

CLARENCE FIRE DISTRICT NO. 1

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Board of Fire Commissioners

David R. Metzger, Chairman

Douglas G. Garlapo, Vice-Chairman

Gerald J. Roy, Jr.

James Schlabach

Nathan M. Work

Treasurer and Interim Secretary

Kim M. Lash

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The organizational meeting of the Board of Fire Commissioners, Clarence Fire District No. 1, was held on **January 4, 2016** at 10355 Main St., Clarence, NY 14031.

Meeting called to order by Commissioner Metzger at 19:00 hours.

ROLL CALL:

Present: Commissioners Garlapo, Metzger, Roy, Schlabach, Work and Treasurer Kim Lash

Absent:

Guests: Third Assistant Chief Jim Havernick

2016 ORGANIZATIONAL MEETING:

MOTION by Garlapo, second by Work, to appoint Commissioner Metzger as Chairman of the Board of Fire Commissioners for the year 2016. Motion carried.

MOTION by Metzger, second by Work, to appoint Commissioner Garlapo as Vice-Chairman of the Board of Fire Commissioners for the year 2016. Motion carried.

Oath of Office for newly elected Commissioner Jerry Roy was administered by Chairman Metzger.

MOTION by Metzger, second by Schlabach, to appoint Kim Lash as Interim Fire District Secretary and Records Management Officer at an hourly salary of \$14.00 for the year 2016. Duration of the interim appointment is at the discretion of the Board of Fire Commissioners. Motion carried.

MOTION by Work, second by Schlabach, to appoint Kim Lash as Fire District Treasurer for the year 2016 at an hourly salary of \$30.00. Motion carried. Oath of Office for both jobs administered by Chairman Metzger.

MOTION by Roy, second by Schlabach, to appoint Paul Meyer, Jr. as Fire District Building Maintenance Manager for the year 2016 at an annual salary of \$4,200.00 (\$350.00/month) based on 3.5 hours per week. Additional authorized maintenance work performed beyond the normal job duties shall be at the rate of \$25.00 per hour. Motion carried.

MOTION by Schlabach, second by Garlapo, to appoint Mark Heim as Fire District Janitor for January 1 – April 30, 2016 at a salary of \$450.00 per month based on 8-10 hours per week and additional authorized maintenance work performed beyond the normal job duties shall be at the hourly rate of \$12.00. Appointment is for only four months as the job activities may substantially change due to construction activities and will be reevaluated at the April 11, 2016 Board meeting. Motion carried.

MOTION by Garlapo, second by Metzger, payment for employees' services will not be issued until a time sheet is submitted indicating days worked, time in and out and a list of general tasks performed.

MOTION by Work, second by Schlabach, to approve the distribution of New York State Wage and Theft Prevention Act forms to current employees prior to February 1, 2016. Treasurer is responsible for providing such notice to any new employees at hire. Motion carried.

MOTION by Metzger, second by Garlapo, to appoint Mark C. Butler as Fire District Attorney for the year 2016 with an initial retainer of \$3,500. His hourly fee is \$325 and \$85 per hour will be billed for paraprofessional work. Attorney interviews were conducted by the Board on October 6, 2015. Motion carried.

MOTION by Roy, second by Metzger, that M&T Bank be designated as the official depository for the year 2016. Also, the Board of Fire Commissioners and the Fire District Treasurer may deem prudent that other financial institutions may be added as an official depository. The last evaluation of M&T Bank services to other financial institutions was made in 2012. There are currently no costs to the District for use of M&T Bank as the District's financial institution. Moody's Investors Service rates the outlook for the bank as stable at October 5, 2015. Motion carried.

MOTION by Schlabach, second by Garlapo, to designate the *Clarence Bee* as the official newspaper for the year 2016. The *Buffalo News* will be an alternate newspaper. Motion carried.

MOTION by Garlapo, second by Schlabach, to reaffirm the resolutions that established the Building and Equipment Reserves for purchases and replacements as defined by the established capital plans. Motion carried.

MOTION by Metzger, second by Garlapo, to require Commissioner Metzger or Commissioner Work to countersign all checks and wires issued by the Treasurer or Deputy Treasurer. Motion carried.

MOTION by Work, second by Metzger, to empower the Chairman, or in his absence the Vice-Chairman, to sign any contracts of the District on behalf of the District whenever such contracts are approved by at least three Board members at a Board meeting. Motion carried.

MOTION by Roy, second by Schlabach, that the regular business meetings of Clarence Fire District No. 1 for the year 2016 will normally be held on the second Monday of each month at 18:30 hours, except as otherwise specified below. The Legal Notice will state that a Work Session may precede each meeting, beginning at 18:00 hours. The following meeting dates shall be published in the January 13, 2016 edition of the *Clarence Bee*. Motion carried.

2016 Regular Business Meetings

- Monday, February 8
- Monday, March 14
- Monday, April 11
- Monday May 9
- Monday, June 13
- Monday, July 11
- Monday, August 8
- Monday, September 12
- Tuesday, October 18 – 2017 Budget Hearing at 18:00 hours and Business Meeting at 18:30 hours
- Monday, November 14
- Monday, December 12

2017 Organizational Meeting – Monday, January 2, 2017

2017 Regular Business Meeting – Monday, January 9, 2017

2016 Work Sessions at 18:30 Hours

- Monday, January 25
- Monday, February 22
- Monday, March 28
- Monday, April 25
- Monday, May 23
- Monday, June 27
- Monday, July 25
- Monday, August 22
- Monday, September 26
- Monday, October 24
- Monday, November 28
- Monday, December 26

MOTION by Schlabach, second by Garlapo, that the membership of all Commissioners, Secretary and Treasurer be continued in the Erie County Fire District Officers Association and the Association of Fire Districts of the State of New York. Motion carried.

MOTION by Garlapo, second by Metzger, that the Clarence Fire District Compensation Insurance cover all District employees and Fire Commissioners. Motion carried.

MOTION by Metzger, second by Work, that all active firefighters on the January 11, 2016 roster of the Clarence Fire Company, Inc., as well as any active firefighter added to the roster during 2016, be covered on the Clarence Fire District Group Life Insurance Policy, Disability Policy and VFBL Insurance plans. Motion carried.

MOTION by Work, second by Metzger, that all utilities, postage, freight charges and invoices with discounted terms may be paid prior to audit pursuant to Subdivision 176 of Town Law (4a). All such claims shall be presented at the next regular meeting for audit. Motion carried.

MOTION by Roy, second by Schlabach, that the Treasurer is hereby authorized within 60 days after the end of the 2016 fiscal year to submit to the Board a copy of the annual report required by General Municipal Law Section 30, in lieu of a written statement showing the receipts and disbursements for the preceding fiscal year. Motion carried.

MOTION by Schlabach, second by Metzger, to pay all registration fees for workshops, seminars, conferences and other lawful functions of the State of New York Fire District Officers, NYS Association of Fire Chiefs, Erie County Fire District Officers Association, FASNY and any other training session for any Commissioner, Secretary, Treasurer, Deputy Treasurer, Deputy Secretary, Chief, Firematic Officer or any firefighter selected by the Chief and approved by the Board of Fire Commissioners.

IT IS HEREBY RESOLVED, that the Board of Fire Commissioners, in accordance with General Municipal Law Section 77-b, has considered the needs of the Fire District and has approved attendance by Fire Commissioners, District Officers, District Employees and Chiefs at the following conventions, conferences and trainings: FDIC (Indianapolis, ID), Firehouse (Baltimore, MD), New York State Association of Fire Chiefs, Vital Signs, New York State Fire Academy (Montour Falls, NY), National Fire Academy (Emmitsburg, MD), FASNY, Western New York Fire District Officers' Legislative Seminar (Batavia, NY), New York State Association of Fire Districts Spring and Fall Workshops, New York State Comptroller teleconferences, Fire Training Center Oakville, Canada and Niagara Regional Training (Niagara Falls, Canada).

IT IS FURTHER RESOLVED, that the Board of Fire Commissioners finds such attendance of personnel to relate to official business and to be in the public interest and directs that such travel be undertaken by such personnel at District expense in accordance with the travel expense policy of the District, and that District staff (or Board designee) is directed to make arrangements for travel and lodging utilizing a cost-effective and reasonable method of travel, and

IT IS FURTHER RESOLVED, that such personnel furnish proof to the Board of Fire Commissioners of attendance at such conferences and conventions in accordance with such proofs as provided by the organization sponsoring and conducting the conference. Motion carried.

MOTION by Garlapo, second by Metzger, to approve the renewal of all established policies of Clarence Fire District No. 1 with no changes. Motion carried.

MOTION by Metzger, second by Garlapo, that all firefighters may use the wash bay for their own personal vehicle per the rules and regulations as set forth by the House Committee Chairman of the Board of Fire Commissioners. Motion carried.

MOTION by Work, second by Metzger, to approve Potter, Harris & Scherrer as the District's 2016 insurance agent; a review of the District's insurance benefits through this Insurance agent was conducted in 2014. Motion carried.

MOTION by Roy, second by Work, that the Treasurer and Deputy Treasurer be bonded for \$3 million. The Board will further review insurance policies and renew the bond with the annual insurance policy renewal in April 2016. Motion carried.

MOTION by Schlabach, second by Garlapo, to approve RBC Wealth Management as the District's 2016 Service Award Program Investment consultant. The Board of Fire Commissioners made action to move the Service Award Program to RBC Wealth Management in July 2013 following a review of LOSAP investments managed by Morgan Stanley Smith Barney. Motion carried.

MOTION by Garlapo, second by Metzger, to approve Penflex, Inc. as the District's 2016 Service Award Program Actuary. The last evaluation of actuarial providers was made at the program's 1991 inception, but there have been periodic informal evaluations of providers that have forwarded literature. Motion carried.

MOTION by Metzger, second by Work, to approve Occustar of Western New York, as the District's 2016 medical authority. The last evaluation of medical providers was made in 1997, but there have been two informal evaluations. Motion carried.

MOTION by Work, second by Schlabach, to approve Network Services as the District's 2016 computer consultant. The last evaluation of computer consultants was made in 2005. Commissioner Work plans to bid this service with the Building Expansion project. Motion carried.

MOTION by Roy, second by Work, to approve RICOH as the District's 2016 copier repair technician. The current copier was purchased on September 29, 2010, but there is the option to terminate at any time with a 30-day notice. Motion carried.

MOTION by Schlabach, second by Garlapo, to approve Buffalo CPR & Continuing Education as the District's 2016 EMS recertification provider. The last evaluation of this service was in 2009. Motion carried.

MOTION by Garlapo, second by Metzger, that mileage reimbursement for Fire District official business will be at the IRS 2016 standard per mile rate (\$.54) for use of private vehicle. The IRS rate dropped from the 2015 rate of \$.575. Motion carried.

MOTION by Metzger, second by Garlapo, that the Fire District reimburse the Assistant Chiefs, not provided with a District vehicle, for alarms mileage within the District with their personal vehicle at 9 miles per response. Response to alarms outside the District will be reimbursed using actual miles traveled from the Fire Hall. The IRS standard per mile rate (\$.54) will be used to determine the cost to be reimbursed. The (\$.54) per mile reimbursement includes both fuel costs and any vehicle maintenance. Motion carried.

MOTION by Work, second by Schlabach, to approve Target Solutions, FDIC, NYS Association of Fire Chiefs and EMT certification course outlines and any course deemed appropriate by the Board of Fire Commissioners for the training required for nomination and appointment to Firematic Officer. Motion carried.

MOTION by Roy, second by Metzger, to authorize the Equipment Committee Chairman, or in his absence, the Chairman of the Board, to authorize repairs to the apparatus and other firefighting equipment as deemed necessary to maintain the District-owned equipment in service ready condition. Said repairs are those that cannot wait for authorization by the entire Board. Such expenditures shall be reported to and audited by the entire Board at the next regular meeting of the Fire District Board of Fire Commissioners. Motion carried.

MOTION by Schlabach, second by Garlapo, to authorize the Commissioner in charge of buildings, or in his absence, the Chairman of the Board, to authorize emergency repairs to the building and related equipment as deemed necessary to maintain the District-owned structures. Such expenditures shall be reported to and audited by the entire Board at the next regular meeting of the Board of Fire Commissioners. Motion carried.

MOTION by Garlapo, second by Metzger, to authorize the continuation of the Erie County Mutual Aid Agreement and Clarence Fire District No. 1 Automatic Aid Agreement. Motion carried.

MOTION by Metzger, second by Schlabach, to appoint the 2016 Clarence Fire Company Firematic Officers: Chief Jeff Schlabach, 1st Assistant Chief Ken Beil, 2nd Assistant Chief Chad Hawes, 3rd Assistant Chief Jim Havernick, 4th Assistant Chief Mark Zuchlewski and Firematic Captain Brett Hanford. This official appointment occurs at the Organizational Meeting per Town Law Section 176 (11-b). Motion carried.

MOTION by Work, second by Metzger, to approve the \$125 cost for Commissioner Roy to attend the mandatory Commissioner training in 2016. Motion carried.

The New York Fire District Officer Guide suggests annual registration of the District's domain name. Treasurer Lash registered clarencedistrict.org with GoDaddy.com on June 24, 2013 for a period of ten years. No action is required by the Board at this time.

The Fire District received five RFP's for annual audit service in October, 2012. A 5-year contract was established with Amato, Fox & Company with a clause that allowed the District to opt out at any time. The Fire District is in the fourth year of the five year contract. The cost of the audit of 2015 records is \$4,275.

MOTION by Schlabach, second by Garlapo, to continue the contract with Amato, Fox & Company for audit services. Motion carried.

The Fire District is in the third year of a 3-year contract for snowplowing service with Braunscheidal LGS. The annual cost is \$8,850.00, and the contract expires April 1, 2016. Since their service has been satisfactory, no further action is required by the Board at this time.

MOTION by Roy, second by Metzger, to request the Fire Chief to provide the District with an updated roster of active firefighters by the January 11, 2016 Fire District meeting so that the Board can adopt the roster and update insurance policies and any other documents for 2016.

MOTION by Garlapo, second by Metzger, to grant insurance coverage to any active Clarence Fire District No. 1 firefighter who may be injured while providing emergency services outside the bounds of Clarence Fire District No. 1 and prior to the arrival of an officer in command of the scene. This is in accordance with legislation signed into law by New York State Governor Cuomo on January 2, 2015. Motion carried.

MOTION by Metzger, second by Garlapo, to approve the following Board of Fire Commissioners Committee assignments for the year 2016:

Metzger	Safety, HazMat Liaison, Firematic Personnel, Public Information Officer, Office, Assist House Committee (as needed)
Garlapo	Service Awards, Budget, District Audit, District Policies/District Rules and Regulations, Physical Exams (Occustar)
Roy	Equipment, Communication & Alarms, Training
Schlabach	House, Building/Capital Improvement, ECFDOA Liaison
Work	Life Insurance, OSHA, Inventory, EMS, Technology

Schedule of Fire Commissioner attendance at 2016 Board of Directors meetings:

January 18	Metzger	July 18	No meeting
February 15	Schlabach	August 15	No meeting
March 21	Garlapo	September 19	Garlapo
April 18	Work	October 17	Schlabach
May 16	Roy	November 21	Work
June 20	Metzger	December 19	Roy

The Board suggested Commissioner Roy contact Sewing Technologies to purchase shirts to match those previously ordered for the rest of the Board members.

Commissioner Work requested copies of District letterhead so that he could send the attorney letters.

Commissioner Schlabach spoke to Attorney Butler about the upcoming building expansion. He suggested the Board authorize someone to approve change orders up to a certain dollar value.

Commissioner Schlabach proposed the purchase of an iPad for his use to take pictures, etc for the building expansion project.

Commissioner Schlabach reported that Dave Sanford promised new cost estimates for the building expansion project by Friday, January 8.

Commissioner Metzger reported that the lowest estimated cost received to date on the Rescue Truck project was received from E-ONE through HGAC. The committee will obtain the estimate in writing and the committee will then make recommendation to the Board of Fire Commissioners.

The Board asked Commissioner Schlabach to contact Attorney Butler to learn when a vehicle is legally abandoned property and then what is the District's opportunity to dispose of it.

MOTION by Metzger, second by Roy, to adjourn at 20:07 hours, carried.

All motions were unanimously carried unless otherwise noted.

Attest,
Kim Lash, Interim Secretary

cc: Commissioners