

BOARD OF FIRE ENGINEERS MEETING

March 31, 1999

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Meeting called to order at 8:00 p.m.

Members present: Michael S. Trovato, Chief

Warren Alexander, Deputy Chief

Adam Wolf, District Chief

James Roderick Jr., District Chief

Russell Zawaduk, District Chief

Others present: Paul Silva

Mark Lambrou

John Reis

David Atkinson (Selectman)

Mary Jo Avellar (Selectman)

Marilyn Miller (Reporter from Advocate)

Sue Harrison (Reporter from Banner)

\$3,500.00 in checks were presented to the Board from a fund set up by Mary Jo Avellar and David Atkinson along with a list of 40 donors. A check for \$500.00 from Atlantic Bay Realty was also received by the Board. A letter from Margaret Roberts, John Edwards and a packet from Tim McNulty with almost 600 signatures was also presented to the board.

A press release was then read by Chief Trovato. Stating "The Provincetown Board of Fire Engineers were given a check at their meeting Wednesday night March 31st. A check for \$3,500 was presented to the Firefighters by Selectmen David Atkinson and Mary Jo Avellar. The two Selectmen opened an account entitled "Provincetown Firemen Appreciation Fund " several weeks ago so that citizens would have a way to show their support for the firemen who risk their lives for no pay. Selectman Atkinson stated that 40 individuals have donated to the fund so far. We are keeping the fund open until July 1st so that people who have not had an opportunity to show their support will have time before the account is closed. Both, Avellar and Atkinson, thanked the donors for their enthusiastic show of support. It means a lot for someone to sit down and write a check and we are grateful said Avellar. Donations may be sent to Provincetown Firemen's Appreciation Fund, Seamen's Bank, 221 Commercial St., Provincetown."

Chief Trovato stated that he had spoken to Attorney Chris Snow and then explained to those present the free work that Snow had done for the department. Attorney Snow had advised Silva that the \$13,000 figure was what his fee would have been if he was charging Silva full price. The \$3,500 figure was what his fee was a professional courtesy. Silva then met with the Town Manager, Town Counsel, and Attorney Snow and at the meeting Town Manager Bergman agreed that a \$6,000 fee would be fair. Attorney Snow suggested the \$6,000 fee agreement be discussed with the Board of Selectmen.

Mary Jo Avellar remembered advising the Town Manager that the \$6,000 figure was fine with her but she did not recall what happened after that to make it become an agenda item.

Chief Trovato stated he was upset that the Board was not given an opportunity to give their side of the story. He then asked the firemen not to walk out and retire from the fire department. He added that the money was donated in good faith.

Gerard Menangas stated that he felt that the people in town should not have to pay the bill by donations, the Town should be responsible when the Fire Department is in trouble. He added that the Police Dept. had always been covered by the Town.

Chief Trovato agreed with Menangas and added that three times the Rescue Squad Association had paid for half the cost of a new ambulance at \$35,000 for each vehicle. The Hummer (at \$185,000) was obtained by the Chief for the department through a grant. Also the Rescue Squad Association, with donations through the Town, supports the Rescue Squad other than Rescue Standby. All Rescue Squad equipment and supplies are paid for by the Rescue Squad Association. The Chief stated that he felt the department was taken for granted and he was tired of reminding the Town Boards what the department handles on its own.

Wolf added that it was the boards fault for not letting people know periodically what is going on.

John Reis stated that the firemen today still have no coverage and the case by case basis that the Selectmen agreed on was bull and a play on words to make it appear that they would take care of everything from now on after Paul Silva. He added that he had a business and a family to be concerned about and the only way he would come back into the Fire Department is if he was 100% sure that he would be fully covered by the Town. Reis stated that their hearts were in the Fire Department and they hated leaving the men at their firehouse but they had no choice.

Chief Trovato stated that no one ever had any criminal intent. There were two firefighters that used bad judgment, they saw stuff going into the dumpster to be crushed so they took it. They shouldn't have taken anything and the department does not condone what happened but it was not criminally intended, it was poor judgment. The Chief added that this all happened under the watchful eye of a police officer who never said a word. Then in the police report it said that the watched firemen take alcohol and liquor out of the Crown & Anchor and it was no true although the report was signed by the Police Chief.

Menangas added that Paul Silva had never even touched the statue it was Ronnie White who had put it on the back of the fire truck but the police never asked him about it.

Mark Duarte was on a fire call, advised the Chief and the police called him to ask if he knew where the statue was, Duarte advised them that it was on the back of the fire truck. He then brought it over to the police station and they then charged him. The Chief added that a lot of people went to the police to tell their story but it didn't matter.

Reis added that there were people involved, as well as Provincetown Firefighters, who had taken stuff and brought it back but they were not charged. Although Silva had not taken anything, he was charged which put him in jeopardy of losing his Insurance License.

Silva stated that he had to leave the department to give himself peace of mind. Betty Steele Jeffers had called him to find out his side of the story since she had only heard the Police and the District Attorney's side of the story. Silva advised her that if they didn't pay him under the Boards new guidelines there would never be a better case with someone who is more innocent or more of a victim than he was. He added that there was never any doubt in his mind that he would get off because he did nothing wrong. He stated without 100% support from the Town he could not take a chance to be put in the same position again.

Alexander stated that when something traumatic happens in people's lives they need closure and in this case it hadn't happened. He added that only one or two people on an Engine were responding to calls and stressed the importance of a large number of people coming in early on a call and that wasn't happening. He stated that he was very disappointed how the situation was handled by the police where people were not listened to or believed and he, as Officer in Charge, was accused of something that was so unfathomable he couldn't believe it. Also he was not advised that the Fire Dept. was being investigated until he had heard a rumor that it was. He added that the department had been dragged through the coals.

Mary Jo Avellar stated that when the Fire/Police Cooperative Agreement was signed the Selectmen were under the impression that the situation was resolved. It wasn't until Paul Silva made his request for payment that it became clear that things were not resolved. She added that because she is the minority member in all the votes, she is not able to bring back a motion but possibly Atkinson could make the motion, and if he could get another Board member to second it, she could vote for it. Avellar added that she would try to persuade the Board to bring it back.

Atkinson stated that what bothered him was why would the Police do it?

Avellar advised the Chief what the problems were that were bothering some of the Selectmen:

The problem with the Main Station not being available for other groups to meet in.

The incident of bringing the Fire Truck onto the apron of the Town Hall steps prior to a Town Meeting.

Chief Trovato calling from Florida saying he was going to quit and take everyone with him.

Chief Trovato stated that the Fire Department had held many open houses at the old fire stations in order to show the town people the poor condition of the old fire trucks and help them understand why the department needed a new fire station to house new fire vehicles. Only a few people showed up and then the Article for the new fire station was defeated at Annual Town Meeting. Chief Trovato then placed the Fire Truck in front of the Town Hall steps with a sign saying " You would not come to our Open House so we're bringing the trucks to you." The Chief added that no one even read the sign and he felt the department was taken for granted because they know when the fire tone rings the firemen respond.

As far as the use of the new fire facility, stated Trovato, it is available in case of a disaster, such as a hurricane, flooding, etc. and for CPR, First Aid Training, and other classes for Public Education. The Chief added that the fire department never said that the building would be open to the public. It never crossed anyone's mind that the public expected to use a building that contains controlled substances and has equipment in it that could be tampered with. Even the department by-laws state that firemen are only to enter the building when there's a fire or if they have permission to do so because should an Air Paks or a Life Pak is tampered with how would we know who did it. Also, if the ambulance responded to a Code 99 and the drugs were missing on the rescue vehicle because they had been stolen, the Chief is the person who would be held responsible. He added that he was also concerned about someone being careless with a lit cigarette and burning the building down, similar to what happened at the Community Center or the incident that recently happened at the Grace Gouveia Building where someone left the stove on and almost burned the building down. Chief Trovato advised those present of several incidents that occurred in the past when the public was allowed to use the building and people were found wandering throughout the building in restricted areas. The Chief stated that whoever suggested that the fire station be open to the public was irresponsible and shouldn't be in public office. Chief Trovato advised the board that he was also upset following a meeting with the Town Manager who advised him that the Fire Department had the reputation of being an Elite Country Club.

Wolf stated that it wasn't that the building could not be used period but the building did not have a full time janitor and there needed to be someone watching the rest of the building while it was being used. He added that the job was more than a full time job and it was difficult just trying to keep up with what had to be done.

Chief Trovato added that during an inspection of the vehicles by the D.P.H. Inspector the Chief spoke to him about the use of the building by the public and the inspector advised him that if one vial of drugs was missing the department could lose its license and may not get it back for at least 5 years.

Letters of Resignation discussed.

Resignation letters from John Reis, Mark Lambrou, and Paul Silva, effective 4/1/99, read to the Board.

Motion: Alexander motioned that the board take no action on the letters of intent to retire for 90 days and the board compose a letter to be sent to the men asking them to take this time to reconsider; Motion seconded by Roderick; All in favor.

Rescue

Rescue Summer Standby job advertisement ready to be submitted.

Lisa Silva voted into the Rescue Squad, 10 for - 2 against, effective 4/1/99.

Motion: Notaro motioned to accept the rescue squad vote to accept Lisa Silva as a member, pending a physical exam; Alexander seconded the motion; All in favor.

Jeff Francis will replace retiring Adam Wolf on Lower Cape Ambulance.

Motion: Notaro motioned to accept the vote of the Rescue Squad to accept Jeff Francis as a member of the department pending a physical exam; Wolf seconded the motion; All in favor.

Letter from Jeffrey Sturtevant requesting a seat in the upcoming Paramedic Program.

Motion: Wolf motioned to approve Sturtevant's request; Notaro seconded the motion; All in favor.

Ladder Company #2

Motion: Roderick motioned to allow Thomas Steele to move to Ladder Company #2 immediately; seconded by Notaro; All in favor.

PERF submitted by Roger Green for Bunker Pants, size 42-44. Size will be checked by Roderick.

Motion to Adjourn Meeting:

Alexander motioned to adjourn the meeting; Wolf seconded the motion; All in favor.

Meeting adjourned at 10:20 p.m.