

# 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

Kim M. Lash

## Secretary

Megan C. Kiener

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The Board of Fire Commissioners' Work Session meeting was called to order by Chairman Metzger on **Monday, July 25, 2016** at 18:31 hours.

## Roll Call:

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

Absent: Commissioner Garlapo

Guests: Chief Schlabach, Al Burget

## Old Business

The insurance for Chief vehicles covers those who are in the chiefs' trucks because insurance is with the vehicle, not the driver. There should be coverage no matter what the response is, be it a cold response or not. Clarence Center's policy states the chief must be in cold response with any non-firematic members in the vehicle, according to Mark Butler. The vehicle is a privilege that can be taken away, but there is question as to how restrictive the District can be. Is the truck a perk or a professional tool? The Chief Vehicle Use policy will be discussed again at the next meeting.

Inspection Dinner Cost Reimbursement policy will be discussed at the next meeting.

Youth Program Policy draft is more restrictive than the Boy Scouts guidelines. The District regulates and restricts the program more. The Boy Scouts would allow participants to go on calls with parent permission, and the District does not approve of it. The policy will be discussed again at the next meeting.

## Building Project Financing and Fire Equipment Purchasing

Commissioner Garlapo sent an email that he requested be in the minutes. The email states his views of the financing plan in question. The BAN would be an aggressive payoff plan for the next 5 years. Commissioner Work stated that Commissioner Garlapo "hit the nail on the head." The District is morally, but not legally, obligated to go with the BAN. With the additional interest costs of the bond, it would be a very tight budget for the next few years. The District needs turnout gear and a new rescue truck. What about emergency repairs? How do you plan ahead for that? There is an emergency borrowing situation, but the District does not want to do that. Based on the BAN, there would be no new vehicles for the next 5 years because you cannot drain the Equipment reserve. There is a Clarence Bee article about the vote, and what was in the presentation to the town. It states a 5 year BAN. It is not a legal notice, however, so it can be changed. The change of financing plans would have to be justified though. If the District can only borrow \$1,500,000, but cannot raise the taxes, how do you pay it back? Finances have changed a lot in the last few years. Will the rescue truck stay in service for years to come? There are lots of what- ifs. Treasurer Lash had prepared reports for financing and stated that the short term borrowing would not exactly mean that there would be no funds for years. The best financing must meet all of the District's needs. Each year there is a budget of about \$500,000 for capital projects. Treasurer Lash made a 9 to 10 year plan of funds to demonstrate how the 5 year BAN would look. She did not figure in the heated concrete pad, and only figured in large purchases that were more important or talked about more frequently. After 9 years, the District would still have about \$1 million in the Equipment reserve. The tax freeze lasts until 2019. There was talk about a new Rescue 7 between 2021 and 2024. During the 5 year BAN, there would still be about \$70,000 to \$80,000 for capital purchases. Even if there were 5 sets of turnout gear bought each year, the funds would still be very positive. The numbers for the big equipment must work and smaller item can be worked in later. The Chief's budget will still be around \$50,000. Questions were raised about the growing cost of products. Items bought 10 years ago are a lot cheaper than the same thing that would be bought today. The Chief's budget has been progressively increased each year to compensate for that. Timing of purchases and the actual needs of the District are what needs to be finalized. With that information a decision can be made regarding financing. Treasurer Lash also stated that with a 5 year BAN, you can pay what you can.

**Building Project Financing and Fire Equipment Purchasing (continued)**

The District is not tied into it. It is a 1 year BAN that is refinanced annually for up to 5 years and the least amount that is needed to be paid is the interest. The call feature, after 8-10 years, can be issued. The BAN allows you to pay more upfront so the District doesn't have as much in bond. Treasurer Lash advised that the District should worry about the items first, then look at numbers; that way there is a focus on what is needed and not the cost. Will the District need a new ambulance in 12 years? Priorities have to take precedence or else there will a snowball effect. The BAN and bond are dependent upon when the \$300,000 from Senator Ranzenhofer comes. The District cannot have too much in reserves without a plan for it. The finalized numbers will help decide financing options. Because the District usually pays cash, there is some apprehension to financing. There needs to be justification for everything. The District is financially healthy, but it could use more equipment to be better firematically. The Chief is going to plan on no grant for turnout gear to help with the numbers. Treasurer Lash also had reports showing a tax freeze budget. She advised that something needs to be done soon and should be done by the September meeting because it takes 6-8 weeks to borrow, according to Mark Butler. Banks are not offering a commercial mortgage because it is lot more work to do for a municipality versus the normal commercial borrower. The Commissioners advised that the fire alarm system needs to be in the budget, which is about \$17,000.

**New Business**

The Girls Softball league requested to use the parking lot the weekends of July 30<sup>th</sup> and 31<sup>st</sup>, as well as August 6<sup>th</sup> and 7<sup>th</sup>. Commissioner Schlabach has already received their liability certificate.

**MOTION** by Schlabach, second by Metzger, to approve the Girls softball league to use the bike path parking lot on July 30<sup>th</sup>, 31<sup>st</sup>, and August 6<sup>th</sup>, 7<sup>th</sup>, carried.

The District is out of bottled water and it needs to be reordered. Is there a cost savings to have a Commissioner purchase the water in bulk or have it delivered?

Commissioner Metzger talked to Commissioner Garlapo about firefighter Mark Heim's gallbladder surgery. Mark Heim talked to Commissioner Schlabach about it as well. Commissioner Schlabach told Mark about some options. He could be placed on light duty for administrative things, or he could be changed from "active life" to "life" status. Commissioner Work did not approve of the policy and the way the situation was handled. He did not agree with sending him a letter of notification before calling Mark to get his opinion. Because Heim is also a paid employee, there was questions as to how to address the situation. Heim should not have any janitorial duties while on medical leave. He will need clearance from his doctor before he is able to return. He also needs a physical from OCCUSTAR in order to be returned to active duty.

**MOTION** by Metzger, second by Schlabach, to put Mark Heim on medical leave effective immediately. Roll Call for vote: Metzger- yes, Work- no, Roy- yes, Schlabach- yes. Motion carried.

**MOTION** by Schlabach, second by Metzger, to suspend Mark Heim of his janitorial duties until a medical release is received by the District. Roll call for vote: Metzger- yes, Work- no, Roy- yes, Schlabach- yes. Motion carried.

There was a Freedom of Information request received from Woods Oviatt Gilman LLP, the attorneys for Joe and Nancy Weiss, regarding the fire on Timberlakes Drive in April of 2016. Attorney Mark Butler and Insurance agent Tom Brady were notified.

**Good of the District**

The next regular meeting of the Board of Fire Commissioners will be held August 8, 2016 at 6:30 PM. The next Work Session Meeting is scheduled for August 22, 2016 at 6:30 PM.

**MOTION** by Metzger, second by Work, to adjourn the meeting at 20:44 hours, carried.

*All motions were unanimously carried unless otherwise noted.*

Attest,

## **Commissioner Garlapo Report:**

Everyone

As already mentioned to Chairman Metzger, I will not be able to attend the 07/25/16 Work Session. Since the primary topic will be the review again of the financing of the recently approved building project, I would like to pass along my comments in the "for what it's worth" category.

Quite honestly, I feel that everyone has fully decided within their own minds what will be decided as to the finances for the project. The Treasurer has numerous times done this same review for us, dating back a couple of years +/- . So, this seems liked a wasted effort of time and resources.

I will again state that I am totally opposed to the "mid-night hour" change as to the financing. Through our time of reviewing and developing this project, we had continually planned to do a BAN. We, as a Board, from my perspective, approved moving forward based upon that financing method. We, as a Board, promoted that to the Fire Co. and to the public at the Public Hearing (please review the slides from the Hearing). We told everyone how we were going to save lots of tax dollars by proceeding in this manner. In my mind, we made commitments, maybe not legally (?? not sure on that) but definitely morally and ethically to ourselves and to the public. We did the hard sell (and had commitments from all the players) that we'd tighten our belts and make this finance method work for the benefit of taxpayer dollars. Now, when it's time to complete this portion of the project, we're re-doing the gameplan. In my opinion, this is wrong.

We have all witnessed several times in recent years where taxpayers have challenged decisions by entities in power (Town Board, School Board, and our own Board on the previous proposed project). I wouldn't discount that as a possibility with a change such as is being proposed. This change adds very significant dollars to this project (quite easily 25% of our annual tax revenues) from what was originally planned. Yes, the up front construction dollars remain as approved, but behind the scenes we spending thousands more in taxpayers dollars than ever planned or stated. When we sit and vote at that table in Fire District meetings, we are Commissioners (representing what is best for the taxpayer) first and fire company members second. I would venture that if the Board was made up of primarily non-fire company members, we would not even be having this discussion again on Monday evening. I'm sure that's not a popular statement, but would guess it's a very valid statement.

So, as originally stated, that's my input in the for it's worth category. I would request that the e-mail be included with the minutes of the 07/25/16 Work Session.

Respectfully Submitted

Doug