

# 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, March 14, 2016** at 18:30 hours.

## Roll Call:

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

Absent:

Guests: Chief Jeff Schlabach, First Assistant Chief Ken Beil, Second Assistant Chief Chad Hawes and Bob Stanley, Sr.

**MOTION** by Garlapo, second by Work, to enter Executive Session to discuss Chief Jeff Schlabach's suspension of Third Assistant Chief Jim Havernick for conduct unbecoming a firefighter, carried.

**MOTION** by Metzger, second by Work, to exit Executive Session at 20:05 hours, carried.

## APPROVAL OF PRIOR MEETING MINUTES

**MOTION** by Metzger, second by Roy, to approve the February 8, 2016 regular meeting minutes as presented with Treasurer Lash's final total of checks (3217 - 3248) paid of \$81,078.10 carried.

**MOTION** by Garlapo, second by Schlabach, to approve the February 22, 2016 work session meeting minutes as presented, carried.

## BOARD OF DIRECTORS' REPORT

Bob Stanley, Sr. represented the Board of Directors and had no report. Commissioner Schlabach attended the Directors' February 15 meeting and Commissioner Garlapo will attend the March 21 meeting.

## SECRETARY'S REPORT

- 1) Interim Office Assistant Eric Olson provided a report of the work he has accomplished:
  - a) Call sheets for many years were sorted by year, month date order and filed. Work completed.
  - b) Meeting minutes were sorted by year and month and matched up to existing meeting minutes in the permanent file. Found two months missing and added them. Found two months in the wrong location and moved them to the correct location. Work completed.
  - c) Sorted incoming and outgoing correspondence by year and month. Made copies of correspondence summary sheets if they existed so that each month for both incoming and outgoing starts with the summary sheet. Created new files and placed correspondence in appropriate files. Note that some months between 2010 and 2015 are missing copies of correspondence. This work is complete unless the Board requires an attempt to determine viability of recreating correspondence is desired. The Board determined there are not enough resources to allocate for the volume of work involved.
  - d) Members' training documents were sorted by year. 2015 is complete and filed in personnel files. The next step is to file 2010-2014 training certificates.
  - e) The next step is to file more personnel records, truck checkout sheets, Building Expansion Project records, policies and a significant pile of miscellaneous papers that weren't specifically identified when the initial sort began to look for the 2015 training documents.

To date 40 hours have been expended filing the records backlog. This includes the first sort looking for the training records made by the Board of Fire Commissioners and the Treasurer plus the work Eric has accomplished.

**SECRETARY'S REPORT (continued)**

- 2) Service award points were posted February 23, 2016 and will be removed after 30 days on March 24, 2016. Nine members did not have 50 points in 2015. No one has yet requested a change to the posting. The Board signed 2015 Sponsor Approval Form requested by Penflex and the 2015 LOSAP Data Request Package will be returned to Penflex after the completion of the 30 day posting.
- 3) President Dudas requested the removal of a signature on two call sheets for February 27, 2016. Firefighter Mark Heim was not at those two incidents but was at attendance with him at the Swormville Banquet. The Board approved the changes.

**TREASURER'S REPORT**

- 1) The 2015AUD report was submitted to the State Comptroller on time.
- 2) 2016 tax receipts were deposited to the General Fund in the amount of \$943,965 on February 19, 2016.
- 3) The liability insurance premium is less than 2015 and \$5,686 under budget. The VFBL premium was also under budget so the total insurance premiums under budget is \$18,943. This could be transferred to the Building Capital line to fund the next payment due to the architect instead of drawing early from the building reserve.
- 4) A financial analysis was sent to the Board of Fire Commissioners summarizing the low bids received on the Building Expansion project and options available to fund those expenses.
- 5) The Chief's District credit card was not received so the first card was canceled, has been reordered and should arrive in seven to ten days.
- 6) Bills presented that are of note or in question:
  - a) Should Assistant Chief Havernick receive reimbursement for the first quarter cell phone stipend? The Board will approve reimbursement for two of the three months.
  - b) Should Fire Police Captain Burkhardt receive reimbursement for the first quarter cell phone stipend? His duties have been delegated to Fire Lieutenant Jerry Lash so he will receive the stipend instead.
  - c) The payment included for Board approval to Braunscheidel includes both the April 1 and close out payments per Commissioner Schlabach's approval and will be issued then after his instruction to release the check.
  - d) Network Services billed the District in January for purchase of the Quicken program for the Fire Company's accounting records. The Board instructed Treasurer Lash, at that time, to forward the bill to the Fire Company. Network Services reported the bill unpaid. Treasurer Lash did not receive a response from Commissioner Work as to how to proceed so Fire Company Treasurer Heim was consulted and he stated Commissioner Work asked for the bill to be returned to him. Commissioner Work reported he has spoken to President Dudas about this matter but he will discuss further with President Dudas. The Board again instructed to forward the bill to the Fire Company for payment.
  - e) Commissioner Work made a charge at Tim Horton's with his District credit card that included sales tax. He reported that they were unable to remove the tax from the purchase and replaced it with a 10% discount. Treasurer Lash consulted with the auditor who confirmed that "the Fire District is not permitted to pay sales tax and the purchase order should be revised to exclude the sales tax".
  - f) Massaro's billed for the cleaning of a uniform and gloves but the vendor is unable to supply the name of the individual that made the charge. The Board agreed to pay the bill. However, the only items that have been authorized for cleaning are the jumpsuits.
  - g) Commissioner Roy noted Commissioner Work also had his uniform cleaned at Executive Cleaners and the Board agreed to also reimburse him for that cleaning. No other members submitted reimbursement for uniform cleaning. It was agreed there should be a discussion with the Fire Company administration since the recommendation to members to wear uniforms to the banquet was not made by the Fire District.
  - h) Commissioner Roy also noted that he had not been made aware of the Mueller Sound purchase. Chief Schlabach noted that Assistant Chief Havernick had made that purchase upon the Chief's approval.

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

Commissioner Roy reviewed the three February Chief Vehicle reports and all was in order.

**MOTION** by Garlapo, second by Roy, to pay all bills presented for the total amount of \$48,492.84. (checks #3249 - 3283), carried. Commissioner Work abstained due to the controversy over his expenditures.

**CHIEF'S REPORT**

- 1) 34 total calls for February including: 26 EMS, 2 dumpster fires, 3 motor vehicle accidents, 1 hazardous condition and 2 false alarms. There were also 2 EMS drills and 1 fire drill and 1 new member drill.
- 2) Chief Schlabach requested that purchase order 1447 to 10-75 Lighting for the removal of equipment from Assistant Chief Hawes personal vehicle be cancelled. Additionally the purchase order for meter testing is currently fine as is but there will be more work done to evaluate that service and pricing in the future.
- 3) Chief Schlabach requested the District's files be searched to find Firefighter Dmochowski's Firefighter I certificate. He never received a copy and there is no record of the certificate in the Chief's Office.
- 4) Request a motion to send the Chief and Firefighter Dennies to the Baltimore hazmat conference in an amount not to exceed \$5,000.
- 5) Will have a request for update of Rescue 7 emergency lights within two weeks.
- 6) Commissioner Roy noted that there is nothing that can be done by the manufacturer in regard to the problem with the Engine 2 steps but the Chief is requested to provide a quote to repair the body area that has rusted. The manufacturer may have a warranty on the paint. Assistant Chief Hawes volunteered to obtain a quote from Stevens Collision.
- 7) The AFG grant items and the Chief's coat should be arriving soon.
- 8) Request the purchase of 10 night stick helmet lights at the cost of \$75 each, the price of which has come down since the last purchase at \$250 each. The Chief will distribute the lights to those that complete training.
- 9) Additionally request the purchase of a chain saw, pike pole and two portable spot lights for SR1.
- 10) Investigating the purchase of a hazmat trailer for spill response to transport the large bulky items such as a palate of speedy dry. The trailer may be towed by Rescue 7 or any of the three Chief vehicles.
- 11) First Assistant Chief Beil requested that any Explorer helmets that are in the process of painting be finished and no additional helmets are started to be painted as all will required to be in service for the Explorer drill on Saturday.

**COMMISSIONER ROY**

- 1) Commissioner Roy asked if the status was known on the Rescue 7 running boards ordered from Tucciarone's. Assistant Chief Hawes volunteered to ask.
- 2) Two ten foot pony lengths added to Engine 2 will make the hose trays easier to load.

**COMMISSIONER GARLAPPO**

- 1) The two sessions of physical exams at the fire hall have been completed. Occustar was contacted today and was not able to provide the status of the final book so Commissioner Garlapo will call them again tomorrow.
- 2) **MOTION** by Metzger, second by Work, to authorize Commissioner Garlapo to remove any firefighter from active duty that doesn't complete a District physical by April 1, 2016, carried. Chief Schlabach asked and received confirmation that he is to take no action on this issue for it is done by the Fire District.
- 3) Dave Baumler notified both the Board of Fire Commissioners and the Board of Directors of his intention to return to active duty and the request to obtain a physical exam letter was sent in response. The District was billed for the physical but no other paperwork has been received from Occustar.
- 4) Chief Schlabach asked if the District accidentally received physical results for Clarence Center firefighter Keith Albrecht but none were received.
- 5) Commissioner Metzger noted that his DMV CDL medical certification expires May 1, 2016.

**COMMISSIONER METZGER**

- 1) The rescue truck committee is on hold and all the vendors have been notified that the project is pending the results of the Building Expansion Project cost estimate results.
- 2) Chairman Metzger noted that the FDIC 2016 hotel room reservations have been made. Brett Hanford agreed to prepay for six 2017 attendees' registrations with his personal credit card and will be reimbursed by the District.

**COMMISSIONER SCHLABACH**

- 1) Commissioners Schlabach and Roy will attend the March 16 Erie County Fire District Officers' Meeting at U-Crest.
- 2) Commissioner Schlabach noted the April 16 training in Batavia agenda includes: Social Media staying out of trouble, Fire Department Needs Assessment and Managing Capital Projects – Fire Apparatus Purchase, Land Acquisition and Fire Station construction. Commissioner Garlapo also noted that the Secretary and Treasurer training offered there would be good for the new Secretary. A motion will be made for interested attendees at the March 28 work session since the registration is due by April 11.
- 3) The April 2 banquet room reservation by Charlie Ferguson has been cancelled.
- 4) There is nothing new to report regarding the New York State grant through Senator Ranzenhofer's office. Vic Miller is also working with Amy Greatbatch for a potential grant.
- 5) Jim Laczkowski requested use of the pavilion in May but Commissioner Schlabach will call him to let him know that the application cannot be accepted due to the pending construction project.
- 6) Bids were received for the Building Expansion project and low bids totaled \$3.9 million. In an effort to reduce the project cost many items are under consideration for removal including any allowances for change orders, which would become additional project costs if required during construction. After discussions with the bidders, the construction manager estimates the cost can be reduced to \$3,564,000 with the removal of the heated concrete pad, no epoxy on the equipment room floor, removal of the west vestibule to the truck room, no change to the roof top unit for the three new offices or the resulting ceiling and light replacements in the old offices, no records storage, elimination of the new camera system, no change to the exterior lights for LED. Still pending are responses from the mechanical and site bidders. Commissioner Garlapo asked if it might be worth postponing the project if so much must cut. The Board agreed to meet again March 21, 2016 at 5:00 PM to both interview the Secretary candidates and to discuss these issues with the architect and construction manager.
- 7) Commissioner and Chief Schlabach expressed their opinions that the Board should consider financing the Building project for a longer term to have more cash available in the short-term.

**COMMISSIONER WORK**

- 1) 18 Clarence and 9 Clarence Center firefighters attended the March 5 OSHA training. Other opportunities to attend OSHA training will be posted as available.

**OLD BUSINESS**

- 1) Commissioner Garlapo asked Assistant Chief Hawes if he is familiar with the Chief and Assistant Chief Vehicle Use Policy, if he was driving the District vehicle to work and if he felt this was reasonable. Responses were yes. It was noted Assistant Chief Hawes February mileage was double that of the Chief. The Chief Vehicle Use Policy Section III, paragraph D reads "The Chief Vehicles may be used by the Chief/Assistant Chief for transportation to and from his/her place of employment, as well as for personal travel as long as the user and vehicle are available to respond to an emergency in the District and is within a reasonable responding distance." Commissioner Garlapo had made a motion to remove the last sentence of this paragraph from the policy but the motion did not receive a second at a previous Board meeting. Commissioner Roy stated that the word "reasonable" is open to interpretation. Concern was expressed that a District vehicle is sitting downtown and is not able to respond. Assistant Chief Hawes stated he may leave work at any time for a major incident if it is not snowing. It is seventeen miles one way to drive to his place of employment. The current Chief vehicle mileages: #9 – 28,960, #9-1 – 26,937 and #9-2 – 28,890. The vehicles were purchased in 2013 and are scheduled to be replaced in 2018. The Chief voiced his opinion that the Chiefs must be able to drive their vehicles to be able to respond and suggested that an annual limit might clarify the policy and keep the vehicles to the desired 60,000 miles for five year use. The February #9-2 mileage of 1,257 would be more than 15,000 annual miles versus anticipated 12,000. Assistant Chief Hawes said the mileage for the year should average out because he will be using his motorcycle to drive to work during the good weather months.
- 2) Commissioner Garlapo has been researching and preparing an outline to be used for Secretary applicant interviews. He met both applicants today and provided them with the Secretary job description and information from the District Officers' Guide so they could determine if the job is still something they might be interested in and so they would be able to ask intelligent questions during the interview. If appointment could be made effective April 1 they might be able to attend the training in Batavia. Commissioner Garlapo also suggested the successful candidate complete the training on the Association of Fire District's website at a cost of \$85. He will contact the applicants' references and would suggest striving to make the appointment at the March 28 District meeting.

**NEW BUSINESS**

- 1) **MOTION** by Schlabach, second by Metzger, to accept Country Gardens & Gifts as the 2016 lawn and garden service provider at the cost of \$1,920, carried. Commissioner Schlabach requested Treasurer Lash send a letter to notify the vendor of the bid acceptance.
- 2) Commissioner Garlapo responded to Assistant Chief Beil's previous inquiry regarding a motion for the Explorers to take gear from District for EFAT training. No motion is required. Commissioner Roy expressed concern about the Explorers using the old gear for training but gear is adequate because no live fire training will be done. The Explorers use air packs, do auto extrication, use hoses and ladders and learn safety and health.
- 3) **MOTION** by Garlapo, second by Metzger, following the thorough review of the suspension of Assistant Chief James Havernick, and in accordance with Article IV, Section 2, paragraph f, sub-paragraph ii of the Fire District Rules and Regulations, the Board of Fire Commissioners, in lieu of a formal hearing, offers Mr. Havernick the opportunity to submit a voluntary resignation as a firefighter in Clarence Fire District No. 1. Failure by Mr. Havernick to accept the "Disciplinary Agreement" within five days of the receipt of the "Agreement" shall result in the Fire District pressing formal charges in accordance with the Fire District Rules and Regulations. Roll call vote: Garlapo – yes, Metzger – yes, Work – yes, Roy – yes and Schlabach – yes. Motion carried. The Chief asked what communication can be made to the officers and membership. The discussion of performance during executive session should not be made public but all information from the meeting outside executive session is available to the public.
- 4) **MOTION** by Roy, second by Metzger, to approve the June 15-19, 2016 travel of Chief Schlabach and Firefighter Dennies to Baltimore for the hazmat conference to include all necessary expenses not to exceed \$5,000 which will include airfare, registration, hotel and per diem with the travel arrangements to be made per District policy, carried.
- 5) **MOTION** by Roy, second by Metzger, to purchase one Stihl MS291 Chainsaw with a eighteen inch bar and 2 spare chains, safety goggles, a case and chaps to put in the search and rescue trailer at a cost of \$475, carried.
- 6) **MOTION** by Roy, second by Schlabach, to purchase four telescoping wash brushes with all steel squeegee handles and neoprene heads from First Out Rescue at a cost of \$355.70, carried.
- 7) **MOTION** by Roy, second by Work, to purchase ten helmet lights from DiVal Safety for the Chief to hand out to firefighters that complete Firefighter Survival or other comparable training at a cost of \$750, carried.
- 8) **MOTION** by Roy, second by Work, to purchase one twelve foot fiberglass pike pole from Grainger at a cost of \$124.33, carried.
- 9) **MOTION** by Roy, second by Metzger, to purchase two Cyclops Sirius 500 handheld rechargeable hand lights for SR1 and SR2 from Johnson's Country Store for search and rescue distance flood lighting at a cost of approximately \$150, carried.
- 10) **MOTION** by Roy, second by Metzger, to purchase a speaker for the public announcement system from Mueller Sound at a cost of \$124, carried.
- 11) **MOTION** by Metzger, second by Schlabach, to approve the 2016 FDIC attendees permission to register six attendees to the 2017 FDIC conference, carried. Chairman Metzger already spoke to Brett Hanford who is willing to put the expense on his personal credit card to be reimbursed by the District.
- 12) **MOTION** by Metzger, second by Roy, to amend by removing the signature on the February 27, 2016 call sheets (incident numbers 2637 and 2640) signed by Firefighter Mark Heim when in fact he was in attendance at the Swormville Installation Banquet per President Dudas, carried.
- 13) **MOTION** by Metzger, second by Work, to convene a special meeting of the Board of Fire Commissioners on May 21, 2016 at 5:00 PM to conduct interviews of applicants for the position of District Secretary and to also at 6:00 PM consult with the architect and construction management firm about the Building Expansion Project specifications and bid costs received, carried.

**GOOD OF THE FIRE DISTRICT**

Work Session Meetings will also be held both March 21, 2016 at 5:00 PM and March 28, 2016 at 6:30 PM.

The next regular meeting of the Board of Fire Commissioners will be held April 11, 2016 at 6:30 PM.

**MOTION** by Schlabach, second by Work, to exit executive session and adjourn the meeting at 20:03 hours, carried.

*All motions were unanimously carried unless otherwise noted.*

Attest,

Kim Lash, Treasurer and Interim Secretary

cc: Commissioners, Day Room Bulletin Board, Website