

Town of Sandisfield

Select Board

Minutes for Select Board Work Session held on Thursday, October 12, 2023 at 4:00PM at the Town Hall, 66 Sandisfield Road, Sandisfield, MA

Members present: Steve Seddon, John Field, Robert Fedell, Jonathan Sylbert

Participants: Ralph Morrison, Michael Morrison, John Burrows, Barbara Cormier, Carl Nett, Jeff Bye, Ron Pachulski, Roger Brown (remote)

1. Call meeting to order

2. Review A&M Auto service records of Tanker regarding accident

Steve Seddon raises concern that there had only been one safety inspection done on the tanker since it was purchased in 2019 despite annual inspections being required by the state. He asks Fire Chief, Ralph Morrison for an explanation. Ralph confirms it was simply missed and he could not argue. Steve states that this was a big thing to miss and reiterates the importance of these inspections. Ralph notes the rescue truck is overdue for inspection, but will be inspected on Monday.

Steve reports that many other town's hire subcontractors to take care of vehicles on a strict annual schedule, and at this point he would recommend Sandisfield follow suit to assure these vehicles are receiving the correct maintenance for the safety of the Fire Department volunteers and residents. The DPW currently has a company that services their vehicles and could be one option to look into for the Fire Department fleet.

John Field questions where the tanker is now. Ralph informs him that the tanker is at his personal property in Tolland to keep it out of sight from all the spectators. He goes on to note that the insurance company was okay with this. John goes on to ask why the State Police truck team wasn't involved, as this was a commercial motor vehicle crash. Ralph claims the State Trooper on the scene didn't feel an investigation was necessary. John recommends the Select Board confirm the protocols in this type of situation with the commercial motor vehicle enforcement section of the State Police Department. Ralph informs the Board that the tanker is scheduled to be picked up tomorrow by the insurance company, but John does not approve of removing the vehicle yet.

John believes the Fire Department needs to know what went wrong with the truck, noting that should a third party have been inspecting the trucks, both Ralph and Michael would demand an investigation. Michael notes that due to the extent of the damage, it will be very difficult to reconstruct the tanker for an investigation. John confirms that this

is what the commercial motor vehicle department does and so long as they have all the truck parts, they will be able to diagnose a malfunction in the braking system or anywhere else.

John questions who owns the tanker. Ralph confirms that the Fire Company, Inc. owns the tanker, but leases it to the Town of Sandisfield for \$1.00. According to the lease, Sandisfield is responsible for registering, insuring and maintaining the tanker. Additionally, should the tanker no longer be in service it will go back to Fire Company, Inc.

John states that the note from the Fire Department regarding the mileage and purchase date on the tanker is irrelevant since the safety inspections are required annually by the state. Additionally, all Fire Department vehicles are required to be looked at monthly; however, Ralph confirms maintenance to the vehicles has not been logged, but log books will be put in all the vehicles and maintained moving forward. John questions when the brakes were last adjusted, as they are supposed to be checked everyday. Ralph confirms they have not been adjusted since the vehicle was inspected in 2019. He goes on to note that the mechanical failure is unknown, to which John reiterates the importance of an investigation.

Michael recalls the incident again, stating when he left Fire House #2, the tanker had adequate brakes all the way across Dimmock Rd and his brakes failed upon going over the hill. There was no smell of "hot brakes" at the time of the incident. He goes on to claim the State Police Trooper, who Michael does not recall the name of, felt an investigation was not necessary and accepted Michael's reasoning for the accident as "brake failure."

Robert Fedell confirms the road of travel once more. He notes that the mechanics of air brakes allow for the spring brakes to automatically engage upon air brake failure. Michael states he pulled the spring brakes himself.

Robert, who is a part of a Fire Department in another Town, notes his Fire Department uses an outside company to conduct a thorough inspection of all the vehicles and provide a report identifying any deficiencies. The Department then decides if any repairs or maintenance is required. This would be a large expense, but Robert recommends the Board look into this option, as it would not only improve the safety of the Fire Department, but remove any liability that falls on Ralph's auto shop, A&M Auto who currently services the vehicles. Steve supports using an outside company for the safety inspections moving forward.

John summarizes the statement received from Ralph, which states the last inspection on the tanker was done 1,100 miles ago, the rejection sticker resulted from the inspection was for emissions, but otherwise passed all safety checkpoints, no one on the Fire Department was forwarded the MIIA pre-trip inspection requirements, MIIA training was completed to meet insurance requirements, and in-house inspections are done on a monthly basis, but have not been logged.

John assures the most important thing is that no one was injured in the crash. However, to ignore investigating the cause of the accident would be irresponsible, as someone could have easily been injured or killed. Jonathan Sylbert notes that if the Select Board were to ignore the incident and it happened again, liability would fall on the Board or the Town. Ralph argues, “accidents happen everyday.” To which Jonathan defines an accident as when the driver loses control of the vehicle or someone crashes into them, not when an unknown mechanical failure occurs.

Ron Pachulski questions whether there is an accident report. Neither Ralph, nor Michael have seen one, but confirm that one was required to be written up and was requested by the insurance company from the State Police. Carl Nett expresses his disappointment with the lack of inspections, referencing the fatal Waterbury Fire Department accident that would change the law to require safety inspections for municipal vehicles.

A motion was made and seconded to have all servicing and safety inspections of all public safety and Town vehicles be done by a third party.

Discussion opens. Steve explains his motion is based on a lack of confidence, as the last three years of safety inspections were missed and no maintenance records have been logged. He notes maintenance and inspections should be based on a strict maintenance schedule. This motion would include all Town vehicles, including the ambulance and police cruisers.

A motion was made, seconded and so voted to have all servicing and safety inspections of all public safety and Town vehicles be done by a third party

Steve Seddon	Aye
John Field	Aye
Robert Fedell	Aye

3. Review 12 months of EMS stand-by records

There was concern that there have been too many people on call for EMT services, as there have been up to five people on-call at one time. Based on the budget, should this

continue, the budget could be overspent by up to \$3,600. Robert notes that these hours are listed as “EMT Stand-by”, but the Town is paying First Responders this rate, which is a level above their capabilities. He suggests a way to remedy the issue would be to pay First Responders a lower rate, as they don’t have the same classification as an EMT.

Ralph explains his Department is trying to cut back the hours, noting they have three new people, one of which is capable enough to go out on their own now. The other two are in training and are making great progress. Additionally, he goes on to explain that should Sandisfield go to Connecticut, a third party must drive the medic unit.

Ralph is hesitant towards lowering the rate for First Responders on stand-by, but confirms he isn’t against it, as Robert points out it’s unfair for EMTs to make the same amount as First Responder despite having a higher classification. Jonathan notes this would be motivation for First Responders to become EMTs and acquire the higher rate. Ralph suggests they revisit lowering the rate, as he intends on cutting back on hours, which should allow for the department to remain within their budget.

4. Discuss goals and priorities of the Select Board

John would like to work more closely with the DPW to provide tips on scheduling, maintenance, and inventory. He believes his experience with his own business may help the department run more efficiently. Jonathan notes that he is receiving a report at the beginning and end of everyday from the Superintendent documenting all the projects that have been and need to be done.

A succession plan needs to be discussed for the Fire and Police Chief, as the mandatory retirement age is approaching; Fire Chief is within a year of retirement and Police is within two or three years. Steve invites Ralph and Michael to collaborate on the succession plan in a future Work Session. Michael suggests reaching out to those already a part of the Fire/Police Departments, as they will be familiar with the way things are run in Sandisfield.

5. Discuss potential articles for an STM

The Articles for the November STM include appropriating monies for the town’s portion of 5% of the Assistance to Firefighters Grant award and for FY24 vocational student transportation expenses. Jonathan explains paying the parent/guardian directly to transport their child is much cheaper than hiring a bus company for one student. Carl Nett warns that should there be multiple vocational students, those transportation costs

could easily increase over the bus cost and suggests negotiating the transportation costs further.

Another Article would be to replenish the reserve fund after already having to utilize \$4,700 for a deductible to MIIA for a legal expense. The total deductible is \$7,500, so it is likely the Town will be billed again. Jonathan notes that this item does not need to be included on the warrant, but suggests it may be beneficial to do so. In FY21 or FY22, a MEMA grant was awarded, but never reimbursed, another Article on the STM would finally close this expense out by transferring the funds from the Emergency Management Expense account to Emergency Management Grant account.

The wages of the DPW employees have recently increased. However, the department is currently down two employees and may be for a little while longer. A transfer of funds to cover the new employees may be another Article to consider for the STM, but a transfer may not be necessary due to the vacancies. Advertisements for a Laborer, Grader Operator/Laborer, and Foreman have been published; only two of the three positions will be filled. Additionally, there are prior year bills that must be included on the STM warrant. Bills are from KP Law, Verizon and Mirabito.

Jonathan reviews how the Town went about lowering the tax levy last fiscal year. This year, he would like the Town to vote to lower it again, noting there are multiple ways to accomplish this. The easiest way would be to take \$150,000 from General Stabilization. However, Jonathan suggests taking the \$100,000 out of the Overlay Surplus because the auditor confirmed the Town could write off at least \$100,000 from these funds. The remaining \$50,000 could then come out of General Stabilization. Roger Brown notes the entire \$150,000 could come out of Overlay with no issue. In order to do this the Select Board must write a letter to the Board of Assessors asking them to release a specific amount of money from Overlay Surplus, which would allow the Town to use these funds to lower the levy. The Select Board sign a letter requesting \$150,332.75 be released from the Overlay Surplus.

2. Review A&M Auto service records of Tanker regarding accident

The Board returns to this item as Robert questions the plans for the tanker replacement. Ralph confirms the insurance money for the tanker will go to the Town, not the Fire Company, Inc. He goes on to note that the Fire Department has been considering selling their smaller capacity tanker and buying one large pumper tanker.

Carl questions whether the Select Board plans to hold an Executive Session to discuss potential disciplinary action against the Fire Chief for failure to conduct the annual safety

inspections, violating MGL. He also notes that the culture of the Fire Department is deficient and needs to be addressed.

6. Adjourn Meeting

Meeting adjourned at 6:03pm

Steve Seddon

John Field

Robert Fedell