

CLARENCE FIRE DISTRICT NO. 1

10355 Main Street, PO Box 340, Clarence, NY 14031

Phone: (716) 759-8842 Fax: (716) 759-0641

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

The Clarence Fire District public budget meeting was called to order by Chairman Garlapo on **Tuesday, October 16, 2018** at 18:00 hours.

ROLL CALL:

Present: Commissioners Metzger, Garlapo, Larkin, Work, Schlabach, Treasurer Kim Lash, Secretary Megan Kiener

Absent:

Guests: Assistant Chief Chad Hawes, Assistant Chief Brett Hanford

Chairman Garlapo indicated that this is a public hearing regarding the 2019 proposed budget. In accordance with New York State Town Law, all Fire Districts must, prior to the adoption of their budget, hold a public hearing. The budget hearing must be held in such a manner to maximize participation in the budget process. The purpose of this hearing is to discuss the contents of the Fire District's budget. The Board of Fire Commissioners, in accordance with the legal requirements, had adopted the 2019 proposed budget on September 10, 2018, which is more than 21 days prior to this budget hearing as required by Town Law 181[2].

The Secretary of the Fire District will file an Affidavit with the District:

- 1) Stating the notice of this public hearing was published and posted at least 5 days before the hearing date as follows:
 - a) The official newspaper for the Fire District (The Clarence Bee);
 - b) The official signboard of the Town of Clarence, where the Fire District is located;
 - c) On the Fire District's website and signboard.

The notice of public hearing specified the time, date and place where this public hearing would be held. Upon its adoption, the Fire District Secretary also made available for inspection and copying of the proposed budget to any interested person at the Town Clerk's Office and the Clarence Fire District No. 1 during office hours.

The purpose of this public hearing is to allow any member of the public to make comments on the budget. Any person may be heard in favor of, or against, the preliminary budget or any item in it. Please note that this is only a proposed budget until the Board of Fire Commissioners adopts the final budget.

The Fire District Treasurer made presentation regarding the preliminary budget to the Board of Fire Commissioners. This budget must be adopted no later than November 5, 2018 and submitted to the Town Budget officer by November 7, 2018.

There were no public comments made regarding the Fire District's proposed 2019 budget. No questions were raised from the Commissioners or any others in attendance.

Chairman Garlapo concluded the budget hearing at 18:30 hours

The regular Board of Fire Commissioners' meeting was called to order by Chairman Garlapo on **Tuesday, October 16, 2018** at 18:30 hours.

Tom Braunscheidel presented Vic Miller's plaque idea to the Board. It will be on the east wall in the hallway across from the conference room and made of oak. The design was approved by the Board. Quotes will be received soon.

APPROVAL OF PRIOR MEETING MINUTES:

MOTION by Metzger, second by Work, to approve the September 10, 2018 minutes, carried. There was a correction to Commissioner Work's report.

MOTION by Metzger, second by Schlabach, to approve the September 19, 2018 minutes, carried.

BOARD OF DIRECTORS' REPORT: - AJ Shisler

- 1) The Board of Directors is looking for a chairman for the dayroom committee.
- 2) The election committee will reconvene.
- 3) Members' requirement questions have been addressed.

SECRETARY'S REPORT:

- 1) Secretary Kiener asked Commissioner Work if he could follow up with Kevin Haskill and Doug Weber regarding the SQL Server in order to get the District's Red Alert information to be stored on the District's server. Is there any update on the kiosk? Commissioner Work stated that Chief Schlabach wanted to postpone the kiosk project until after the officers' meeting.
- 2) The requirements spreadsheet was updated. There are still a few people who have CPR and First Aid cards expiring before the end of the year. Secretary Kiener will contact EMS Captain Ruth Rider-Work to see if there are more training dates available.
- 3) Can one of the Commissioners please announce at the company meeting that any firefighters that have discrepancies with their requirements to come see Secretary Kiener as soon as possible? Commissioner Larkin stated that he made the announcement at the October Company meeting.
- 4) Should we add columns for EVOC, Pump Ops and Aerial Ops to the requirements spreadsheet? The Board agreed that it would be a good idea.
- 5) Secretary Kiener will be working with Chief Schlabach on new member binders, Red Alert tutorials, and Red Alert reporting.
- 6) Secretary Kiener is waiting on a list of eligible election inspectors from Erie County to approve alternates.
- 7) Secretary Kiener received an email from RICOH regarding the company copier bill. She forwarded information to the Company President and Treasurer. Commissioner Work confirmed that the President has taken care of it and Secretary Kiener should no longer be contacted about the company copier.

TREASURER'S REPORT:

- 1) At the September meeting Commissioner Work reported there was a past due bill for Time Warner. The first bill for the new service was received after the District's August meeting and was presented for payment at the September meeting. Their billing date doesn't coincide with the District's regular meeting date. An attempt was made to adjust the billing date but the representative I spoke to said this could not be done. However, the bill could be obtained on line prior to the meeting in the future. The website provided is blocked by the District's security so Kevin Haskill was contacted for assistance to unlock the site.
- 2) At Commissioner Metzger's request, 30 cases of water have been ordered for delivered Friday.
- 3) The Federal Reserve raised interest rates for the third time in 2018. Due to increasing interest rates, the LOSAP portfolio manager is starting to buy certificates of deposits. It has been several years since interest rates were favorable enough to do so. A CD yielding 3.24% was purchased which adds safety and predictability of return.
- 4) ESIP had their cancer program approved and the cost is set at about \$174 per firefighter. The District may obtain coverage by contacting Tom Brady. He will also send proof of coverage to the State. We must prepare a list of active firefighters certified interior with five years of fit tests as of January 1, 2019. The District has records back to 2001. Occustar can only retrieve records for up to ten years so it will be important to continue to retain the books they provide. Lung cancer is covered already by VFBL. Only seven types of other cancers are provided by the new cancer bill. If claims are made the insurance company can deny for preexisting conditions and they have the right to exam individuals' medical records to make this determination. The District should prepare a list of people and if there are any special considerations with anyone's health those should be addressed on a case by case basis with the insurance company. The premium cost will be exempt for the spending cap.
- 5) The District is in receipt of the annual request from the insurance company to update information required for the VFBL insurance renewal in January.
- 6) The Chief has requested the check for Sewing Technologies not be released until he picks up the order and confirms it is correct.
- 7) There have been communications over the last few days with the District's accountant, LOSAP actuary and the firm handling the BAN issues about GASB-73. To summarize,
 - GASB is the Governmental Accounting Standards Board. It is an independent private sector organization that establishes accounting and financial reporting standards intended to promote transparent financial reporting.
 - The effective date for GASB-73 was for fiscal years beginning after June 15, 2016.

TREASURER'S REPORT (cont.):

- It was not adopted for the District's 2017 financial statements. OSC has not issued guidance for GASB-73 reporting on the AUD and currently does not require the district to implement it.
- The majority of Penflex's clients that are Towns and Villages prepare GAAP based financial statements that include GASB-73 and their fire district clients do not.
- Clarence Fire District No. 1 has prepared GAAP based financial statements because they are the most transparent and complete. It is the auditor's suggestion that we continue to do so. Therefore, they have asked the District to request a quote from Penflex to prepare this additional information.
- GASB-73 is meant to impact the financial reporting of pensions and doesn't address how they are funded. Therefore, it is a separate calculation for Penflex and due to the amount of work required there is a fee of \$950 to prepare this additional package.
- The question therefore was raised for a cost benefit analysis. Both the auditor and LOSAP actuary were asked for their opinions. To cover all bases the firm that issues the District's BAN was also consulted to learn if the market access for bond anticipation notes would be impacted if the Board should choose not to implement the change and it will not.
- So prior to approving the month's bills, the request to the Board is to decide whether or not to ask Penflex to prepare this additional package for a cost of \$950, which would increase their annual payment from \$3,450 to \$4,400.

MOTION by Garlapo, second by Work, to approve bills, check #4441 - 4486, in the amount of \$62,114.29 from the General Fund, carried.

MOTION by Larkin, second by Schlabach, to approve the bill from G&G Fitness in the amount of \$3,457.10 to be paid from the Equipment Reserve, carried. This was part of the \$50,000 approved from the permissive referendum.

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 49 calls for September: 34 EMS, 2 fires, 1 hazmat, 4 false alarms, 3 MVA, 1 mutual aid and 4 other calls.
- 2) Chief Schlabach did not attend, so his report was read by Assistant Chief Hawes.
- 3) Drill schedule was finalized and posted for 4th quarter. The last drill of the year will be 12/1 at 9 am.
- 4) A complete list of offerings for OSHA from Occustar was posted.
- 5) Requesting a motion for \$300 to send EMTs to Getzville CME Weekend, November 2nd – 4th. Brian Powers has stated that he is interested in attending. It is the same price whether one or multiple EMTs go to get their CME's for the rapid recert program.
- 6) Firehouse Expo and ENS Expo are the last two conferences of the year we will be attending.
- 7) The tool mounting project should be complete within the next week or two.
- 8) The new member training and mentor program is finalized and in process. Chief Schlabach and Secretary Kiener will be meeting in the next few weeks to make additional copies of the binder. Probationary Member spreadsheet will be posted twice per month.
- 9) Matt and Rachel Staley have withdrawn their applications and are not able to continue as members at this time.
- 10) Pikes poles were finally ordered from June and are in.
- 11) The thermal imaging camera order was placed and should be in within the next 3-4 weeks.
- 12) An order for the Scott Lens Kits and Schutz Optical costs will be placed soon.
- 13) Thank you to the District for helping out with the fire prevention supplies. Chief Schlabach spent the \$2,000 that was approved and the remaining amount came from company funds.
- 14) We may be looking for several sets of turnout gear from the remaining funds for 2018.
- 15) There are 2 blue sheets from the fire police. Commissioner Metzger has them.
- 16) Request to surplus rescue equipment for donation to Swormville fire department.
- 17) Chief Schlabach is looking for some more information regarding the cancer coverage. Is it just based on the mask fit test?
- 18) A suspension letter was sent to Lea Stanley. This will be discussed later.
- 19) Reference the driver qualification spreadsheet that was sent to the Board. Chief Schlabach requested that Dave Baumler, Pat Casilio, Jamie Dussing, Chad Hawes, Marshall Helms, Paul Meyer Jr., Jim Schlabach and Jason Schlabach be put

CHIEF'S REPORT (cont.):

on the Drivers List per Rules and Regulations Article VII. Chief Schlabach stated that based on their experience and his observation, these individuals should be allowed to drive despite not having Pump Ops or Aerial Ops. Commissioner Work found training records that show that Chad Hawes and Jim Schlabach have the required training, and are allowed to be placed on the drivers list. The Board requested that Secretary Kiener look in the remaining members' personnel file to see if they actually had the training required.

- 20) Where does the gear washer and dryer policy stand? Commissioner Metzger and Secretary Kiener have completed it and it will be posted.
- 21) Is the District compliant with the NYS Harassment policy or are we exempt?

COMMISSIONER GARLAPO:

- 1) Approved active firefighters Matthew and Rachel Staley have relocated and will not be joining.
- 2) Commissioner Work asked if he could be copied on the invoices from Mark Butler from now on.

COMMISSIONER METZGER:

- 1) The harassment training held by the town was about 1 hour long and was just a presentation. Could this be added as part of the OSHA training that Occustar puts on every year? Commissioner Work will follow up with Occustar. You need to have harassment training before 10/2019.
- 2) The washer and dryer policy is complete. Secretary Kiener will print out and post.
- 3) Pump tests were completed on October 11th. Engine 1's generator overheated. Brett from Churchville is checking on it. The exhaust sensor on the ambulance was replaced. Thank you to Commissioner Schlabach for his help.
- 4) The 10 pagers purchases received a \$250 rebate.
- 5) Nothing is currently inside the Communications Room. Items should be added to make it a command center.
- 6) October 23rd at 6:30 pm, there will be a meeting for the truck committee.

COMMISSIONER SCHLABACH:

- 1) The frame and concrete for the front sign has been installed. On Thursday or Friday, the boards will be installed, and then power. There will be a keyboard in the District office, so we can learn how to use the message board. Commissioner Schlabach will contact the mason for the supports. Masonry may not start until next spring.
- 2) Buffalo Engineering will bid the specs and drawings for the rooftop unit in January. Commissioner Schlabach will not be here in February, so bids will be opened in March and then be awarded.
- 3) Frey Electric came to look at the front lights. They took out the driver and sent it to California for the manufacturer to look at. The manufacturer will be sending new ones to fix the issues.
- 4) The dryvit façade project on the old section of the building is complete.
- 5) Commissioner Schlabach will be making a motion for the conference table under new business.
- 6) The snowplowing contract is until 2020, so there is no action this year.
- 7) When can we release life members to be able to utilize the fitness room? Issues were brought up by Tom Brady. Commissioner Garlapo will follow up.
- 8) There is a pavilion reservation for new business.
- 9) Dival will be doing a fire extinguisher inspection on Tuesday, November 20th.

COMMISSIONER WORK:

- 1) Tom Johnston is no longer with the boy scouts, so Mary Ann Escieme was contacted. 4 adults are needed to be advisors and that is non-negotiable. Ken Beil and Commissioner Work are the new liaisons. They have both completed the necessary training. There will be a motion under new business for 2 new advisors. Mackenzie Rider-Work, Ryan Gaske, and Austin Hawes will all be members of the explorers post. The 2 new advisors, Chad & Sherry Hawes, are already trained. A junior program may need to be explored down the road.
- 2) Commissioner Work stated that the travel expense report that was recently posted on the website was not approved by the Board. Treasurer Lash asked Secretary Kiener to update the form after discussing it with Commissioner Garlapo. It will be reviewed next month.
- 3) Commissioner Work will be working with Commissioner Schlabach next year to install a security camera system.

COMMISSIONER LARKIN –

- 1) Commissioner Larkin contacted Garren Dudas by phone, but could not leave a voicemail. Mike Dudas called him and stated that can't find his Class B uniform. They may have lost it when they moved.

OLD BUSINESS:

- 1) Treasurer Lash received the same information regarding the Cancer bill that Commissioner Metzger got. Preexisting cancer will not qualify. Exceptions can be discussed with the insurance company.

MOTION by Metzger, second by Larkin, to declare 4 helmets and 4 body harnesses form the rescue equipment to be surplus, and to be donated to Swormville Fire Department, carried.

- 2) Adjustments need to be made to the firematic officer application. Commissioner Metzger has a binder of questions that he has previously used. The Board will start the interview with a guideline of basic questions, then follow with more specific ones. The list of eligible candidates needs to be to the company by December 1st, so interviews need to be completed by then. Applications will be due on November 6th, and applicants must sign up for an interview date and time. The Board will hold interviews on November 7th from 6-7pm, November 12th from 5-6:30pm, and November 17th from 9am until interviews are complete. Interviews can also be conducted after 6pm on November 20th if the Board deems it necessary. Each interview will be about 30 minutes.

NEW BUSINESS

MOTION by Work, seconded by Larkin, to approve the following information regarding the Clarence Fire District No. 1 election:

- 1) It will be held on Tuesday, December 11, 2018 from 6:00 PM to 9:00 PM;
- 2) It is for one Commissioner five-year term commencing January 1, 2019 through December 31, 2023;
- 3) Notice of the election will be posted in the District's designated newspaper (Clarence Bee) between the dates of November 7 and 14, 2018;
- 4) Fire District Secretary will request registration rolls of eligible registered voters as of November 20, 2018 from the Erie County Board of Elections,
- 5) Fire District Secretary Megan Kiener will serve as Election Chairperson, Patricia Mergler of 9841 Limehouse Drive and Teresa Payne of 9811 Kingsthorpe Terrace will serve as Election Inspectors/Ballot Clerks. All will be compensated at \$35 pursuant to Town Law, Section 175. Alternate Election Inspectors will be contacted when a list is provided by Erie County Elections in the event the appointed inspectors are unable to serve.
- 6) Election will be held in accordance with Clarence Fire District No. 1 Election policy.

Motion carried.

MOTION by Metzger, seconded by Work, to approve the following resolution adopting the form of the nominating petition for election of the Fire District Commissioner:

- 1) RESOLVED, that the Clarence Fire District No. 1 Board of Fire Commissioners adopt, as its official nominating petition, the attached form to be used by all candidates for the office of Fire District Commissioner, and it is further
- 2) RESOLVED, that only registered electors of the Clarence Fire District No. 1 may obtain signatures on the form and in the manner as set forth in the nominating petitions, and it is further
- 3) RESOLVED, that the signature of the witness to the signers of the nominating petition must be notarized in the form and in the manner as set forth in the nominating petitions, and it is further
- 4) RESOLVED, that signatures of all signers of the nominating petitions must be dated between October 16 and November 21, 2018 (the date petitions are required to be filed with the Secretary), and it is further
- 5) RESOLVED, that the Secretary of the Clarence Fire District No. 1 shall make the nominating petitions available to any interested party no earlier than October 16, 2018, and it is further
- 6) RESOLVED, that in the event a special election for the position of Fire District Commissioner is required,
 - (a) The signatures of all signers of nominating petitions must be dated no earlier than 70 days preceding the date of the special election and the date the petitions are required to be filed with the Fire District Secretary, and
 - (b) The Clarence Fire District No. 1 Secretary shall make the nominating petitions available to any interested party no earlier than 75 days before the date of the Special Election of the Fire District Commissioners.

Motion carried.

NEW BUSINESS (cont.):

MOTION by Work, second by Larkin, to approve the 2019 budget at \$943,965 to be raised by taxation at \$1.27 per thousand dollars of valuation. It shall be noted: 1) The \$943,965 is the same as the 2018 budget due to the New York State tax freeze which allows residents to receive a tax refund from the New York State Department of Taxation, 2) The tax rate has decreased \$0.08 from the 2018 rate of \$1.35 per thousand dollars of valuation, 3) An assessed valuation of \$744,555,384 is used for the tax rate calculation but the final valuation is not yet available from the Town of Clarence, 4) \$330,000 of the 2018 budget is to be used towards payment of the building expansion project BAN. Roll call vote: Garlapo – yes, Metzger – yes, Work – yes, Larkin – yes, Schlabach – yes.

- 1) Bids for the new chief vehicles was supposed to be due on the 10th. New York State adjusted the bid due date to today at 5pm, so the bid cannot be awarded tonight. The bid can be awarded at one of the public meetings on November 7th or 12th. Gabe Jr. from 10-75 Lighting will be looking over the lighting spec.

MOTION by Garlapo, second by Schlabach, to approve Jonathan Casillas as an active firefighter in Clarence Fire District No. 1 pending a physical exam and background checks, carried. He does not have a driver's license, but does have a learner's permit.

MOTION by Garlapo, second by Larkin, to approve Austin Hawes as an active explorer in the Clarence Fire District No. 1 explorer post.

MOTION by Work, second by Metzger, to approve Chad and Sherry Hawes as advisors for the Clarence Fire District No. 1 explorer post, carried. Chad and Sherry have completed the training required by the Boy Scouts.

MOTION by Work, second by Schlabach, to approve EMTs to attend the Getzville CME Weekend for rapid recertification for current EMTs at a cost of \$300, carried.

MOTION by Schlabach, second by Metzger, to approve Nate Work's pavilion reservation on May 29, 2019 from 8am-2pm for a picnic, carried.

MOTION by Schlabach, second by Work, to purchase a conference table measuring 16'x5'x30" from Kittenger Furniture for \$10,390 which includes transport, pending receipt of comparison quotes, carried.

MOTION by Metzger, second by Work, to purchase (10) stop sign paddles for \$95 each from Dival for the fire police, for a total of \$950, carried.

MOTION by Metzger, second by Work, to purchase (12) new flashlights for the fire police from Dival for \$549.24, carried.

- 2) Chief Schlabach sent the Board an email asking for the Board to approve certain members to be added to the drivers list even though they do not have some of the required training required per the Rules and Regulations. Commissioner Work is not comfortable with the Chiefs Office deciding. Secretary Kiener is going to check the remaining members' personnel files to see if they have the training, and it wasn't accurately input. The Board will take no action on the remaining individuals, pending more information.

MOTION by Garlapo, second by Larkin, to make budget transfers to fund line items in excess of original budget as follows, carried.

1. \$600 from septic tank pumping to lawn maintenance
2. \$777 from uniforms to gas expense
3. \$1,900 from personal services to legal fees
4. \$874 from uniforms to small equipment repair
5. \$279 from uniforms to batteries, towels, etc.
6. \$3,000 from EMS capital to apparatus repair
7. \$500 from EMS Equipment repair to apparatus repair
8. \$3,164 from uniforms to apparatus repair
9. \$366 from EMS disposables to Firefighter Health & Safety

NEW BUSINESS (cont.):

MOTION by Metzger, second by Schlabach, to advertise in the October 24th edition of the Clarence Bee that bids will be received at the November 12th meeting for emergency lighting packages for the new Chief vehicles, carried.

MOTION by Garlapo, second by Larkin, to enter into executive session at 8:35 pm to discuss a certain firefighter's medical history, carried.

MOTION by Garlapo, second by Larkin, to return to normal business at 8:50 pm, carried.

MOTION by Garlapo, second by Metzger, to enter into executive session at 8:51 pm to discuss possible disciplinary action for a firefighter, carried. Upon the Board's request, Assistant Chiefs Chad Hawes and Brett Hanford were in attendance.

MOTION by Garlapo, second by Schlabach, to return to normal business at 10:33 pm, carried.

3) The Board is in receipt of a certified letter copy from Chief Schlabach to Lea Stanley, sent on October 14th. The Board has reviewed the charges under Article IV of the Rules and Regulations.

MOTION by Garlapo, second by Metzger, that in accordance with Article IV, section 2, paragraph F, subsection ii, Lea Stanley will be offered a 6-month voluntary suspension. If the motion passes, the attorney will draft a letter to forward to Lea to sign. Roll call vote: Garlapo – yes, Metzger – yes, Work – no, Larkin – yes, Schlabach – yes. Motion carried.

4) During executive session, Treasurer Lash and Secretary Kiener looked through the training records of the remaining individuals that the Chief would like on the drivers list. Some of them do have the necessary training, and it was undocumented. The Board will review with the Chief at the next meeting.

GOOD OF THE FIRE DISTRICT:

Commissioner Garlapo will be attending the Board of Directors meeting on November 19th. The next Regular District meeting is November 12th at 6:30 pm.

MOTION by Schlabach, second by Metzger, to adjourn the meeting at 22:39 hours, carried.

All motions were unanimously carried unless otherwise noted.

Attest,

Megan Kiener, Secretary

cc: Chief, Commissioners, Day Room Bulletin Board, Website