

Wareham Fire District Prudential Committee February 17, 2022

Minutes

5:30 PM

Prudential Committee Members: George Barrett, Ron Enos , Rick England, Dean Decas,
Brian Crocker

Non-Members: Wendy Lemieux, Chief Rowley

5:30 PM ***Meeting called to order***

5:31 PM ***Chief Appointment***

- Ron discussed the process of the Assessment Center used for the Fire Chief's selection process. Also spoke on the concern of not having a public interview and advised Counsel determined it was not necessary based on the process (see attached decision from counsel)
- Based on the completion of the process set forth by the Chief Selection Committee to select the new Fire Chief, the motion was made to offer John Kelley the position of Fire Chief for the Wareham Fire Department contingent on an agreed upon contract. Motion Dean, second Rick. (3-0-0) Ron Enos, Rick England and Dean Decas (Fire Chief Selection Committee)

5:37 PM ***Clerk Treasurer's Report***

- FY 21 Financial Audit completed. Exit conference to be held February 24, 2022.
- Mayflower Municipal Health Group to hold a general Board Meeting on March 3, 2022 to officially vote on a 3% rate increase.

5:38 PM ***Chief's Report (see attached)***

February 17, 2022

5:39 PM *Donation*

- Motion to accept a UTV donation from A.D. Makepeace and to have the Chief reply on the acceptance of the donation Ron, second Brian (5-0-0)

5:40 PM *Assessment Results*

- Assessment results to be released to the candidates prior to being released to the public.

5:43 PM *Correspondence*

- Motion to approve P.O. to Industrial Protection Services for Scott tank hydrostatic testing, in the amount of \$3,640.00. Ron, second Brian (5-0-0)
- Motion to pay the Wareham Police Department for Detail services a District Special Meeting, in the amount of \$220.00. Ron, second Brian (5-0-0)
- Motion to pay Norris, Murray and Peloquin, LLC for services rendered in January 2022, in the amount of \$562.50. Ron, second Brian (5-0-0)
- Motion to pay Tellier & Sons, LLC for heating system repair in the amount of \$250.00. Ron, second Brian (5-0-0)
- Motion to pay Dependable Petroleum Services for spill bucket testing, in the amount of \$100.00. Ron, second Brian (5-0-0)

5:50 PM *Minutes*

- Motion to approve the minutes of February 3, 2022. Rick, second Ron (5-0-0)
- Motion to approve the minutes of February 10, 2022. Ron, second Rick (5-0-0)

5:54 PM *Motion to go into executive session for reason#3 to discuss strategies with contract negotiations with Local 2810 and not to return to open session by Ron second by Rick. Chairman states discussion in open session could be detrimental to the District*

- ***Vote:***

Ron: yes
Dean: Yes
Rick: Yes

February 17, 2022

Vote Date:	2/24/22
Approve	5
Disapprove	0
Abstain	0

Chairman *Steve B. Bunt*

Clerk *Ann Wilson*

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Leo J. Peloquin
Tim D. Norris
Melissa R. Murray
Ian C. Keefe
Brett M. Sabbag
Antoine Fares

Philip Collins
Of Counsel

February 8, 2022

Via Email

Ronald Enos, Chairman
Fire Chief Selection Committee
Wareham Fire District
2550 Cranberry Highway
Wareham, MA 02571

Re: Selection Committee Interviews for Fire Chief Applicants

Dear Chairman Enos:

To address a question posed to the Fire Chief Selection Committee, you ask whether the Committee itself was legally required to interview the applicants for District Fire Chief. An interview was one of the exercises in the multi-exercise MMA Consulting Group Assessment Center designed to evaluate the applicants for the Committee. For the reasons stated below, my opinion is that the Committee is not obligated to interview the applicants and, to do so, would be inconsistent with the process followed to date.

The Selection Committee is limited to you, Dean Decas and Richard England because the two (2) other Prudential Committee members are prohibited from participating under Massachusetts conflict of interest statute. The Selection Committee never intended to interview the applicants but did not want to move forward with the last stage of the selection process until the question of a Committee interview was addressed.

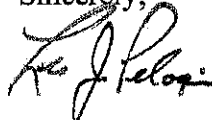
To render this opinion, I reviewed M.G.L. c. 48, § 65, the Wareham Fire District Bylaws, four (4) separate job postings and descriptions for the Fire Chief position, the MMA Consulting Group proposal, and the Fire Chief Assessment Center Results.

Mass. Gen. Laws c. 48, § 65 grants authority to the Prudential Committee to appoint the Fire Chief and Assistant Chief Engineer. It does not require a Prudential Committee interview. There is nothing in the Wareham Fire District Bylaws that requires a Prudential Committee interview when selecting the Fire Chief. The Assessment Center included an evaluated interview exercise for all the applicants, which was consistent with the job postings and descriptions as well

as the information provided to the candidates during the application process. It would be inconsistent with the process determined by the Selection Committee to add a Committee interview now.

For the reasons stated above, my opinion is that the Committee was not legally obligated to conduct a second interview and, in the circumstances, should not do so.

Sincerely,

A handwritten signature in black ink, appearing to read "Leo J. Peloquin". The signature is written in a cursive style with a large initial "L".

Leo J. Peloquin

cc: Dean Decas (via email)
Richard England, Jr. (via email)