

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 regular Board of Fire Commissioners' meeting was called to order by Chairman Metzger on **Monday, January 11, 2016** at 19:00 hours.

Roll Call:

Present: Commissioners Metzger, Garlapo, Roy, Schlabach Work and Treasurer/ Interim Secretary Lash

Absent:

Guests: Chief Jeff Schlabach, First Assistant Chief Ken Beil and Second Assistant Chief Chad Hawes and Matt Meister

APPROVAL OF PRIOR MEETING MINUTES

MOTION by Garlapo, second by Schlabach, to approve the December 14, 2015 regular meeting minutes with the change that the corrected physical exam date noted in Commissioner Garlapo's report is February 25, carried.

MOTION by Schlabach, second by Roy, to approve the January 4, 2016 Organizational Meeting minutes as presented, carried.

BOARD OF DIRECTORS' REPORT

Chief Schlabach represented the Board of Directors and reported that Charles Wilson was removed from the active status for not meeting requirements and Don Helms will be reverting to life status but no letter has been received in the District Office. The Chief reviewed the District's active list and approved it as drafted by Interim Secretary Lash. The question was raised regarding the Board of Directors' authority to remove a member from active status and it was noted that any member removed from active status has the right of appeal to the Board of Fire Commissioners.

SECRETARY'S REPORT

- 1) Bill Major agreed to return the District's unused pagers to Erie County.
- 2) The 12/31/15 Red Alert reports requested by Chief Major were provided on 1/1/16.
- 3) The annual Fire Police roster update requested from NYS Criminal Justice Services was updated to remove Paul McCarthy & Went Blakely. Chief Jeff Schlabach communicated that both Jerry Roy and Vic Miller will not be joining the squad at this time so the squad is currently at nine members.
- 4) Information received from the Board of Directors: Bob Stanley, Jr. appointed Chairman, Ron Tyx is Deputy Board Chairman, Jamie Dussing is Board Secretary.
- 5) Insurance company representatives will attend the 2/22/16 Board work session and RBS the 6/27/16.
- 6) Jamie Dussing requested access to the copy room computer and Network Services set him up.
- 7) The Erie County Fire District Officers' Association roster to be updated for 2016 was received. Previously, the website info@clarencfire.org was submitted as the district's website. No one is monitoring that e-mail so Network Services set up info@clarencfiredistrict.org which Interim Secretary Lash will monitor for now.
- 8) Reported previously July or August call data hasn't been submitted yet to NYS recently received total monthly call data from Amherst Control to determine if all calls are entered to Red Alert.

SECRETARY'S REPORT (continued)

- 9) LOSAP questions submitted to the Board:
- a) Penflex handout #4 states committee chairpersons do not meet the definition of elected and appointed positions but previously credit was given for Fund Drive Chairman, etc. Should points be given for 2015? Board response: This is an example of points previously being credited in error. Committee chairpersons must receive credit under the Miscellaneous category.
 - b) Penflex handout # 5 states a point credit for a meeting must be for a meeting that all firefighters are eligible and expected to attend. Past credit has been given for the Annual Inspection and Family Picnic as well as monthly membership meetings. What credit should be given for 2015? Board response: It is correct to give credit for the Annual Inspection but no credit will be awarded for the family picnic.
 - c) Should any point credit be given for attendance at Commissioners' or Directors' Board meetings? Response: No.
 - d) Penflex handout #6 states 25 points each, for meeting the applicable percentage of fire and EMS incident response. Board agreed this credit is applicable for 2015 since initial notification to the Board was in February.
 - e) Penflex handout #7 states teaching fire prevention classes can no longer be credited under the Miscellaneous category. Farmers' Market, Clarence Fire District and HHVFC Open Houses were identified as "fire prevention". The Board determined these events would not meet the strict definition in the Penflex handout and should continue to be categorized in the miscellaneous category.
 - f) The Penflex handout states "changes must be approved by resolution...if the impact of the change is to make it harder to earn 50 points, no public referendum is necessary. If the change makes it easier to earn 50 points, the changes must be approved by the voters at a referendum. If the only changes are to make the point system compliant with the statute and these OSC audits/opinions, should a municipality bother with a referendum if required? Technically yes, but it seems impractical. The Board agreed that Penflex is the "most up to date" authority on LOSAP guidelines and will follow their recommendation.
 - g) Deadlines were discussed. Past practice has been to post LOSAP points for 30 days prior to the Board of Fire Commissioners' March meeting so that the Board may certify by March 31. However, Commissioner Garlapo contacted Penflex and was told there is no legal deadline for the Board of Fire Commissioners to certify the points. It was noted postponement may affect the annual audit preparation and result in a later monthly increase for retirees that had a good year in 2015. Commissioner Work will be working on members' 2015 training credit. He also agreed to pull any call sheets found while looking for training certificates in the District Office.

TREASURER'S REPORT

- 1) Dave Bissonette's district credit card has been cancelled and a new card ordered for Commissioner Roy.
- 2) Bill Major was removed as a gas credit card user and Chad Hawes added. Chad was provided with the new PIN he will need to use in order to charge with the card.
- 3) No invoice has been received for the FEMA grant supplies but DiVal was asked to hold the entire order for shipment until complete.
- 4) IRS 1099 forms for retirees and vendors were completed and mailed 1/4/16.
- 5) Employees' W-2s will be handed out with the January paychecks.
- 6) Annual NYS labor law salary notices were distributed and received from all employees.
- 7) The tax freeze certification due by January 21, 2016 has been submitted to the State Comptroller.
- 8) The engagement letter was received from the auditor, which is the start of the annual audit process.
- 9) Both firefighters eligible to begin collecting LOSAP 1/1/16 received their January payments.
Alan Getter received his first payment by check and automatic deposits will begin in February due to the late submission of his required paperwork.
- 10) The LOSAP portfolio lost \$252,000 of value during 2015 and is now \$1.8 million. Penflex previously announced that they will no longer continue to use a 6% projected rate of return. Decreasing the return increases the size of the annual contributions the district is required to make. \$171,000 was paid to firefighters in 2015 and the District's annual contribution was \$70,000. The 2016 annual contribution was set at \$86,000 so with the loss the 2017 budget will likely need to be higher still. The Federal Reserve has made a slight upward adjustment to interest rates, which offers a slight positive indication for future rates.

TREASURER'S REPORT (continued)

- 11) The allowable levy growth factor for local governments with fiscal years beginning June 1, 2016 will be .12%. Under the real property tax levy cap law passed in 2011, the allowable levy growth factor is 2% or the Consumer Price Index, whichever is less. The district has a calendar fiscal year but this is a point of interest as it indicates the current financial environment and potential for the district's growth factor for 2017 budgeting.
- 12) \$20,000 was transferred to both the equipment and building reserves at year end from the general fund.
- 13) The Chief vehicles ended the year with the following total mileages: #9 27,215, #9-1 26,760 and #9-2 25,248.
- 14) The website vendor came to the fire hall to load the website software on the new office computer. So only the door fob software cannot be moved to the new computer at this time.

Commissioner Garlapo reiterated that not only the District's LOSAP portfolio has suffered losses in 2015. All the financial information he has read confirms that 2015 was a poor investment year for investment returns.

Commissioner Garlapo reviewed all December bank and financial statements and all was in order.

Commissioner Roy noted that he has reviewed the three December Chief Vehicle reports and all was in order.

MOTION by Metzger, second by Work, to pay the additional December bills presented in the total amount of \$1,876.91 (checks #3183 - 3191), carried.

MOTION by Metzger, second by Garlapo, to pay all January bills presented in the total amount of \$38,083.13 (checks #3192 - 3216), carried.

CHIEF'S REPORT

- 1) The goal for the Chief's office for the upcoming year will be to exhibit professionalism, pride and proficiency. The hope is to improve drill quality and member morale.
 - 2) For December there were 34 alarms: 23 EMS, 1 fire and 10 miscellaneous. There were 3 fire and 1 OSHA drill.
 - 3) Goals for the year include: completing the Rescue project, reorganizing the haz-mat inventory and Truck 7-1, and upgrading Red Alert.
 - 4) Planned training for the year:
 - FDIC (April 18-23) – 4 to 6 people with preference given to hot training attendees, Chief's suggested attendee names will be submitted to the Board by February 8.
 - Baltimore training usually held in July has been rescheduled for October.
 - Haz-mat training would like to send one to two Techs.
- It was confirmed that Commissioner Roy heads the 2016 Training Committee.
- 5) Job assignments for elected firematic officers will be forwarded to the District via e-mail.
 - 6) Jerry Roy and Mark Heim are the appointed 2016 safety officers. The Chief asked what else is required of him in regard to the Safety Committee now. Chairman Metzger stated that the committee typically holds two meetings annually or additional meetings may be added if an incident occurs. No further action is required by the Chief now.
 - 7) The Chief will provide the Board with a list of required door fob changes. Lieutenant access was discussed and it was determined that the cleaning supplies will not be stored in the storage room any longer.
 - 8) There will be a greater effort to keep the truck room and apparatus cleaner. Brett Hanford is responsible for the equipment room and Mark Zuchlewski for the apparatus. It was noted that lieutenants are not solely responsible for ensuring clean vehicles. For example, they have the authority to enlist the help of members at the hall for an incident.
 - 9) It is the Chief's intent to reserve funds from the Firematic Capital budget for items that may be needed to be added to the new Rescue truck when it arrives. The Chief asked about the permissive referendum. Since pricing information is still pending from Rosenbauer, Chairman Metzger stated he is not prepared to make that motion at this time.
 - 10) Chief Schlabach asked for clarification regarding the senior firefighters list. It was noted that a list past the rank of Captain is required to be posted. The Chief will be giving priority to lieutenants in addition to past Chiefs.

CHIEF'S REPORT (continued)

- 11) The lights and sirens are to be removed from Assistant Chief Hawes' personal vehicle and will be installed by 10-75 Emergency Lighting to upgrade Rescue 7 in February. The labor expense to transfer the equipment is expected to be less than the cost to install all new at \$2,500.
- 12) The Chief plans to hold two EVOC and two first aid drills. The Board asked Treasurer Lash to request that Tom Brady speak about the insurance company's EVOC course offered when the Board meets with the agents in February.
- 13) Chief Schlabach would like the Chief's Office to be responsible for the data to Red Alert in the future. The cost of upgrading the program was discussed. Commissioner Work had a quote of \$20,000 but the Chief stated that price includes both software and hardware upgrades. The software is expected to be closer to a \$5,000 to \$6,000 cost.
- 14) The Chief's office printer hasn't worked for quite some time and they would like to purchase a new unit.
- 15) A box of surplus equipment has accumulated in the Chief's Office including cell phones and CO meters. Commissioners Metzger and Roy will work together to review what equipment will be surplus. Assistant Chief Hawes has cleaned out the store room and the Chief would like to know if there is a dollar threshold of what he should bring to the Board for disposal.
- 16) Chief Schlabach mentioned that he would like to have truck lieutenants be able to check out equipment by driving around the property. The new Rules and Regulations are specific as to who may drive the apparatus.
- 17) The officers have been instructed by the Chief that there will be no more thirty minute drills. The goal will be to have better quality and less quantity drills.
- 18) There have been changes to the bail-out law. The Chief will be investigating why, and if, the District is still required to hold a bailout drill three times annually. This skill can be tied into other drills. It has hurt many people in the past and the quantity of time spent has meant the loss of other training opportunities. OFPC will be investigated as a source for updated information. The new turnout gear has the bailout system integrated. This means there will be two different systems in use. The Board must approve any suggested changes.
- 19) Application for the AFG grant closes January 15 at 5:00 PM. The necessity of the application was discussed. Awards are based on a critical need and are much more competitive than in past years. It was determined that the district would not make application this year and Commissioner Schlabach, Chief Schlabach and Grant Writer Miller will meet to plan future grant proposals.
- 20) The Chief had a conversation with Commissioners Metzger and Roy regarding the organization and administration of the uniforms. The responsibility is now delegated to Fourth Assistant Chief Zuchlewski. The current vendor has changed personnel. In the past they were willing to size members at the fire hall. There was discussion that it may be time to research potential vendors again.
- 21) The Chief's vehicles were lettered with the changes in responsibilities at a cost of \$255.
- 22) Request the purchase of multiple uniform items such as badges, collar pins and shirts for elected officers from Sewing Technologies not to exceed \$1,000.
- 23) Request the purchase of helmet shields from Paul Conway not to exceed \$2,000. This will be a web based order. The Chief would like to be involved in the order process so that he can ensure all shields will match.
- 24) Request the purchase of three helmets from ElizaCo at a cost not to exceed \$800.
- 25) Request the purchase of a white Chief's turnout coat at a cost not to exceed \$1,500.
- 26) Request that 15 Explorer helmets be painted lime green at a cost of \$80 each for a total cost not to exceed \$1,200.
- 27) Request the purchase of seven Motorola VI pagers for the officers with multiple channels. The programmed cost is \$387 each for a total cost of \$2,709.14.
- 28) An invoice was submitted for Clarence Newstead Chiefs dues in the amount of \$150.
- 29) The estimate to remove District equipment from Second Assistant Chief Hawes personal vehicle is \$425.
- 30) Request the purchase of 12 Motorola used portable radios and a used Motorola rack charger. These units are still under warranty. The used equipment was quoted at \$3,738 rather than \$12,000 for new.
- 31) Request the purchase of office supplies not to exceed \$500.
- 32) Request Treasurer Lash place an order for water. EMS Captain Tyx will monitor the stock and place future requests.

COMMISSIONER ROY

- 1) Commissioner Roy will periodically inspect the Chief vehicles to ensure they are properly taken care of and will not reach a state of needing to be professionally cleaned.
- 2) Rescue 5 had an antifreeze leak which has been repaired.
- 3) The new registration was put on the ambulance.

COMMISSIONER GARLAPO

- 1) Firefighters are doing well signing up for physical exams at the fire hall. Currently 35 people are scheduled which leaves only about 20 remaining.
- 2) The publication received from Penflex generated as the result of the OSC audits will continue to be published in the future so that the need to request a representative from the firm to attend Board meetings will no longer be necessary.

COMMISSIONER METZGER

- 1) Reported that he is bringing back the Board's old "to do list" as he feels the document has value to the Board.
- 2) Board minutes will again be posted in the dayroom using a regular size font.
- 3) Both the rescue update and FDIC were discussed previously in the meeting.
- 4) An additional light will be purchased for the top of Fourth Assistant Chief Zuchlewski's personal vehicle. The lights added to date were not sufficient to provide 360 degree view.

COMMISSIONER SCHLABACH

- 1) Commissioner Schlabach attended the Erie County Fire District Officers' December 16 meeting at Southline. There was discussion regarding a General Mills tractor trailer that is powered with natural gas, which can carry heavier loads than diesel. This may make a good new training opportunity. A new phone number (211) will replace 911 for those needing food, clothes or shelter. This will relieve the load on the 911 dispatchers and will be funded through FEMA reimbursements. The next Erie County Fire District Officers' meeting is January 20 at Springbrook.
- 2) Commissioner Schlabach reported that the unauthorized trailer parked on District property has been removed.
- 3) No further report from grant writer Miller yet.
- 4) **Building Expansion Update:** Attorney Mark Butler has the construction documents and plans and is pleased that the district is using the AIA program. He suggested the Board set a dollar ceiling for change orders that may be approved without Board motion. All change orders are to be in writing and the Board should designate who will be responsible. Commissioner Schlabach will be asking Dave Sanford for a recommendation as to the change order dollar limit. The most recent cost estimate exceeds the \$3.5 million maximum. There is no "fluff" in this project so determining what to cut is difficult. It was suggested that the bid be sent with alternate bids for the items that might need to be cut so that the Board may add or delete the alternate bids in order to keep to the project's total budget. For consideration as alternate bids: a breakdown of the site work number might reveal something to trim, floor epoxy might be added in the future, postponement of the old offices ceiling replacement, the heated pad is also being considered. However, Sanford believes his estimate to be 10% high and there is still hope that Vic Miller may be able to obtain some grants.

COMMISSIONER WORK

- 1) New Commissioner Roy's duty shirts and the appropriate name plaques have been ordered.
- 2) Network Services has spent many hours working on the Fire Company computer. The Fire Company Treasurer was using a 2003 version of Quicken which was never saved to the server only to the program. Kevin Haskill was able to create a roundabout with the damaged computer and resurrected the lost data. Commissioner Work has requested the purchase of new Quicken software on behalf of the Fire Company.
- 3) Occustar's John Haller communicated that the new OSHA changes do not affect the District OSHA program because work place violence has already been incorporated into the curriculum.
- 4) Commissioner Work has put the Emergency Medical Products account in his name to make future disposable purchases. A motion must be made to amend the purchase cost from the last meeting for a price increase from the time of quote to time of purchase.
- 5) Copy machine vendors are being contacted for information on new machines.
- 6) Commissioner Work would like to attend the training offered by Pinsky Law Group at the Turning Stone Casino.
- 7) The unsuccessful attorney notification letters from those interviewed October 6 were sent and copies will be provided to the district.

PUBLIC COMMENTS - None

OLD BUSINESS

- 1) Commissioner Schlabach reported that past member Charles Wilson now resides at 42 Main St, Depew. All his equipment has been returned but the pager charging base. When he returns this it was agreed the district would provide him copies of his training certificates that are on file in the district office.
- 2) Commissioner Schlabach communicated to Janitor Heim that he must submit a list of days and times worked and the tasks performed for the Board to approve his future timesheets for payment.
- 3) District Rules and Regulations Article V – Officer qualifications will be reviewed at the January 25, 2016 work session. Commissioner Garlapo will send out a copy of the latest draft for the Board's review prior to the meeting.
- 4) **MOTION** by Work, second by Schlabach, to approve the \$247.36 additional EMS disposable expense over the December 14, 2015 motion of \$3,148.82 for a total purchase cost of \$3,396.18 due to a change in price from the date of quote to the date of order, carried. The supplies have been received.
- 5) Commissioner Garlapo suggested that the Board begin to advertise for a permanent part time employee to fulfill the District Secretary duties that have been filled on an interim basis by Treasurer Lash since September. There was a suggestion to engage an employment agency to hire a temp. After discussion it was determined that this would not help with the work load as there is little to the job that can be just handed off and does not require self-direction. Chairman Metzger will work with Treasurer Lash to develop a list of qualifications for the job. Commissioner Work had no report about a return to work date for Yvonne Work.
- 6) **MOTION** by Schlabach, second by Metzger, to retroactively approve the January 2, 2016 banquet room request for a memorial luncheon held for Paul McCarthy's youngest son, carried. Commissioner Schlabach reported that the post function clean-up was done well.
- 7) **MOTION** by Schlabach, second by Metzger, to advertise for bidding on the construction project at 10355 Main St, Clarence with the plans dated December 18, 2015. Bids will be advertised in the Clarence Bee on January 20, 2016. A pre-bid walk through will be held at the fire hall on Wednesday, February 10, 2016 at 10:00 AM. The bid opening will be on Wednesday, February 24, 2016 at 7:00 PM at Clarence Fire District No. 1, 10355 Main St, Clarence. Bids will be reviewed by the Board of Fire Commissioners and the project will be awarded at a later date. Motion carried.

NEW BUSINESS

- 1) **MOTION** by Roy, second by Work, to authorize the letters changed on the Chiefs' vehicles at a cost of \$255 to Express Signs, carried.
- 2) **MOTION** by Roy, second by Schlabach, to authorize the Chief or his designee, to purchase the supplemental uniform items from Sewing Technologies at a cost not to exceed \$1,000, carried.
- 3) **MOTION** by Roy, second by Metzger, to authorize the purchase of multiple helmet shields from Paul Conway at a cost not to exceed \$2,000, carried.
- 4) **MOTION** by Roy, second by Metzger, to authorize the purchase of three Morning Pride helmets from ElizaCo. at a cost not to exceed \$800, carried.
- 5) **MOTION** by Roy, second by Metzger, to authorize the purchase of one white turnout coat at a cost not to exceed \$1,500, carried.
- 6) **MOTION** by Roy, second by Metzger, to authorize painting fifteen Explorer helmets by Stevens Collision at a cost not to exceed \$1,200, carried.
- 7) **MOTION** by Roy, second by Schlabach, to authorize the purchase of seven Motorola VI pagers from Saia at a cost of \$2,709.14, carried.
- 8) **MOTION** by Roy, second by Work, to authorize the removal of fire district equipment from the Second Assistant Chief's personal vehicle by 10-75 Emergency Lighting at a cost not to exceed \$425, carried. The equipment will be used to update the lighting on the light rescue truck.
- 9) **MOTION** by Roy, second by Schlabach, to authorize the payment of the 2016 Clarence Newstead Chiefs' due in the amount of \$150, carried.
- 10) **MOTION** by Roy, second by Schlabach, to authorize the purchase of 12 used Motorola radios and 1 used Motorola rack charger at a cost of \$3,738.00, carried.

NEW BUSINESS (continued)

- 11) **MOTION** by Garlapo, second by Work, to approve Travis Griner as an active firefighter of the Clarence Fire District No. 1 contingent upon successful completion of a physical, arson and sex offender background checks, carried. Mr. Griner started this process approximately one year ago but was very open and honest with the interview committee about the difficulties he has experienced in the interim. He works on Main Street for Excel Industries. New Chief Schlabach was informed that the background checks are all on one form for him to sign for potential new members.
- 12) **MOTION** by Garlapo, second by Metzger, to reaffirm the 2016 medical status of firefighters on medical leave as required annually by district policy: Ruth Rider-Work and Don Helms on full medical leave and Bridgit Reitz and Jeff Schlabach on light duty, carried. Commissioner Work abstained.
- 13) **MOTION** by Garlapo, second by Schlabach, to approve the proposed new Firefighters Providing Assistance Policy, carried. Commissioner Garlapo will have the draft retyped in the District's format.
- 14) **MOTION** by Work, second by Schlabach, to approve up to \$4,000 for five Commissioners to attend the training offered by Pinsky Law Group at the Turning Stone Casino from March 31 to April 3, 2016, carried. It was noted that the 2016 training and travel budget was not increased for five Commissioners attendance instead of one so other scheduled training will have to be cut back or transfer made from another line to cover the potential increased cost.

GOOD OF THE FIRE DISTRICT

The annual Board equipment inspection is scheduled for January 16, 2016 at 4:30 PM.

Chairman Metzger is scheduled to attend the Board of Directors' January 18, 2016 meeting.

A Work Session Meeting is scheduled January 25, 2016 at 6:30 PM, Commissioners Metzger and Work will be late.

The next regular meeting of the Board of Fire Commissioners will be held February 8, 2016 at 6:30 PM.

MOTION by Roy, seconded by Schlabach, to adjourn the meeting at 20:50 hours, carried.

All motions were unanimously carried unless otherwise noted.

Attest,

Kim Lash, Treasurer and Interim Secretary

cc: Commissioners, Day Room Bulletin Board