

Thursday, January 2, 2020 – 4:00 PM

Meeting Minutes

Water Department Meeting Room

438 Granby Road

South Hadley, MA 01075

In Attendance: Water Department Superintendent and Bylaw & Policy Adhoc Advisory Committee (BPAAC) Chair Jeffrey Cyr, Prudential Committee (PC) Chair Bruce Perron, Interim Clerk/Treasurer Ira Brezinsky, District Moderator and Counsel Mark Beauregard, community representative Mitch Malinowski, Firefighter/Paramedic Chase St. Andre (left at 4:40), Fire Chief Robert Authier (arrived at 4:10)

CALL TO ORDER

Cyr called the meeting to order at 4:00 PM

APPROVAL OF MINUTES

Motion: Malinowski moved and Beauregard seconded to approve the minutes of 12/3/19. Motion carried 6-0.

ONGOING DISCUSSION OF BYLAWS AND POLICIES

The first topic of discussion revolved around issues related to Fire Department and Fire Chief bylaws. The current bylaws call for the Chief to “have all authority and responsibility pursuant to the provisions of MGL Chapter 48, Section 42A”. This is commonly referred to as the “Weak Chief Statute”. Although the District has adopted this provision, it does not apply to the Chief currently in the position who operated under MGL Chapter 48, Section 42 (Strong Chief). As currently enacted, the bylaws would call for the Weak Chief statute to be enacted at such time as the current Chief is no longer employed by the District.

Following extended discussion about roles and responsibilities of the Prudential Committee and Chief, the committee decided to ask the Prudential Committee for guidance on how to proceed with any potential changes to the Fire Department and Fire Chief sections of the bylaws, specifically pertaining to MGL Chapter 48, Sections 42 and 42A.

The next topic of discussion pertained to Longevity. It was decided that, for the purposes of the bylaws, longevity would only pertain to non-Fire Department personnel, i.e. Water Department and Administrative District staff.

A change is recommended to allow bylaw changes at Special District Meetings as well as the Annual Meeting.

Several other recommended changes were discussed and incorporated into the most recent draft labeled Working Draft 5 1/2/20.

CUMMULATIVE ISSUES REVIEWED OR TO BE REVIEWED

- Elected Officers, including elected versus appointed Clerk/Treasurer
- Date, place and requirements for elections
- Appointment of officers to vacated positions
- Establishment of Appointing Authority Committee
- Eligibility of elected officers to be employed by the District
- Eligibility of District employees to hold elected District office
- Eligibility of immediate family of elected officers to be employed by the District
- Determination of compensation for elected officers
- Duties of elected and appointed officers – Moderator, Prudential Committee, Water Commissioners, Clerk, Treasurer
- Annual and Special District Meetings – procedures, requirements, date of Annual Meeting,
- Status of Clerk Treasurer (elected versus appointed)
- Strong Chief/Weak Chief
- Updating of policies and determination of how various policies are derived, approved and implemented
- Establishment of Appointing Authority Committee in the event that an elected official leaves mid-term and needs to be replaced
- Clarification of language in sections 10, 13 & 14e of the current bylaws
- Modification of language to comport with the Collective Bargaining Agreement (CBA) and Mass General Law (MGL), i.e. roles and responsibilities, longevity, fines, etc.
- Recall provision – What would be the standard? What would be the process?
- Distinguish between general revision of language for clarification purposes versus substantive change(s) in policy or bylaw
- Differentiation of bylaw versus policy
- Policies regarding survivor health insurance benefits
- Policy manuals
- Employee handbooks
- Operational oversight of each department
- “Strong Chief” policies and procedures
- Conflicting language in the bylaws regarding approval of warrants – PC v. BOWC
- Section 16 – No Assistant Superintendent
- Process and rules for promotions. What should be in bylaw versus policy or contract?
- Date of Annual Meeting
- Clearly defined roles and responsibilities of PC and BOWC.
- Eligibility for participation in District health insurance

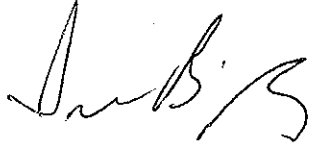
NEXT MEETING

The next meeting is planned for January 28 at 4:00 PM.

ADJOURNMENT

Motion: Cyr moved and Authier seconded to adjourn at 5:46 PM. Motion carried 6-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ira Brezinsky', written in a cursive style.

Ira Brezinsky
District #1, Interim Clerk Treasurer

