

# 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  
David M. Bissonette  
James Schlabach  
Nathan M. Work

## Treasurer

Kim M. Lash

## Secretary

Yvonne J. Work

#

The regular Board of Fire Commissioners' meeting was called to order by Chairman Garlapo on **Monday, December 14, 2015** at 19:00 hours.

## Roll Call:

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

Absent: Commissioner Bissonette and Secretary Yvonne Work

Guests: Chief Bill Major, First Assistant Chief Jeff Schlabach and Second Assistant Chief Ken Beil, Jamie Dussing, Matt Meister, Paul Meyer, Sr., Jerry Roy and Scott Tyx

## APPROVAL OF PRIOR MEETING MINUTES

**MOTION** by Metzger, second by Schlabach, to approve the November 9, 2015 regular meeting minutes with a change of physical date from February 26 to February 25 on Page 2 first item in Commissioner Garlapo's report, carried.

**MOTION** by Metzger, second by Garlapo, to approve the November 23, 2015 regular meeting minutes as presented, carried. Commissioner Work abstained from the vote as he was not in attendance at the meeting.

## BOARD OF DIRECTORS' REPORT

Paul Meyer, Sr. represented the Board of Directors and had no report. However he did ask for and received confirmation that it is acceptable to schedule his annual Occustar physical for any time after January 1. Commissioner Garlapo attended the Directors' November 16 meeting. Commissioner Work is scheduled to attend the Directors' December 21 meeting.

## SECRETARY'S REPORT – LASH

- 1) Brett Hanford had a good year for 2013 but wasn't given LOSAP credit. When Penflex received the original faxed copy to do preliminary work before their meeting with the Board, because of the white out used, it looked like he only had 2 points for 2013. I contacted Penflex and we found where the miscommunication occurred so he now has credit for all his years of service.
- 2) September and October call data was submitted to NYS but they informed me that July or August hasn't submitted yet.
- 3) When I requested the pager for new member Jarrod Saxton, Brian Multerer stated that we do not need to order the pagers and store them. He can just assign the number to be used through the Erie County paging system. It was agreed that rather than continuing to hold unused pagers the District would return the stored pagers.
- 4) A request to complete the annual VFBL questionnaire was sent to the District in August but it wasn't returned. Tom Brady made a second request and provided me with a copy of the required report which was submitted in November.
- 5) The insurance cards that were never put into the vehicles were reordered from the insurance company and delivered to Commissioner Metzger along with the ambulance registration.
- 6) The annual Fire Police roster update has been requested from NYS Criminal Justice Services. Must be updated to remove McCarthy & Blakely and add Jerry Roy. Vic Miller took the course but isn't ready to join the squad yet. Requested a copy of Miller's certificate for his District personnel file from Chief Major. Chief Major requested that Miller and Roy be added to New York State list to hold the roster spots for now.

**SECRETARY'S REPORT (continued)**

- 7) Penflex sent requests to two firefighters for paperwork to beginning collecting LOSAP 1/1/16 but only one has been returned. Board requested the Penflex letter be forwarded to Alan Getter again.
- 8) Annual District Election of December 8 was uneventful. Jerry Roy was elected with 23 – yes and 0 – no votes. Election results were sent to the Town within the 72 hours as required by law.
- 9) Provided the Red Alert report requested by Bob Stanley Jr. to determine which members were eligible to vote for the Fire Company election.

**TREASURER'S REPORT – LASH**

- 1) The \$625 Motorola minitor purchase rebate applied for on September 16 was finally received.
- 2) Received notice on December 2 that the FEMA grant amendment was approved.
- 3) Late last week the Governor vetoed a bill that would have prohibited the district from retaining the 5-10% of payments on construction projects which is good news for the Fire District.
- 4) Year end financial preparations have begun.
- 5) Penflex sent a letter to notify the District that they will be lowering the LOSAP rate of return. The first sentence of the letter summarizes the entire concern “Our most important responsibility to our clients is to ensure the financial sustainability of their LOSAP”. Details specific to CFD#1's plan will be provided in the Annual Report. What this means to the District is because income is so low on investments the District will have to pay more each year to fund LOSAP beginning in 2017. If the change had been required for 2016, the budgeted annual contribution would have been \$104,000 instead of \$86,000.
- 6) The new computer was installed in the District Office, however we have been unable to locate website or door fob software that should be in the office so the old computer is connected to the Secretary's monitor so those programs can still be accessed. I contacted the website vendor and he may be able to load his copy of the website software on the new computer. Network Services contacted Amherst Alarm but with the pending expansion the old software is outdated.

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

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

**MOTION** by Work, second by Schlabach, to pay all bills presented for the total amount of \$24,052.52 (checks #3136 - 3182), carried.

**CHIEF'S REPORT**

- 1) Call totals were reported at the December 10 Fire Company meeting.
- 2) Request the Chief's vehicle be detailed. Delta Sonic's cost is \$290. Clarence Center Fire Company has been pleased with the service they have received on their trucks from Bubble Boy and the same service cost is only \$125. The current #9 vehicle will be passed to the new Second Assistant Chief. And the current #9-1 and #9-2 vehicles will continue to be used by Jeff Schlabach and Ken Beil in their new capacities as the trucks are set up they way they like to use them and only the window stickers will need to be transferred between vehicles.
- 3) The FEMA grant was amended to purchase ½ hour bottles, instead of 1 hour, resulting in a \$5,000 savings. This allowed for the purchase of haz-mat equipment that was originally denied by FEMA. Assistant Chief Schlabach reported that he agreed the District would pay the total cost difference (of roughly \$2,200) to purchase the additional equipment above the cost savings of different bottles and FEMA agreed to the same award amount used to purchase the additional equipment. Discussion continued regarding timing of payments and reimbursements in consideration of the total purchase amount with limited District funds prior to the receipt of the 2016 tax levy.
- 4) Assistant Chief Schlabach also reported meters were upgraded and no payment will be required as the repairs were made under warranty. 15 meters were purchased two years ago and unknown to the district they were disposable because the battery can't be replaced when it dies. The application for these meters is industrial not the fire service. The cost of those meters was \$189 then. New meters are now \$40 less expensive and are on sale for \$156. The new meters can be calibrated and refreshed. Request the purchase of 10.

**CHIEF'S REPORT (continued)**

- 5) There was a meeting with 10-75 Lighting to determine the equipment needed for new Fourth Assistant Chief Zuchlewski's personal vehicle response. To limit the number of holes required he has requested to use a portable rather than an installed radio. The cost of lights and their installation would be \$1,589.68. Concern was raised about enough 360 degree light protection without a roof mounted light bar.
- 6) Third Assistant Chief Hawes has completed the annual drivers' training.
- 7) Chief Major reported a letter was received from the University of Buffalo Department of Exercise and Nutritional Sciences requesting a letter of support for their planned study to test firefighter physical training regimens.
- 8) Firefighter survival class approval requested for March 14, 16 and 20.
- 9) Chairman Garlapo thanked Chief Major for his three years of service as Fire Chief as well as the years as Assistant Fire Chief. The department is better as a result of his leadership. In turn, Chief Major thanked the Board for working well with him. Relations were good even if everyone didn't always see eye to eye on all issues.

**COMMISSIONER BISSONETTE**

- 1) No report.
- 2) Chairman Garlapo noted that he thanked Commissioner Bissonette for his years of service as Commissioner via e-mail.

**COMMISSIONER GARLAPO**

- 1) New firefighter Travis Griner never received his physical after his initial interview. In his second interview he communicated that he had a difficult time in his life and now that is straightened out he is ready to start. He will be voted on by the Fire Company in January.
- 2) Jim Schlabach has been returned to active duty. Medical leave motions will be made under new business.
- 3) The Governor signed an amendment to the seat belt law that removed the exemption for volunteer firefighters. No action is required by the Board since wearing seat belts is already required by District policy.
- 4) The February 26 date previously reported for physical exams at the fire hall has been changed to February 25.
- 5) Question was raised about firefighters reaching 30 years of LOSAP service. Cost of extending the program years was researched by the Town to cost millions of dollars. Considering the current market outlook extending the program is not financially feasible. Commissioner Work was asked to report on this when he attends the Board of Directors' December meeting. It will also be part of the next report to the Fire Company membership.

**COMMISSIONER METZGER**

- 1) Due to the change in ownership, the Claremount is no longer tax-exempt property. The new Brothers of Mercy building is taxable as well. Additions of both properties to the tax rolls will improve the Fire District tax rate.
- 2) The rescue truck committee is reviewing specifications submitted by Rosenbauer and changes are required.
- 3) The paperwork went to Saia to obtain the new haz-mat frequency but the implementation will take months.
- 4) Twenty-five back up batteries were purchased from Saia, with a promotional deal offered five were free.
- 5) The annual Board equipment inspection is scheduled for January 16, 2016 at 4:30 PM.

**COMMISSIONER SCHLABACH**

- 1) As previously reported the FEMA grant amendment was approved by FEMA.
- 2) Commissioner Schlabach will be attending the Erie County Fire District Officers' meeting December 16 at 5:45 PM at Southline. He will request information about the proposed change to OSHA training that will focus on the training content as opposed to the current eight total hour requirement.
- 3) Commissioner Schlabach was given a letter received in the fund drive opening from a Hillcrest Drive resident expressing dissatisfaction with not receiving a letter in regard to the building expansion. This was Fire Company mail and after discussion it was determined that no future action is required by the Fire District.

**COMMISSIONER SCHLABACH (continued)**

- 4) **Building Expansion Update** – a motion will be made under old business to approve the current plans in principle. There are still decisions such as color schemes that must be made but this will set the drawings to be sent for bid. Cost estimates are still pending from RP Oak Hill. The district's representative at the architectural firm will be on vacation from December 28 through January 15 so bid documents will be drafted prior. Bidding dates will be set at the January Board meeting. Contractors will pick up the necessary documents then will be invited to the building to review the scope of work. Commissioner Metzger suggested a letter be sent to the Town requesting waiver of the open space fee for this project. The letter should be addressed to Jim Callahan.

**COMMISSIONER WORK**

- 1) The new District Office computer still has software issues to be resolved.
- 2) The hard drive crashed in the Fire Company office. The computer in the President's office that has had very limited use was moved there as replacement. There are no funds to replace the President's office computer so if replacement is required it will need to be at Fire Company expense.
- 3) Commissioner Work intends to communicate with the EMS Board after January 1 regarding the deployment plan for Twin City.
- 4) Will make a motion for EMS supplies and will use dollars in the EMS equipment budget to fund the purchase.
- 5) Will be drafting the letters to the attorney firms that were not appointed to represent the District excluding Pinsky that did not attend the October 6 interviews. Chairman Garlapo stated no letter need be sent to Attorney Butler as he stated it was unnecessary in their earlier conversation.
- 6) Commissioner Work stated, during the last week of December, he will prepare the list of training courses completed by firefighters during 2015 for LOSAP points earned.
- 7) EMS Captain Scott Tyx presented a quote received from Physio-Control to service defibrillators for a three year term for \$16,830.85. Chief Major commented that he thought the contract cost was excessive. Batteries are not expensive and their cost for accessories is also more expensive than elsewhere. He also noted that the devices do a self check every day and they can be connected to a computer to run a report on the self check without the aid of Physio Control. Commissioner Work asked for a planned replacement schedule for the units. Chief Major added that all units were purchased in the same year and should be replaced in three years.
- 8) Assistant Chief Schlabach again asked about migrating the Fire Company members' e-mails to the district server.
- 9) Assistant Chief Beil mentioned that there is information about the annual safety training on the New York State Association of Fire Districts' website.

**PUBLIC COMMENTS**

Scott Tyx asked about the EMS Captain requirements in the new Fire District Rules and Regulations from the Company by-law perspective and Chairman Garlapo responded that the Article V revisions are not completed. It is the intent of the Board to revise the Firematic Officer positions as well as the qualifications for each position. The future revisions to this article will be effective January 1, 2017 which will provide officer candidates adequate time to obtain the additional prerequisites for each position.

**OLD BUSINESS**

- 1) **MOTION** by Garlapo, second by Work, to approve the issue of the new attorney initial \$3,500 retainer after appointment at the Organizational Meeting of January 4 and prior to the meeting of January 11, 2016, carried.
- 2) **MOTION** by Schlabach, second by Metzger, to approve the November 30, 2015 building plan in principle to create the bid documents for the January 11, 2016 meeting, carried.

**NEW BUSINESS**

- 1) **MOTION** by Garlapo, second by Metzger, to authorize the Treasurer to make the appropriate budget reclassifications and to pay all bills received prior to December 31, 2015 within the spending margin, carried.

**NEW BUSINESS**

- 2) **MOTION** by Garlapo, second by Work, to authorize the Treasurer to transfer general funds not required to meet expenditures prior to the receipt of the 2016 tax levy to the Fire District's Building and/or Equipment Reserve Fund by December 31, 2015. On the question, many points were made in consideration of transferring remaining funds to reserves as two large projects are simultaneously under way. After consideration of arguments presented in favor of additional funds for the rescue truck purchase versus the building expansion project, both of which are in estimated to currently be in excess of budget, the original motion and second were withdrawn.  
**MOTION** by Metzger, second by Work, to authorize the Treasurer to transfer general funds not required to meet expenditures prior to the receipt of the 2016 tax levy to the Fire District's Building and Equipment Reserve Funds in a 50/50 split by December 31, 2015, carried.
- 3) **MOTION** by Garlapo, second by Schlabach, to approve the Treasurer's March 1<sup>st</sup> submission of the annual report submitted to the New York State Department of Audit and Control to the Board of Fire Commissioners per Town Law, Section 177, in lieu of reporting at the annual Organizational Meeting, carried.
- 4) Commissioner Schlabach reported he was able to reach member Charles Wilson by phone earlier in the day regarding his personal trailer that is still parked in the District parking lot. He is now living off Central Avenue in Depew. He promised to provide a letter with his new address and move his trailer off District property by December 20, 2015.  
**MOTION** by Garlapo, second by Metzger, to send both a first class and registered return receipt requested letter to Charles Wilson stating his trailer is illegally parked on Clarence Fire District property and it must be removed by midnight on December 22, 2015 or it will be moved and he will be liable for any costs and Clarence Fire District is not liable for any damages incurred. If the trailer must be moved pictures will be taken before and after moving to document no damage incurred, carried. Assistant Chief Beil commented that the New York State Department of Motor Vehicles website lists property is considered abandoned if left for more than 96 hours.
- 5) **MOTION** by Garlapo, second by Work, to approve medical leave for Jeff Schlabach effective November 15, 2015 due to an injury, carried.
- 6) **MOTION** by Metzger, second by Schlabach, to approve the medical leave policy draft as written, carried.
- 7) **MOTION** by Garlapo, second by Metzger, to approve the removal of Josh Britzzalero and Justin Filipski whom both filed applications and were interviewed (Josh on July 13 and Justin on April 25) but have not yet completed physicals and to move their personnel files to inactive, carried.
- 8) **MOTION** by Metzger, second by Schlabach, to approve the 2016 firematic officers as elected by the Fire Company, Chief Jeff Schlabach, First Assistant Chief Ken Beil, Second Assistant Chief Chad Hawes, Third Assistant Chief Jim Havernick, Fourth Assistant Chief Mark Zuchlewski, Fire Captain Brett Hanford and EMS Captain Scott Tyx, carried. Motion carried.
- 9) **MOTION** by Metzger, second by Garlapo, to authorize the Chief's request to have the #9 vehicle detailed at Bubble Boy for a cost of \$125, carried.
- 10) **MOTION** by Metzger, second by Schlabach, to purchase \$67,338.88 of equipment on State bid from DiVal, with a portion of the cost to be funded through the FEMA grant proceeds which will be remitted after receipt of invoice from DiVal. The purchase order will instruct that the order is not to be shipped until complete. Motion carried.
- 11) **MOTION** by Metzger, second by Garlapo, to purchase decon pond grates, multi rae meter sensor upgrades and new CO meters for a cost of \$2,715.80, carried.
- 12) **MOTION** by Metzger, second by Schlabach, to purchase emergency response equipment from 10-75 Emergency Lighting for the new Fourth Assistant Chief's personal vehicle at a cost of \$1,589.68 and additional equipment may be required to be installed to ensure full coverage. Work opposed. Motion carried.
- 13) **MOTION** by Schlabach, second by Garlapo, to approve the April 2, 2016 11:00 AM to 9:00 PM use of the banquet room by Charlie Ferguson for purpose of a going away party for military leave. The function will be catered and no alcohol will be served or consumed, carried. Commissioner Schlabach commented that it is likely that no further banquet room requests will be able to be approved with the upcoming building expansion project.
- 14) **MOTION** by Work, second by Garlapo, to purchase EMS disposables at a cost of \$3,148.82 from EMP, carried

**NEW BUSINESS**

- 15) **MOTION** by Garlapo, second by Work, to enter executive session at 9:15 PM to discuss the conduct of a chief officer at a recent call, carried.
- 16) **MOTION** by Garlapo, second by Work, to exit executive session at 9:41 PM with no further action required as a result of the executive session, carried.

**GOOD OF THE FIRE DISTRICT**

Annual Election was held on December 8, 2015 and Jerry Roy was elected as Commissioner for the term of January 1, 2016 to December 31, 2020.

The Organizational Meeting will be held January 4, 2016 at 7:00 PM.

The next regular meeting of the Board of Fire Commissioners will be held January 11, 2016 at 7:00 PM.

No additional work session meeting is planned.

**MOTION** by Work, seconded by Schlabach, to adjourn the meeting at 21:52 hours, carried.

*All motions were unanimously carried unless otherwise noted.*

Attest,

Kim Lash, Treasurer and Interim Secretary

cc: Commissioners