

CLARENCE FIRE DISTRICT NO. 1

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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 Work

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

Roll Call:

Present: Commissioners Garlapo, Metzger, Bissonette, Schlabach and Work, Fire District Treasurer Kim Lash and Fire District Secretary Yvonne Work

Guests: Fire Chief Bill Major and 1st Assistant Chief Jeff Schlabach

APPROVAL OF PRIOR MEETING MINUTES

The minutes of the Board's Work Session held on August 10, 2015 with Dave Rogers, RBC Wealth Management Representative, were reviewed; there were no recommended revisions to these.

MOTION by Work, seconded by Bissonette, to approve the Board of Fire Commissioners Work Session minutes of August 10, 2015 as read, carried.

The minutes of the Board's Regular Meeting held on August 10, 2015 were reviewed. There were recommended revisions as listed below:

- Page 2, under Secretary's Report, add:
MOTION by Garlapo, seconded by Bissonette, to authorize the Fire District Secretary to write a letter to the Board of Election Commissioners advising that the Fire District will be not be available for voting during 2016 due to their building project renovation, carried.
- On page 2, under Treasurer's Report:
The federal government's System for Award Management (SAM) registration was updated July 29, 2015 and must be renewed annually to be eligible for FEMA grants.
- Treasurer Lash reported that the tax cap is at .73% for the 2016 budget. The Town's preliminary tax valuation is up \$53 million (to \$683 million). This will result in a drop, from \$1.53 in 2014, to \$1.38 per \$1,000 of assessed valuation for 2016.
- Treasurer Lash reported that Penflex will be sending a letter to the District soon regarding the LOSAP portfolio future assumed rate of return will be decreased from 6% to 5.5%. If the change had been made now, the District would have been required to contribute \$104,000 in 2016, rather than the current \$86,000 budgeted. If the District continues to earn 0% the annual contribution would increase annually to \$374,000. New York State recently announced that the 2010 decrease from their pension fund assumed rate of return from 8% to 7.5% has not been sufficient and they are also considering lowering the assumed rate of return again. The District's service award program was funded at 98% one year ago and is now at 92% funding. The government considers any pension plan underfunded by 20% or more to be at risk.

APPROVAL OF PRIOR MEETING MINUTES

- Treasurer Lash asked the Board if they wanted the monthly check run attached to the past minutes. It was agreed they would be added to all the 2015 minutes.
- On page 3, under Fire District Budget Draft (last paragraph) ban should be “BAN”.
- On page 3, under Chief’s Report (New Purchases – 2nd bullet), “1” should be deleted.
- On page 4, under Chief’s Report (1st paragraph) – should state, “Fire District will maintain the bottles, as well as the inventory”
- On page 4, under Chief’s Report (2nd paragraph) – should include amount of “in the range of \$5,000.00.
- On page 4, under Chief’s Report (4th paragraph) – should state, “destroy it”
- On page 4, under Commissioner Metzger’s Report (1st sentence) – should include “and enclosed trailer”
- On page 4, under Commissioner Metzger’s Report (2nd sentence) – should include “Committee has also met with Vendor for a Pierce and Rosenbauer and will be meeting with E-1 representative.
- On page 5, under Commissioner Metzger’s Report (addition) - Commissioner Metzger indicated that he had a conversation with a resident who wants to initiate a discussion with the Brothers of Mercy requesting that they make a donation to the Clarence Fire District.
- On page 7 (last sentence), Commissioner Bissonette and Commissioner Garlapo switched their dates for the Board of Director’s meetings; Commissioner Bissonette will be in attendance at the September meeting.
- On page 8, under New Business – there was a Motion for the purchase of the Earplugs.
MOTION by Metzger, seconded by Work, to authorize the Chief’s Office request to purchase a box of 200 Aearo Earsoft corded earplugs to be utilized by the firefighters from DiVal at a total cost of \$61.50, carried.

MOTION by Work, seconded by Schlabach, to approve the Board of Fire Commissioners minutes of August 10, 2015 with the above revisions, carried.

BOARD OF DIRECTOR’S REPORT

There was no one present from the Board of Directors.

SECRETARY’S REPORT

- Fire District Secretary reported that the Board of Elections is working on obtaining a different polling site for the 2016 elections.

TREASURER’S REPORT

- Treasurer Lash provided a copy of the January-July check listing to the Fire District Secretary for filing with the master set of minutes.
- Treasurer Lash reported that Yvonne has changed her time sheet format to include her project work for the month.

TREASURER'S REPORT

- Treasurer Lash reported that there is a new regulation that New York State payroll taxes be paid and filed on line.
- Treasurer reported that the taxable value for the budget is a tentative amount as the Town does not finalize the taxable valuation until November, 2015.
- Treasurer reported that there was an issue with locking the red corridor door over the weekend for an event. Commissioner Schlabach will check into this.
- Treasurer Lash indicated that she has signed up for Affordable Care Act webinar to ensure the District is in compliance with all reporting.
- 1st Assistant Chief Jeff Schlabach has submitted an invoice in the range of \$5,000.00 to the Insurance Company for the Newstead Fire Department HazMat call; this will be reimbursement to the Fire District.
- Treasurer Lash indicated that the annual invoice for Penflex and Alpine Software for the Red Alert Program are scheduled to be paid this month. Commissioner Work reviewed the Alpine Software invoice and indicated that the amount should be for \$1,249.75, not the \$5,629.50 as written (this check will be voided and reissued by the Treasurer).
- Treasurer Lash mentioned that the State did lower their pension assumed rate of return from 7.5% to 7%.
- The District's LOSAP portfolio showed a decrease of \$64,000 for the year; the District currently has approximately \$1.8 million in the LOSAP Investment account, after the 2015 contribution of \$70,000.
- Treasurer Lash indicated that an individual from Congressman Chris Collins' office called her and advised that the FEMA Grant was approved in the amount of \$63,456. She mentioned that she had to complete paperwork for M&T Bank to change the grant deposit account as the former Treasurer, Pam Smith, had changed banks from Key Bank where the 2008 grant was deposited.

Commissioner Bissonette expressed concern that Congressman Collins' office had contacted Chairman Garlapo, Treasurer Lash and himself regarding the Grant. Commissioner Schlabach will contact Congressman Collins' office to follow through with the next step as he was not contacted.

Commissioner Schlabach did mention that the District did not receive the total amount requested; he was advised that part of the Grant was "kicked out" electronically prior to a human reviewing this. Commissioner Schlabach spoke with Dave from FEMA who advised him of other grant possibilities; Commissioner Schlabach forwarded this information to Vic Miller, who is assisting with writing grants for the District.

Commissioner Garlapo indicated that he has reviewed all bank and financial statements for the month and found these to be in compliance.

Commissioner Metzger indicated that he has reviewed the three Chief Vehicle reports for the month; these were found to be in order.

MOTION by Garlapo, seconded by Bissonette, to pay all bills from the General Reserve and included in the Treasurer's financial statement in the total amount of \$44,496.33 (checks #3036 - #3065); the Board will hold on approval of the Penflex bill in the amount of \$3,200.00 (check #3050) as the renewal is being discussed under New Business at tonight's meeting, carried.

CHIEF'S REPORT

There were a total of 33 calls for the month of August 2015, which included the following: 20 EMS, 3 Motor Vehicle Accidents (1 with injuries/2 without injuries), 7 False Alarms, 0 Fires, 0 Mutual Aid, 1 Hazardous Materials and 2 Other Responses. Drills includes: 3 Fire and 1 EMS and 1 Work Calls.

Purchases:

- Chief Major reported that the 12 foot telescoping ladder from DiVal Safety & Supplies has been received and is now on the Ambulance. The packaging was damaged upon arrival, but the ladder is okay.
- The Minitors are in.
- Chief Major indicated that half of the pants for the Fire Police have arrived; waiting for the remainder.
- Chief Major reported that the ID printer has not been received yet.
- Chief Major indicated that he received clarification from Assemblywoman Jane Corwin's Office regarding the grant award to the Clarence Fire Company in the amount of \$5,000.00; Board held discussion as to the whether the Fire Company will need to pay for the communication equipment and then be reimbursed through the grant or whether the Fire District can pay for this and be reimbursed through the Fire Company.
- 1st Assistant Chief Jeff Schlabach has additional information to present to the Board for review relevant to the purchase of the Rupture Seal Kit, which was defeated at last month's meeting.
- Fire Chief Major mentioned that the Akron Moose Club has provided the Fire District with a supply of "Tommy Moose" to be distributed to children at calls.

Operational:

- Open House will be held at the Fire Hall on Sunday, October 11, 2015 from 12:00 Noon – 4:00 P.M.; Fire Captain Mark Zuchlewski is organizing this event.
- Clarence Center will be out of service on September 19th & 20th beginning at 12:00 Noon – Clarence Fire District No. 1 will be answering calls from our District, as well as having a vehicle on standby at their Station.

Training/Conferences:

- Fire Chief indicated that Narcan training will be held on Wednesday, September 16, 2015 from 6:00 P.M. – 8:00 P.M. at the Fire Hall. .
- Fire Chief mentioned that they began utilizing the house for training last week. 4th Assistant Chief Jim Havernick and 1st Assistant Chief Jeff Schlabach recently held a bail-out drill with two firefighters.
- Fire Chief stated that a "live burn" drill will be held at the house on Wednesday evening. They would like to utilize the house for "live burns" in the upcoming months as this is a great tool for training purposes. Commissioner Bissonette discussed the ventilation issues regarding this type of training and indicated that the area should be posted to indicate that it is a "hazardous area" when there are high levels present.

1st Assistant Chief Jeff Schlabach indicated that the calibration of the meters was done this date; one meter needs to be addressed. He indicated that he will follow through with DiVal regarding this. He also indicated that he has copies of the prior DiVal calibrations; he will provide a copy to the District for their files.

- 1st Assistant Chief Jeff Schlabach indicated that a HazMat drill will be held with Akron Fire Department at Perry's Ice Cream on October 10, 2015; will be utilizing vehicles out of the District.

COMMISSIONER BISSONETTE

- Commissioner Bissonette had no report.

COMMISSIONER GARLAPO

- Commissioner Garlapo reported that Christopher Nowak has completed all District requirements and was released as an Active Interior Firefighter, effective August 25, 2015.
- Commissioner Garlapo indicated that Joshua Brizzaloro has not had his physical as of this date. 1st Assistant Chief Jeff Schlabach mentioned that he saw him and Joshua indicated that he has purchased a house in the Hamburg area, so he will not be joining their Fire District. He indicated that he would forward a letter to the District indicating such.
- Commissioner Garlapo indicated that Mackenzie Rider-Work has begun in the Explorer Program.
- Commissioner Garlapo mentioned that Bridgit Reitz went to Administrative/Light Duty Only status, effective August 17, 2015.

COMMISSIONER METZGER

- Commissioner Metzger gave an update on the Rescue Truck replacement. The Committee will be meeting with E-1 representative on September 28th – they will utilize the HGAC process. The Committee did receive a 141 page specification package for a Rescue Truck from Rosenbauer.

Commissioner Metzger indicated that there is another company by the name of NJPA (National Joint Purchasing Association) similar to the HGAC. He checked with Attorney Schoellkopf regarding their Services; Attorney Schoellkopf indicated that he has no personal experience working with them, but they are a qualified vendor. The necessary paperwork will be completed to join this group; there is no cost to the District.

- Commissioner Metzger mentioned that he is utilizing the new turnout gear on a trial basis; this is working out well.
- Commissioner Metzger reported that a block of six rooms have been reserved for FDIC 2016 at the Indianapolis Marriott Downtown.
- Commissioner Metzger mentioned that they are trying different skid loads for the hose on Engine 2 .

COMMISSIONER SCHLABACH

- Commissioner Schlabach indicated that the District received a thank you letter from the Clarence Chamber of Commerce thanking the District for allowing them to utilize the Bike Path Parking Lot for their event, Taste of Clarence & Cruise Night. They indicated their next annual event is planned for August 1, 2016.
- Commissioner Schlabach gave an update on the building project. He has spoken with Mike Montante, the Architect from Stieglitz and Snyder, regarding some ideas for the room finishes. The District Office and Conference Room would be carpeted; Mike Montante is checking on the radiant floor heat in this area. They are also looking into rubber flooring in the fitness room area. The walls are expected to be dry wall and paint. Commissioner Schlabach mentioned that the current District Office area and the Fire Company's area may be able to be updated on an alternate bid, but this is dependent on the amount of the other renovation bids. He indicated that this area is approximately 1,200 – 1,400 sq. feet and the amount of \$100/per sq. feet was previously discussed. Mr. Montante indicated that he has all the information he needs at the present time to move forward with the plans.

COMMISSIONER WORK

- Commissioner Work indicated that OSHA training will be offered by Carl Fischer at the following locations and times: October 17 (Saturday) – Harris Hill Fire Company – 8:00 A.M. start and November 17 (Tuesday) and November 19 (Thursday) – Clarence Fire District No. 1 – 6:30 P.M. start (individuals need to attend both nights for credit). Firefighters are to have completed their OSHA training by November 30, 2015.

Commissioner Bissonette questioned the Board as to the last time the District's OSHA training was put out to bid. He indicated that there are multiple Companies who do OSHA training; he made the recommendation that the Board look at this in the future. Commissioner Work mentioned that the firefighters taking this training are required to put on their gear and pack and take a written exam.

PUBLIC COMMENTS

None.

OLD BUSINESS

Commissioner Garlapo indicated that he has been updating the District's Rules and Regulations for the Board's review; Article V and VXII need to be reviewed by the Board, as well as the Penflex Article. Commissioner Metzger is currently reviewing Article V.

Discussion held regarding presentation of the District's Rules & Regulations to the Fire Company members at the October Membership meeting. Chairman Garlapo indicated that the Board of Director's Chairman will be provided with a copy prior to this meeting.

RFP – Legal Services: Commissioner Garlapo indicated that following the August 27, 2015 Work Session, the RFP's for the District's Legal Services were sent out. Commissioner Garlapo reported that a total of four RFP's were sent out (Attorney Mark Butler, Attorney Raymond DiRaddo, Pinsky Law Group and recently to Attorney Robert Friedman). Commissioner Work mentioned that Attorney Justin Kloss recently expressed interest in obtaining an RFP.

- Mark Butler, PLLC, does have experience with Fire Districts. He generally requires a \$3,500 retainer to commence representation. Fees are based on the time spent by the Attorneys and Legal Assistants who work on the matter. His current hourly retainer rate is \$325.00/hour and \$85.00/hour for Paraprofessionals. He also charges for other incidental items, as well as mileage.
- Attorney Bradley Pinsky also has experience with Fire Districts. Their fee is \$230/hour; they bill in 6 minute intervals, so that the District does not pay for more than it uses. They charge for mileage costs one way only.
- Attorney Robert Friedman currently represents the Getzville Fire Department. He does have some experience with Fire Department financing, budgets, LOSAP and procurement. His fee is \$275/hour, which is based on actual time expended by the partners. All time for services will be fully described and billed monthly in increments of 1/10 of an hour.
- No response was received from Attorney Raymond DiRaddo.

MOTION by Garlapo, seconded by Schlabach, to have the District Secretary forward an RFP for Legal Services to Attorney Justin Kloss, carried.

MOTION by Bissonette, seconded by Work, to have Commissioner Bissonette contact all Attorneys who submitted an RFP with the intent of interviewing all qualified RFP's at the Board's Work Session on October 6, 2015, carried.

NEW BUSINESS

MOTION by Garlapo, seconded by Metzger, to renew the annual contract with Penflex for administration of the Clarence Fire District's LOSAP Program at the annual fee of \$3,200.00, carried.

MOTION by Bissonette, seconded by Garlapo, to authorize Fire District apparatus out of the District for a HazMat drill with Akron Fire Department on October 10, 2015, carried.

MOTION by Schlabach, seconded by Metzger, to grant Doug Lash's request to utilize the Banquet Room on May 22, 2016 for a bridal shower; no caterer and no alcohol, carried.

Commissioner Bissonette raised the question as to the end date of the current contract with the Snowplowing Contractor; Commissioner Schlabach indicated that the District's snowplowing contract is with Braunscheidel Property Services; this was a three-year contract and is scheduled to terminate on March 31, 2016. Commissioner Schlabach indicated that the District will probably bid out a year at a time while the building renovation project is in progress.

MOTION by Metzger, seconded by Schlabach, to declare the following items as surplus and dispose of these items as they are no longer usable and have no value to the Fire District No. 1:

- 1 Fire Extinguisher (Water)
- 5 CO2 Extinguishers
- 1 Dry Chemical Extinguisher
- 2 Wheels and Tires
- 5 Light Bars
- 1 Aim Gas Detector (DiVal) – dated 1993
- 20 Miscellaneous Brackets/Nozzles/Caps
- Old Siren Electronics
- Fax Machine

Question was raised as to how these items will be disposed of. Commissioner Work asked if these items could be put in an area and an announcement be made at the October Company Meeting to see if any members are interested in these for personal display purposes. Board discussed utilization of a "bid" process. Commissioner Schlabach mentioned that these are of no value and items can either be put in the dumpster or Twin Village for recycling. Commissioner Work voted in opposition.

The issue of demolition of the house next door was also brought up for discussion. Commissioner Metzger mentioned that he thinks there are specific procedures to follow when there is a value of \$50,000 or more. Commissioner Garlapo indicated that he will check with Attorney Schoellkopf regarding this.

MOTION by Bissonette, seconded by Metzger, to authorize the Chief's Office request to purchase a total of 2 Rupture Seal kits (3 Park 2x6/2"/1" and training device from RP Recovery Consulting in the amount of \$421.89, carried.

MOTION by Metzger, seconded by Garlapo, to authorize District Treasurer Lash to complete the necessary paperwork for the District to join the NJPA (National Joint Purchasing Association) at no cost to the District; Commissioner Metzger indicated that Attorney Schoellkopf has reviewed and approved this vendor, carried. Commissioner Schlabach asked if other types of items can be purchased from them as well. Commissioner Metzger mentioned that they do provide all types of other supplies as well.

Clarence Fire District No. 1 Proposed Budget for 2016:

Commissioner Garlapo indicated that the Board of Fire Commissioners is required to adopt the Clarence Fire District No. 1 proposed budget for 2016, including the fund balance estimate for 2015 pursuant to Town Law on or before September 29, 2015.

MOTION by Garlapo, seconded by Metzger, to adopt the Clarence Fire District No. 1 proposed 2016 annual budget at \$944,965.00, to be raised by taxation at \$1.38 per thousand dollars of valuation with a December 31, 2015 estimated total fund balance of \$2,000,000.00.

Clarence Fire District No. 1 Proposed Budget for 2016:

It shall be noted:

- 1) the proposed \$1.38 tax rate is decreased from the 2015 rate of \$1.53 due to both the Town property revaluation and the District's adoption of the NYS tax freeze;
- 2) the 2016 proposed budgeted revenue reflects a decrease of \$18,035.00 from 2015;
- 3) the total property value provided by the Town as of September 11, 2015 is \$683,270,239;
- 4) the spending margin is \$356,993;
- 5) this budget is within the NYS tax cap. The NYS budget allows for tax rebates to qualifying homeowners that live in a Fire District that stays within the tax cap limit. Therefore, homeowners will have any increase in their 2016 Fire District taxes rebated back to them, so property owners in the Fire District will have a net \$0 increase to Fire District taxes in 2016.
- 6) It is the Board's intention to continue the 1% NYS tax freeze for fiscal years, beginning 2017, 2018 and 2019. The NYS required certification and Government Efficiency Plan were previously timely submitted to the State as required for the State rebate to property owners in the Fire District.

Roll Call Vote for Adoption of 2016 Proposed Budget: Garlapo – Yes; Metzger – Yes, Bissonette – Yes, Schlabach – Yes and Work – Yes, carried.

GOOD OF THE DISTRICT

- Board of Fire Commissioners will hold a Work Session on **Tuesday, October 6, 2015 at 6:00 P.M.** The Board will interview the Attorneys who have submitted a RFP for Legal Services, as well as review and finalization of the District Rules & Regulations (Articles 5 & 17 and the LOSAP Article).
- Board of Fire Commissioners will hold their **Annual Budget Hearing on Tuesday, October 20, 2015 at 6:00 P.M.** with **Regular Meeting to follow at 7:00 P.M.**

Commissioner Bissonette indicated that he will not be running for another term at the end of this year as he does not have the time available due to other commitments. He indicated that he feels the Board of Fire Commissioners does a great job and he is proud of being a member of the Board.

MOTION by Work, seconded by Bissonette, to adjourn the meeting at 21:27 hours.

All motions were unanimously carried unless otherwise noted.

Attest,

Yvonne Work, Fire District Secretary

cc: Commissioners/President/Fire Chief