supporter, felt dishonest, disingenuous, and hypocritical in not explaining why I have lost trust in the LVFD. I am not against the FD. I have lost trust. I speak for myself and myself alone. I have prepared a package for each member of the Committee and the Fire Chief. As a fact finding committee I hope you will address the concerns I present, for which I have provided documentation with the exception of the final three issues, which I feel have been discussed ad nauseam throughout town. After putting my thoughts on paper I was faced with the question "What to do?" I could dump it and continue to feel dishonest. I could wait until another, larger meeting. Or I could address this committee, which the Town has appointed. This was my choice. It is my most sincere wish that my comments are received in the spirit for which I intend them, which is to participate in our Town that I truly love.
- Claudia then presented the following reasons why she, as a long-term supporter of the Landaff Fire Department, has lost trust with the department.
 - A. In 2010 a long term CD of \$61,819.00 was reported in the Fire Department report to the Town. This amount was removed from the report of 2011 and moved out of a Town account, without the permission or knowledge of the taxpayers, into a private Landaff Volunteer Fire Association account.
 - B. This brought the Attorney General into the Town of Landaff business involving auditors and bankers, scrutinizing accounts.
 - C. When the Association was told to return the money, the taxpayers were put into the position of having to pay legal fees to retrieve this money.
 - D. The Association then referred to the returned money as a "gift". It was not a gift! She added that she knows that the fire department raised the monies, but that it was not appropriate to move the funds without the knowledge and approval of the voters.

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- E. Upon the death of Francis Felton, in 2013, a memorial check was written to the Town of Landaff Fire Department. The thank-you was written from the Landaff Volunteer Fire Association, and the check deposited into the Association account, for which it was not written. (She provided copies of the check and note.) She also noted that the accounting of donations ceased after the death of Francis Felton, who had been the Treasurer.
- F. In 2015, at Town Meeting, the FD put Article 26 up to be considered and voted on. Instantaneously, before one moment's discussion, this Article was amended to something barely recognizable, (to create an Irrevocable Trust Account), thereby bypassing the numbers of voters who had read the Town Meeting agenda, but had not found anything of great concern and did not attend the Town Meeting. Since the supporters of the FD had advanced knowledge of the proposed amendment to the Article (amended to "Trust"), the meeting was packed mostly with those supporters and the Article easily passed. She said that she was not opposed to the FD, but objected to the process.
- G. Town Meeting 2017 Article 32 was included for a vote requesting \$30,000 for a site review. There had been a very public petition circulated through Town requesting a paper ballot. Again, instantaneously, before a moment's discussion, the amount was amended to \$7,000. A melee then erupted when a vote was called for a paper ballot, with accusations of the petitioners "slinking" through Town for signatures. She said that many felt uncomfortable with a voice vote due to what they felt was intimidation, and therefore wanted a paper ballot. She said that future votes should be by written ballots.
- H. Assumption, by FD, of Town land belonging to the FD until proven wrong. (*Here she refers to the fire station and land*)
- I. At Town Meeting 2018 Article 3 to vote to suspend operation of the LVFD was, again, immediately tabled and passed without one moment's discussion, thereby, depriving the taxpayers of their Constitutional right "to petition" and "be heard".
- J. The present fire building was allowed to fall into disrepair; showing a lack of pride and commitment.
- K. 2018 LVFD did not show up in a timely fashion to a brush fire on Pearl Lake Road. Two calls were made to 911, approximately 20 minutes apart. Lisbon and Bath arrived first.
- L. On July 4, 2018, taking the unauthorized action of pumping water from hydrants in Lisbon to fill pools in Landaff. Something Lisbon residents pay for!
- Fire Chief Jason Cartwright attempted to respond to Claudia's comments, but Doug suggested that, due to the complexity of the issue, it would be better to have the department try to create a written detailed cash flow timeline. He said that we need to track the money to create an open and transparent atmosphere. Doug asked for more detail about the cash flow with specific dates of transactions. He asked Jason to work with Pat Webb and report

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back to the Committee. He also suggested that the Select Board work on developing a timeline of the events, and report to the Committee.

- Doug said that the department needs to be accountable to the public, and that the response to the brush fire needs to be researched and clarified. He said that the department seeks to serve the community and needs to review its performance to ensure that it is doing its best.
- Don addressed the issue of the response to the brush fire. He said that he was the officer that made the decision to call Lisbon through the Mutual Aid System. He said that that decision was based upon the report that a dwelling structure was in danger, and his knowledge of Landaff FD personnel limitations due to illness and firefighters that were out of town. He said that this is the reason that we have Mutual Aid.
- Pat Webb stated his opinion that the Committee has no authority to request an accounting from either the Association or the Select Board, as the matter has been resolved. He said that there was no point in re-litigating the issue. He said that the auditors were satisfied with the process. Doug asked if anyone has gone through the town auditor reports. Florence Webb responded that the town has not issued a report for many years. Town Clerk, Gayle Clement said that the reports are on file and available.
- Harry McGovern responded to Claudia's concern about the 2018 Town Meeting petition warrant article to disband the Fire Department. He said that he was asked by the Select Board to make a motion to pass over the article. The actual motion was made by Mike Boivin.
- Harry McGovern, former Fire Chief, spoke at length on the issue of the funds. He said that the debate had gone on too long, and that no one had asked for his views. He noted that the FD was started in 1966 as a stand alone entity not supported by the Town. The Town did appropriate money for firefighting that was paid to other towns. But if it was not spent the balance went to the Landaff Volunteer Fire Department, through warrant articles. The building was deeded to the Fire Department by the school. They borrowed money from the Grange, which was repaid. Ernest Odell built a shed on his house, with his own money, for one of the engines. Over the years the volunteers worked hard to raise funds through their own efforts. The excess, after department expenses, built up over the years. The funds were kept in the Fire Department's checking account at Woodsville Guaranty Savings Bank, along with the yearly Town appropriations. Every year the expenses exceeded the Town appropriation. Harry felt an obligation to insure that the money that the volunteers had raised be used for the intended purposes. The Town auditors advised that the taxpayer funds could not be mixed with the other funds. Harry said, that in consultation with the Select Board, the Department determined to separate the raised and donated funds into a separate account. All funds, raised and donated, were moved into a 501c account at the Passumpsic Savings Bank. An amount equal to the Town's yearly appropriation was kept in the checking account at Woodsville Guaranty Savings Bank. Later, the Selectmen began making references to the

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501c account as “Town Money”. Harry tried to meet with the Select Board, but was told to wait because they didn’t have time. When he was called to a meeting, he was met by the Town attorney, and accused of taking Town money. The Selectmen insisted that the funds were town money. The Town attorney suggested a trust fund as a solution. Harry said that he would confer with the Association and get back to the Board. Following that meeting, the Select Board sent a letter to the Association demanding that the funds be turned over to the Town. The letter included a deadline.

- Harry added, that closing the Landaff FD will not get Lisbon here any faster, and the Town will pay more for fire protection than they are paying now.
- Mike Ransmeier said that the FD became part of the Town in 1993. He said that action would move all FD assets to the Town. He said that funds were reported by the auditors as town funds after that date. He said that the Select Board only met with their attorney after attempts to recover those funds. He said that the Association had no authority to move town funds.
- Claudia Lavoie asked, why did the attorney general get involved? Doug said that should be part of the report from the Association and Select Board. Jason said that the Association lacked clarity, and had concerns about how the money was going to be used. They were approached by the town with legal action rather than given the opportunity to talk it out. At that point they sought their own legal advice. They checked with the Attorney General about trusts, and were told to try to work it out with the town. He said that they were also informed that donations could not be used to offset taxes; they must be utilized as intended by the donor. Doug asked Jason to try to distill the information into an understandable chronology to include in a report back to the Committee.
- Mary Beaudin asked if anyone is accusing the Fire Department or its members of stealing any money. Mike Ransmeier responded that there were no missing funds. Mary restated her question, asking if any money had been taken by the FD or the association for personal use. There appeared to be general agreement that no money was taken for non-fire department uses. Claudia stated that she does not think that any money was stolen or spent for non fire department expenses. Mike Ransmeier stated that there was a full accounting provided when the money was returned. He said that the issue was whether the Association moved the monies without proper authorization and in a timely manner. He said that the money was returned and there were no missing funds.
- Jason clarified that scholarship awards provided by the Association do not come from tax funds. He said that a \$10,000 donation provided for that purpose has been invested and provides funding for the scholarship program.
- Doug addressed the issue of trust, saying that this was the saddest moment in town for him. He said that he doesn’t know how to get out of it, but we need to talk and find a way to

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resolve the issues that are dividing the town. He said that we need to put an end to it and move on. He said that we need to restore trust, but how?

- Florence Webb said that she was intimately involved in the process, and knows that no one involved thought that they were doing anything wrong. She suggested that there may be a massive breakdown of communication in the town. She is hopeful that we are beginning a dialog to correct that problem.
- Becky McGovern added that she feels that this discussion may have helped.
- Don said that it was a great discussion. Addressing Claudia's comment on pride in the department he said, that he had long thought that putting money into the old building would be a waste, and had expected that a new building would be built. He now thinks that maybe that was the wrong approach. He also pointed out that improvements have been made, such as new windows, electrical upgrades, and doors.
- Pat Webb pointed out that the station building had recently been painted by the Grafton County Jail crew at a cost of about \$450.
- Jason Cartwright presented information on the Landaff Volunteer Fire Association as previously requested by the Committee. Some of the points were also covered in previous discussions.
- Jason said that the Landaff Volunteer FD was a private department until Town Meeting 2015. Several members of the audience questioned that date, saying that it should be 1993. Jason agreed to do more research to find the correct date. He continued, reporting that the Town paid a yearly flat sum, with the remainder of expenses raised by the firefighters at the Auction and by private donations. All the funds from Town and private sources were kept in a private bank account controlled by the LVFD. Town funds were completely spent every year, with only private monies carried forward. He provided a chart showing the amount of Town and private monies spent from 2005 to 2013. Since 2003, the Town Auditors have recommended that Town funds not be in the same account with private funds. In January of 2011 the Fire Chief and Treasurer discussed creation of a Foundation with the Select Board, who said that they liked the concept to solve the audit problem. In July 2011 the NH Attorney General's office granted a charter to form the Landaff Volunteer Fire Association. In early 2012 Landaff Volunteer Fire Association and Landaff Volunteer Fire Department members went over the FD records to quantify amounts raised by or given to the department. Over the prior few years these funds had been raised to increase what had been saved previously, towards the day new equipment and an updated fire station would be needed. A breakdown of funds raised by Old Home Day auctions and private donations directly to the Association for the period covering 2006 to 2012 inclusive was included. The Association reports total private funds raised in that time period as \$97,980. In September of 2012, \$95,000 was moved from the private Landaff Volunteer Fire Department account into new Association accounts. An

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amount equal to the Town's annual appropriation was left in the Department account for operating expenses. The Town Auditor was provided with full documentation of the formation of the Association, including charter and bylaws, Charitable Trust Division certificate of registration, and financial records during the 2013 audit.

- Jason said that the Association continues to provide support to the FD, with its major projects being setting aside funds for the purchase of a new fire engine, and possible construction or major renovation of the fire station.
- Becky McGovern pointed out that the Landaff Volunteer Fire Association is not unique. She said that it is common for towns to have associations to help support their fire departments. She listed several with the dates that they were established: Jackson (established about 15 years ago), N. Conway, Woodsville Fire King Hose Co. (started 1889) est. 2006, Bath est. 1987, Littleton-Eureka Hose est. 1829, and Bethlehem EMS Inc. est. 1998.
- Doug stated that the founding principal of the Association was to make the Fire Department better. He said that the members who raise the money need to control how it is spent.
- Richard suggested that Jack Anderson be invited to attend the hearing on September 13, 2018. He felt that Jack could provide valuable expertise. After discussion it was decided not to ask for his attendance.
- Doug again asked that the Association and Select Board try to put all the facts on paper regarding the dispute over funds, in an attempt to begin the healing process.
- The next Committee meeting will be September 6, 2018 at the Town Hall at 6:00 PM. The agenda will include preparations for the September 13, 2018, hearing.

Meeting adjourned at 7:57 PM.

Respectfully submitted, Heidi Sagar