

CLARENCE FIRE DISTRICT NO. 1

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Board of Fire Commissioners:

Douglas G. Garlapo, Chairman
David R. Metzger, Vice- Chairman
Douglas J. Larkin
James Schlabach
Nathan M. Work

Treasurer

Kim M. Lash

Secretary

Megan C. Kiener

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The regular Board of Fire Commissioners' meeting was called to order by Chairman Garlapo on **Monday, January 8, 2018** at 18:30 hours.

ROLL CALL:

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

Absent: Secretary Megan Kiener

Guests: Chief Jeff Schlabach, Hillery and Mike Dennies, Travis Griner, Brian Powers, Christian Rider-Work, Jarrod Saxton and Ron Tyx, Sr,

APPROVAL OF PRIOR MEETING MINUTES:

MOTION by Schlabach, second by Metzger, to approve the December 11, 2017 Regular Meeting minutes, carried

MOTION by Larkin, second by Work, to approve the January 2, 2018 Organizational minutes, carried. Two motions were amended. Page 1 motion to appoint Cleanscapes as the janitorial service to include "The firm with the least expensive quote was not awarded the bid because 50-60 employees would comprise the cleaning staff. The Board determined that awarding the bid to the second lowest bidder was worth the added cost for the security of a dedicated cleaning staff of two to three people." Additionally, the second to last motion on page 5 should include: "Discussion continued regarding the Fire Company by-laws are not in agreement with the District Rules and Regulations, Section V. Per Town Law 176, Section 11, By-Laws may not be inconsistent with the District Rules. In the event of a conflict a committee appointed by the Board of Fire Commissioners should meet with an appropriate committee of firefighters so the area of conflict may be resolved."

BOARD OF DIRECTORS' REPORT – Ron Tyx, Sr. reported that the Board of Directors Organizational meeting was January 4, 2018. Five members were removed for failure to complete requirements per the by-laws: Emily Casell, Hillery Dennies, Dana Ford, Paul Meyer, Jr. and Brian Powers. Paul Meyer, Jr. reverted to life membership and then requested to be made active. Paul has been made aware that he has one more time to exercise this option. Additionally, Dan Decker submitted his resignation letter. A copy of the schedule of Board of Directors attendees to the 2018 Board of Fire Commissioners meetings was also provided.

SECRETARY'S REPORT:

- 1) An error was made in the classification of the 2017 installation banquet. Every attending member was thus effected. It was classified in other events with the installation label in Red Alert instead of as a business meeting.
- 2) Ruth Rider-Work appeared to be short on meetings per Red Alert. She signed the sheet but was not in the program. October was fixed (it was within the quarter) but July needs Board approval to change per Commissioner Work.
- 3) The cabinet organization log has been started.
- 4) The new 2018 requirements spreadsheet is posted.
- 5) The 2017 LOSAP points are being calculated.

TREASURER'S REPORT:

- 1) The VFBL & workers' compensation bill is \$6,000 lower than 2017 and the 2018 budget.
- 2) The IRS is working to develop guidance to implement the tax reform bill signed into law December 22, therefore the employees' tax withholding for January is based on the 2017 tax tables. The IRS expects changes for 2018 will be able to be implemented in February.
- 3) Employee W-2's will be included with their January paychecks.
- 4) Retirees' LOSAP 1099s are completed and distributed.
- 5) Both firefighters entitled to begin collecting LOSAP January 1 have submitted the required paperwork, which was forwarded to Penflex and the subsequent RBC payment directives have been issued.
- 6) Tom Brady was sent the certificate of occupancy to cancel the builders' risk insurance.

TREASURER'S REPORT (cont.):

- 7) Requested Commissioner Schlabach obtain the construction worker key fobs that were issued.
- 8) No news from DASNY. Without the funds the only unpaid invoice is from Transit Construction Services for \$170,297. There is \$158,000 more to be paid on the project which represents a portion of the 5% retainage. The DASNY grant will cover most of the remaining expenses. Attorney Butler said the DASNY funds might arrive within 3-6 weeks. It has been one month since the "Grants Disbursement Agreement" was returned to DASNY.
- 9) Additional invoices still on hold are the Stieglitz payment \$9,625 and Network Services \$24,971.80. Commissioner Work stated the Network Services payment could be released as there is only a small percentage of work that is still to be completed.

MOTION by Garlapo, second by Metzger, to amend the earlier motion for payment of Explorer dues not to exceed \$500, carried. The original motion was an estimate pending receipt of the actual amount from the Boy Scouts which was \$520.

MOTION by Garlapo, second by Larkin, to approve bills, check #4112-4142, in the amount of \$89,158.01 from the General Fund, carried. Commissioner Schlabach requested the payments to Orkin and Amherst Alarm be held until he does further research.

MOTION by Metzger, second by Garlapo to approve \$8,800 payment to DiVal from the Equipment Reserve for the gear dryer, carried.

Commissioner Garlapo reviewed the bank statements and found all to be in order.

Commissioner Metzger reviewed the Chiefs' vehicle reports and found all to be in order.

CHIEF'S REPORT:

- 1) There were 517 calls for 2017. 32 calls for the month: 24 EMS, 3 false alarms, 1 MVA, 1 haz-mat and 3 other calls.
- 2) FDIC attendee names are required by the end of February.
- 3) Amherst Control has changed to using Red Alert. The incident numbers for the 2018 calls will need to be changed as a result. We will still need to call in for times and incident numbers after the call.
- 4) The light bar on the 9-4 vehicle was Chad Hawes personal equipment. It has been removed and returned to Chad.
- 5) Garren Dudas new member drill sheets were not all completed. There is no way to know how many were attended. Therefore, Board of Directors decided that he would not be removed from membership and would start again as a new member and take all the drills with the others starting membership soon.
- 6) 2018 Chief's goals are: finishing touches to the building, purchase of new Chief vehicles and the creation of a driver training policy.
- 7) All receipts have been submitted for the dedication ceremony.
- 8) The gear locker box project is completed.
- 9) The gear washer and dryer have been received but are not yet in service.
- 10) All forcible entry tools are received.
- 11) The mezzanine fencing project is completed.
- 12) G&G Fitness will install the flooring next week.
- 13) The mailroom project will be completed after the installation.
- 14) To duplicate the cork boards installed across from the Assistant Chiefs' Office on the opposite wall and also over the sign in desk will cost \$1,000.
- 15) The District metal locked cabinets have been moved to the coat room in preparation for the Installation Banquet.
- 16) Request the purchase of out of service magnets. The cost will be a few hundred dollars from Gallagher Printing. The magnets will be used on the side of trucks when they are out of service.
- 17) The response order of trucks might be changing after the Firematic Officers meeting.
- 18) The process to replace the Chief vehicles will begin in February or March and will be purchased through State bid. The vehicles are expected to be in service in July or August. It is estimated the current vehicles have a \$25,000 to \$30,000 salvage value.

COMMISSIONER GARLAPO:

- 1) Occustar will be stopping by to see how to best set up the physical exams with the new spaces available.
- 2) Will be making a motion to clean-up the language in Article 1 of the Rules and Regulations.

COMMISSIONER METZGER:

- 1) The Annual Equipment Inspection will be held January 20, 2018 at 4:30 PM.
- 2) The two bay station radios have been installed.
- 3) Ground ladder testing has been completed.
- 4) The Truck 6 tow damage of \$5,900 was reimbursed by Dadswell's insurance company.

COMMISSIONER SCHLABACH:

- 1) At the ECFDO meeting is at Brighton on Wednesday, December 20, 2017, Mike White from McNeil & Co. discussed the new cancer coverage for all interior firefighters. Not all the facts are available yet but this highlights another good incentive for cleaning and decontaminating gear. The District should get more information from Tom Brady about the January 1, 2019 mandatory compliance. Commissioner Metzger had a brief discussion with Tom Brady and learned that the coverage will apply to active, interior firefighters passing their physical exam for the last five years. They must have passed the mask fit test and have no prior history of cancer.
- 2) Clarence will host the next ECFDO meeting on January 17, 2018. Dinner is at 6:30 PM and the meeting at 7:00 PM. The Cornerstone will serve the same food as at the December Fire Company business meeting at a cost not to exceed \$400. The Board of Fire Commissioners are requested to arrive at 6:00 PM to help with set up.
- 3) The Cornerstone wishes to purchase the walk in cooler declared surplus by the Board.
- 4) Commissioner Schlabach would request to attend the advanced Commissioner training on March 3, 2018 in Orchard Park. It was recommended he check with the State Association to see if the course will fulfill his State new Commissioner training requirement.
- 5) Commissioner Schlabach obtained a cost to change out floor runners each week from Cintas. The cost would be \$80 per month for all the rugs in the building. He will call back to get a price to purchase.
- 6) There was a short work call before this meeting to move the remaining desks and cabinets out of the banquet room.
- 7) Commissioner Schlabach will be out of town January 29 to March 1, 2018.
- 8) Spectrum called about the cable. All digital cable will need a control box. The boxes are free to us the first year from Spectrum. TVs are to be mounted soon and are on the Building Manager's to do list.
- 9) Only a few items are left on the punch list. The siren boot may need to be completed in warmer weather.
- 10) The wash bay rules will be posted.
- 11) Commissioner Schlabach thanked everyone for the plaque made in appreciation for his contribution to the Building Expansion project. Now it must just be determined where it should be mounted.
- 12) Amish furniture builders were asked the cost of a 14 to 16-foot conference table, which is estimated to be \$3,000 to \$5,000.
- 13) Commissioner Schlabach reviewed the 2004 surveys taken prior to the start of the Building Expansion project and approximately three quarters of the items on the original wish list were accomplished with the project.
- 14) An e-mail was received from Joe Lancellotti regarding the project improvement permit (PIP). \$3,015 will be returned to the Fire District from the Town of Clarence.

Chairman Garlapo again thanked Commissioner Schlabach for his dedication above and beyond the call of duty to steer the Building Expansion project from its 2004 inception to the 2017 completion. Without his leadership the project certainly would have faltered.

COMMISSIONER WORK:

- 1) Congratulations to Jarrod Saxton that completed EMT training.
- 2) Televisions were purchased from Best Buy and there are small televisions still to be purchased.
- 3) An e-mail was sent to Red Alert to notify them that we are now ready to begin the project.
- 4) New cable runs are needed for the mechanical room and the Assistant Chiefs' Office. Travis Griner offered to help with the installation as that is his current profession.
- 5) A copier bid was received for \$7,700. This seems high so more bids will be researched.
- 6) The Secretary's computer will be wiped clean and donated to the Fire Company for the President's use.
- 7) Commissioner Work's Class A pants were misplaced by Hardee Brothers.

PUBLIC COMMENTS:

Chairman Garlapo asked Treasurer Lash to let Secretary Kiener know that Commissioner Larkin's name must be added to the agenda for his Commissioner Report.

Brian Powers opposes the decision to remove him from membership and he will appeal if the decision is not reversed. Board of Director Ron Tyx invited him to plead his case to the Board of Directors at their January 16 meeting.

Chairman Garlapo cited the applicable passages from the District Rules and Regulations in regard to this issue.

Article 1, Section 1 – In accordance with Section 176 Sub Division 11 of the Town Law, the Board of Fire Commissioners hereby establish rules and regulations of the Clarence fire District No. 1 as minimum requirements.

Article 1, Section 2 (a) – Fire Companies within the Clarence Fire District No. 1 may establish firematic requirements exceeding the minimum set forth herein.

Article 2, Section 2 – The Board of Fire Commissioners shall be notified in writing by the Secretary of the Fire Company of the removal of any Volunteer Firefighters from the roster of the Fire Company in the Clarence Fire District No. 1, giving the date and results of an investigation.

Board of Directors' Chairman Tyx noted those removed from membership were all due to failure to meet requirements.

Article 2, Section 3 – any Volunteer Firefighters dismissed, suspended or disciplined by a Fire Company may apply for and receive a review of such action by the Board of Fire Commissioners. Applications for review shall be in writing and must be served upon the Chief of the Fire Company and the Secretary of the Board of Fire Commissioners at least five days prior to the next regularly scheduled meeting of the Board of Fire Commissioners.

The Board of Fire Commissioners stated that firefighters are considered active by the Fire District until they receive written notification of their removal by the Board of Directors.

OLD BUSINESS :

There was a lengthy discussion about the District versus Company active firefighter requirements.

MOTION by Metzger, second by Garlapo, any active duty firefighter not completing the training requirements in a calendar year will be ineligible to attend any alarms until the deficient requirements are met. This will not count towards the training requirements of the new calendar year. The firefighter will be responsible for completing the current (new) year requirements. Any firefighter who was on military leave, light duty or pregnancy leave for a portion of the calendar year will be addressed according to the following:

- a) OSHA – This refresher training must be completed as stated in this motion.
- b) Drills – These will be pro-rated based upon the number of months that the firefighter was active during the calendar year. Therefore, one drill is required for every 2 months of active duty. Any partial months will default to the lesser number of drills. For example, five months of active duty would require 2 drills.
- c) Active CPR card – This will be waived for the calendar year that the firefighter was on leave but must be met the following year.
- d) Active basic First Aid – This will be treated the same as the CPR card.

Therefore, Garren Dudas is prohibited from attending calls for not making his drill requirements based on his April 10, 2017 hire date. He had only two drills of the four required and is ineligible to attend alarms until the deficit number of drills is completed, carried.

MOTION by Garlapo, second by Metzger, based on the January 8, 2018 Board of Directors letter, fobs for Emily Casell, Hillery Dennies, Dana Ford, and Brian Powers are to be deactivated for failing to meet Fire Company requirements. Roll call vote: Garlapo – yes, Metzger – yes, Larkin – yes, Schlabach – yes, Work – no. Motion carried.

No other action to be taken at this time on the four firefighters removed by the Board of Directors based on the sections of the District Rules and Regulations noted above. Commissioner Work requested that it be noted in the minutes that he disagrees and feels that a motion similar to that of Garren Dudas should be made for the four individuals removed from membership by the Board of Directors. The reason for the dissimilar motions is the status of the firefighters. Only an active firefighter must be inactivated by the District for failure to attend the required drills. No District action can be taken on firefighters removed from Fire Company membership unless an appeal is made to the Board of Fire Commissioners as specified in the District Rules and Regulations.

NEW BUSINESS:

- 1) There was a short discussion about where to hang the signs and pictures that were taken down during construction. It was determined that it may not make sense to hang everything back in the same place from where it was removed.
- 2) Since C-2 and C-3 were not elected during the Fire Company election the Chief may have to appoint more lieutenants to cover the work load. This will be a topic of discussion at the Firematic Officers' January 15 meeting.

MOTION by Schlabach, second by Larkin, to purchase food not to exceed \$400 from the Cornerstone for the January 17 Erie County Fire District Officers' Meeting, carried.

MOTION by Schlabach, second by Metzger, to surplus the walk in cooler as it is well beyond its life span and repair costs are excessive, carried.

MOTION by Larkin, second by Metzger, to approve advanced commissioner training for Commissioner Schlabach that meets and exceeds the requirements of Town Law once confirmed with the New York State Association of Fire Districts as meeting the State requirements, carried.

MOTION by Work, second by Schlabach, to approve the purchase of four District uniform shirts for Commissioner Larkin not to exceed \$250 from Sewing Technology, carried.

MOTION by Schlabach, second by Work, to approve new Commissioner training at Erie County Fire Academy for Commissioner Larkin on April 7, carried.

MOTION by Garlapo, second by Larkin, to approve Ryan Cameron as an active firefighter pending successful completion of a physical exam as well as arson and sex offender background checks, carried.

MOTION by Garlapo, second by Work, to approve Robert DeWick as an active firefighter pending successful completion of a physical exam as well as arson and sex offender background checks, carried.

MOTION by Garlapo, second by Work, to approve Brandon Richardson as an active firefighter pending successful completion of a physical exam as well as arson and sex offender background checks, carried.

MOTION by Garlapo, second by Larkin, to pay half the cost of a podium to be purchased by the Fire Company from Podium Direct at a cost of \$398 plus \$94.37 shipping for a total cost of \$492.37 so the District portion is \$246.18, carried.

MOTION by Garlapo, second by Metzger, to amend the District Rules and Regulations Article 1, Section 2 (d) to state: "Shall have a Chief, First Assistant, Second Assistant, three fire captains (C-1, C-2 and C-3) EMS Captain and Fire Police Captain, carried.

MOTION by Metzger, second by Larkin, to expend \$1,000 on out of service tags and a new response board, carried.

Commissioner Garlapo shared that the Pinsky Law Group annual training will be held March 22 to March 25, 2018. Registration is due by February 20 so action may be taken at the February Board meeting.

GOOD OF THE FIRE DISTRICT:

The US House of Representatives sent a Commendation certificate signed by Chris Collins for the firehall dedication ceremony of January 6, 2018.

It was noted members may begin signing up for physical exams to be held at the fire hall either February 6 or 22.

Chairman Garlapo discussed with Dave Bissonette the problem with the Board chairs sinking. Past Commissioner Bissonette related that the chairs have a life time guarantee so Treasurer Lash was asked to provide the records for the purchase of the chairs and Chairman Garlapo will follow through with the seller.

Commissioner Schlabach requested the Board attend the Erie County Fire District Officers meeting to be held here on Wednesday, January 17, 2018.

The next Regular District meeting is January 8th at 6:30 pm.

MOTION by Schlabach, second by Larkin, to adjourn the meeting at 20:55 hours, carried.

All motions were unanimously carried unless otherwise noted.

Attest,

Kim Lash, Treasurer

cc: Commissioners, Day Room Bulletin Board, Website