

February 29, 2012

A regular meeting of the Board of Fire Commissioners for Fire District 2, Town of Harrison, Westchester County, New York was held at the Municipal Building, 1 Heineman Place, Harrison, NY, Westchester County, on Thursday, February 29, 2012, at 6:45 PM, Eastern Standard Time. All members having received due notice of said meeting:

MEMBERS PRESENT:

Ronald Belmont – Fire Commissioner
Marlane Amelio – Fire Commissioner
Joseph Cannella – Fire Commissioner
Stephen Malfitano – Fire Commissioner
Fred Sciliano – Fire Commissioner

ALSO ATTENDING:

Frank Allegretti.....Town Attorney
Christopher Cippola.....Deputy Town Attorney
Anthony Valentino.....President, Harrison Fire Department
William Powell.....Treasurer, Harrison Fire Department

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Fire Commissioner Belmont welcomed and thanked group for attending.

The Board of Fire Commissioners accepted the following 2012 Slate of Officers for the Harrison Fire Department:

Firematic Officers:

Chief Dino Del Signore
1st Assistant Chief Nick Cusumano
2nd Assistant Chief William Nardozi
Captain Christopher Colassoco
1st Lieutenant Nick Baretto
2nd Lieutenant Vincent Straface

Administrative Officers:

President Anthony Valentino
Department Secretary Ralph Straface
Financial Secretary Jerry Terranova
Treasurer William Powell

DISCUSSION:

Ex-Chief Vito Faga spoke to the Fire Commissioners with regard to the Harrison Fire Department by-laws. He was President at the time of the election. Prior to the election the Fire Wardens met with the Board to discuss the by-laws. Ex-Chief Faga, said they all agreed that the Department had problems with the by-laws. He explained there was a discussion at that meeting regarding firefighter voter eligibility. He explained that it was agreed by all in attendance that members had to attend at least three (3) Business Meetings and the election meeting to be able to vote.

Commissioner Cannella interjected that there wasn't a reference to any specific section. However; it was discussed that the by-laws were confusing and needed revision. The Board told the attendees at the meeting, if they were comfortable with the by-laws, live by them, the Board was comfortable with them but asked that new by-laws be drafted by March 31, 2012.

Commissioner Sciliano agreed with Commissioner Cannella's recollection of the meeting.

Commissioner Malfitano stated he wanted to comment. I came into this after the fact. Here is what I know. There is a debate as to whether or not the reading of the rules, as respect to voting, requires a minimum attendance of four meetings. Regardless of what

anyone thinks, there is a debate. There has been over the years, an inconsistency in the way this department conducts its elections. Yes there have been times in the past where
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the records of attendance have not been available. Under those circumstances every member in good standing or not, however you define that, has been, under those circumstances, allowed to vote. Those are the facts. My point to all of you is, and it goes back to where the previous Board started with you, you have by-laws, quite frankly when they are read, can be interpreted in different ways. They are not consistent, they are not clean. The previous Board charged this administration with the responsibility that they address their by-laws and make changes and alterations. I don't take any sides in any of this. Given all the facts, that an election took place, that virtually every one in that room, whether you define them as a member in good standing or not, voted. I don't see how you could, in any way shape or form, argue with the results of that. Whether you think the advice that was given is right or wrong, whether you think the by-laws are correct or incorrect, vague or not, there is a history in place here that you can't ignore. If you were to ask me that given the facts of how this department has operated, there is no choice to it. So if you are asking this Board to make a decision that is going to favor one or the other, I'm not going to do that. I'm going to tell you that there was an election, as you know there is one person in that room who abstained, or had a different view, and that everyone else voted. There is no way to realistically resolve this.

Ex-Chief Faga went on to state that Freddie(Commissioner Sciliano) or Mr. Cannella you did not tell our warden who was here for a meeting before the election and told you that the 25 year rule would stay in effect. Tell me you guys said that and I will walk away.

Commissioner Cannella stated what we said was you have by-laws, respect your by-laws and we are ok with that.

Ex-Chief Faga said Frank (Attorney Allegretti) wrote his opinion on 1961 by-laws. The 1961 by-laws refer to three companies and in that case there is no President's election. In 1961 we did not have one department. You guys didn't give us the time of day from December 13th until this meeting, I'm going to tell you straight out. I think it is despicable. Personally I know you are going to blow me off. The truth of the matter is, Frank, whoever led you to write this letter gave you the wrong information. There was a lot of misinformation passed around to all the Board members.

Commissioner Malfitano stated whatever request Ron received for a meeting did not come from an officer of the Fire department.

Ex-Chief Faga stated I was still President when everything was handed to him. My term did not end until December 31, 2011. I wrote a letter of what occurred that night. This Board refused to hear our problems.

Commissioner Malfitano stated I think it is important, for the record, you should note what took place here tonight.

Ex-Chief Faga left the chamber calling for a newspaper reporter.

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Ex-Chief Henry Mohr spoke to inform the Board that a current Chief is on a full disability pension. He was concerned about the Chief's ability to perform his firematic responsibilities.

Commissioner Cannella spoke to clarify his position with regard to the election. He explained that he was very uncomfortable with how the elections were held. He was concerned that some of the actions taken that evening were peculiar. He expressed his desire to do what was in the best interest of the Fire Department. He insisted on by-laws that were clear and incontrovertible. To ask the Commissioners to revisit the election after the fact is something that is not appropriate because it will cause complete chaos in the long run.

Commissioner Malfitano explained he was concerned that the Fire Commissioners were put in a position that was unfair. The unfairness had to do with how the by-laws were interpreted and what that may have caused. The department had voted virtually unanimously to do "*something*" (elect officers), and now the Commission is being asked to suddenly change that outcome. That put the Commission in an untenable position. Commissioner Malfitano stated he took no sides, but it was time to move on and new by-laws, that are clean, need to be developed and followed.

Ex-Chief Mohr asked the Commissioners if they were going to allow the Chief on disability to serve his term. He wanted it on record that the Commissioner's would place the Town at risk by allowing him to serve his term.

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FC2 - - 2012 - - 01

APPROVAL TO INSTALL LIGHTING AT THE FIRE DEPARTMENT FACILITY

On a motion of Commissioner Cannella, seconded by Commissioner Amelio,

It was

RESOLVED to approve Richard Dionisio, a licensed electrical contractor, to supply and install two (2) new sensor fixtures in the exterior hallway between the buildings and two (2) new sensor fixtures in the parking lot and rear door of the downtown fire house. Mr. Dionisio will provide all circuit wiring, connectors, fittings, lamps and fixtures as necessary for security lighting.

FURTHER RESOLVED that the cost will not exceed \$2,800.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, and the Chief of the Harrison Fire Department.

Adopted by the following vote:

AYES: Commissioners Amelio, Cannella, Malfitano, Sciliano
and Belmont

NAYS: None

ABSENT: None

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FC2 - - 2012 - - 02

APPROVAL TO PURCHASE ONE PAIR OF BOOTS

On a motion of Commissioner Cannella, seconded by Commissioner Amelio,

It was

RESOLVED to approve the purchase of one pair of boots at a cost of \$305 with funding to come from account #011-3411-100-0423.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, and the Chief of the Harrison Fire Department.

Adopted by the following vote:

AYES: Commissioners Amelio, Cannella, Malfitano, Sciliano
and Belmont

NAYS: None

ABSENT: None

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FC2 - - 2012 - - 03

APPROVAL TO PURCHASE FIVE (5) TEXT BOOKS

On a motion of Commissioner Amelio, seconded by Commissioner Sciliano,

It was

RESOLVED to approve the purchase of five (5) text books, at a cost of \$95 each, for the volunteer firefighters currently enrolled in the Firefighter I, II and Firefighter Survival classes. It is imperative that the firefighters be provided with the state required materials needed for these classes.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, and the Chief of the Harrison Fire Department.

Adopted by the following vote:

AYES: Commissioners Amelio, Cannella, Malfitano, Sciliano
and Belmont

NAYS: None

ABSENT: None

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FC2 - - 2012 - - 04

REQUEST TO REVIEW PURCHASES FOR 2012 IN HARRISON FIRE DISTRICT #2

On a motion of Commissioner Amelio, seconded by Commissioner Sciliano, the board unanimously tabled the review of 2012 purchases.

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NEW BUSINESS:

President Anthony Valentino stated that the by-laws were recently rewritten. The Law Department is currently reviewing a draft copy.

Commissioner Sciliano requested the Board be given a copy of the final draft before it is presented to the department as a whole. Commissioner Sciliano informed President Valentino that the Fire Commissioners are considering having the document reviewed by an attorney proficient in fire department relations.

On motion duly made and seconded, with all members voting in favor, the Meeting was closed at 7:09 PM.

Respectfully submitted,

Jacqueline Greer
Town Clerk