



Official Statement of the Nottingham Board of Selectmen
Re: Nottingham Fire Rescue Department Complaint Investigation
Issued July 17, 2023

The Town of Nottingham Board of Selectmen and Administration received workplace complaints from employees of the Nottingham Fire Rescue Department in March this year about the Fire Chief and another fire department employee. Through its attorney, the Town hired an investigator to perform an impartial review of the situation. The Board received the report and findings on June 19, 2023, and took action based upon it shortly thereafter.

Below is a timeline of the investigation process since the initial complaint was received up through decisions rendered:

- March 20, 2023 – Initial complaints were received in non-public session
- March 23, 2023 – The Fire Chief and Lieutenant were placed on Paid Administrative Leave
- March 31, 2023 – A department contact list was provided to the investigator and the investigation into the complaint began
- April 3, 2023 - May 1, 2023 – 12 interviews were conducted
- May 22, 2023 – Fire Chief interviewed
- May 25, 2023 – Lieutenant interviewed
- May 26, 2023 – The last of the interviews took place
- The following two weeks, the investigator compiled her findings from all interviews conducted into a report
- The Board met with the Town's Attorney to review a summary of the findings from the investigation
- June 19, 2023 – The Board held a non-public session to review the investigator's report, in preparation for release of the information in a redacted version.
- June 21, 2023 – Termination letters were issued as a result of the Board's review of the investigator's report.
- June 26, 2023 – The Board ended the interim appointment of Dale Sylvia and returned to the chain of command outlined Nottingham Fire Rescue Department bylaws, in turn placing Deputy Chief Matt Curry as Acting Chief.
- July 11, 2023, Nottingham Fire and Rescue Department members voted Deputy Chief Matt Curry as the Acting Chief until their next election of officers to be held in December of this year.

If you would like additional information, you may submit an RSA 91-A Right To Know request to the Town, but the Board of Selectmen is not able to comment further on personnel matters.

The following are responses to a few frequently asked questions:

Q. Why was the grievance process outlined in the Nottingham Fire Rescue Department Bylaws (2007) not followed?

A. The following sections in the bylaws were considered in the decision to follow the procedures outlined in the Town of Nottingham Personnel Policy rather than the bylaws:

- 1.) Article XV – Reprimands, Suspension, Impeachment, and Appeals: Full-time employees are governed by the Town of Nottingham Personnel Policies, NFRD SOP/SOG and/or other applicable documents. Personnel complaints among members should be directed to the **Executive Board** who should seek to moderate the differences.*
- 2.) Article XIV – Duties of the Executive Board: The **Executive Board shall consist of the Chief and Deputy Chiefs.***
- 3.) Mission Statement: In an area of conflict, the Town of Nottingham Personnel Policies will take precedence.*

Q. Why did the Board of Selectmen not follow the town’s Policy for Filing an Official Complaint?

A. There are a variety of complaints that come into the Town Office that require attention. This complaint policy and applicable form is used to streamline general complaints that come into the office and direct them to a specific department/department head to be dealt with, creating a paper trail to ensure that action is taken. The Town’s Personnel Policy contains sections pertaining to handling personnel-related complaints including, but not limited to, the Dispute/Grievance Resolution Procedure and the Equal Employment Opportunity and Policy Against Unlawful Discrimination and/or Harassment. Neither of the sections referenced require an official complaint to be made in writing.

Q. If the Board of Selectmen cannot discuss details of the complaint investigation, why was a copy of the investigator’s report released to fulfill RSA 91-A requests?

A. The Town is subject to the disclosure requirements of RSA 91-A. The investigation report disclosed complies with the Town’s obligations of this statutory chapter, including what was and was not redacted. In some circumstances, the Town must disclose information requested whether or not an individual has waived their right to privacy.

Q. Why did the Board of Selectmen install the Building Inspector as the Interim Fire Chief during the investigation rather than follow the Nottingham Fire and Rescue Department’s chain of command outlined in their bylaws?

A. The Board of Selectmen opened the complaint investigation up to the entire department and found it would be in the best interest to install a neutral, unbiased individual on a temporary basis until the investigation could be completed.

Q. What qualifications does the Building Inspector hold that would enable him to serve in the capacity of Interim Fire Chief?

A. According to the Nottingham Fire and Rescue Department Bylaws (2007), the Chief shall have a minimum of FF-I (or be an active member on any department since 1991) and FR, and a minimum of ten years in fire and/or rescue service, at least five years of which must be with the NFRD; ... Since the interim appointment

was not permanent, the Board was able to install Dale Sylwia who holds the following qualifications, all of which exceed the minimum qualifications noted in the bylaws except for the 5-year NFRD membership:

28-year fulltime firefighter, retired as Chief, 20 Years in the NH Air National Guard Fire Dept, retired as Deputy Chief (E-7)

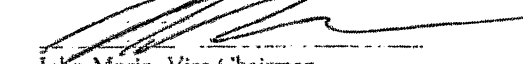
Formal Education: Bachelor of Science in Public Administration; Associate of Science in Fire Science

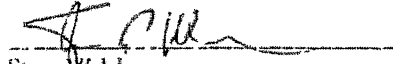
Certifications: Fire Officer III; Fire Officer II; Fire Officer I; Firefighter I; Career Firefighter; Fire Inspector II; Fire Inspector I; Fire Instructor II; Fire Instructor I; Haz Mat Incident Commander; Haz Mat Operations; Haz Mat Awareness; Airport Firefighter; Driver Operator; Water Supply; Emergency Response and Planning for School Shootings; Technical Rescue; Rapid Intervention Team; Command Strategies for Marine Emergencies; Supervisor Safety; Tactics for Modern Fireground; Preventing Workplace Harassment; ICS100 Incident Command; IS 139 Exercise Design; IS 200 Single Resource and Initial Action; IS 225 Emergency Planning; IS 230 Fundamentals of Emergency Management; IS 240 Leadership; IS 241 Decision Making and Problem Solving; IS 244 Developing and Managing Volunteers; ICS 300 Intermediate ICS; ICS 400 Advanced ICS Command; IS 700 National Management System; IS 775 Management and Operations; Tactical Operations for Company Officers I; Tactical Operations for Company Officers II; Emergency Response to Terrorism; Rapid Intervention Team; Command Strategies for Marine Emergencies; Supervisor Safety; Tactics for Modern Fireground; Municipal Fire Alarm; Space Shuttle Orbiter Rescue

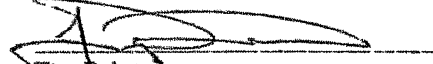
Respectfully submitted,


Nottingham Board of Selectmen:


Benjamin Bartlett, Chairman


John Morin, Vice Chairman


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