



# CLARENCE FIRE DISTRICT NO. 1

10355 Main Street, P.O. Box 340, Clarence, NY 14031

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

**Board of Fire Commissioners**  
Nathan M. Work, Chairman  
Douglas J. Larkin, Vice-Chairman  
Michael Dudas  
Mark Heim  
Brian Gaske

**Treasurer**  
Sandra J. Larkin

**Secretary**  
Kristi Mora

The organizational meeting of the Board of Fire Commissioners, Clarence Fire District No. 1, was held on **January 4, 2021** at 10355 Main St., Clarence, NY 14031. Meeting called to order by Secretary Mora at 18:30 hours. Commissioner Gaske led the Pledge of Allegiance.

## **ROLL CALL:**

Present: Commissioners Work, Larkin, Heim, & Gaske, Treasurer Larkin, & Secretary Mora

Absent: Commissioner Dudas

Guests: Chief Hanford

Oath of Office for newly re-elected Commissioner Larkin was administered by Secretary Mora.

## **2021 ORGANIZATIONAL MEETING:**

### **Personnel:**

**MOTION** by HEIM, second by LARKIN to appoint Commissioner Work as Chairman of the Board of Fire Commissioners for the year 2021. Motion carried.

Chairman Work took over the remainder of the meeting.

**MOTION** by WORK, second by GASKE, to appoint Commissioner Larkin as Vice-Chairman of the Board of Fire Commissioners for the year 2021. Motion carried.

**MOTION** by WORK, second by HEIM, to enter into Executive Session for the purpose of discussing the employment history of particular individuals, specifically for matters leading to appointment, employment, and promotion.

**MOTION** by WORK, second by LARKIN, to enter into Executive Session at 18:35 hrs.

**MOTION** by WORK, second by LARKIN, to return to Regular Session at 18:47 hrs.

**MOTION** by WORK, second by LARKIN, to appoint Kristi Mora as Fire District Secretary and Records Management Officer at an hourly rate of \$27.50 for the year 2021. Motion carried.

**MOTION** by WORK, second by HEIM, to appoint Sandra Larkin as Fire District Treasurer at an hourly rate of \$35.50 for the year 2021. Motion carried. Commissioner Larkin Abstention.

Oath of Office for District Secretary Kristi Mora and District Treasurer Sandra Larkin administered by Chairman Work.

**MOTION** by WORK, second by GASKE, to appoint Paul Meyer, Jr. as Fire District Building Maintenance Manager for the year 2021 at an annual salary of \$4,800 (\$400.00/month) based on 3.5 hours per week. Additional authorized maintenance work performed beyond the normal job duties shall be at the rate of \$30.00 per hour. Motion carried.

On November 9<sup>th</sup> and 23<sup>rd</sup> of 2020, the Board of Fire Commissioners interviewed and approved candidates interested in running for firematic office for 2021 and a list of the approved candidates was provided to the Fire Company. The Fire Company Board of Directors held a special meeting on December 2, 2020 and acknowledged that due to attendance restrictions resulting from the ongoing COVID-19 pandemic, the annual Fire Company elections were not able to be held on December 10<sup>th</sup>, 2020 as scheduled. At that same meeting, the Fire Company Board of Directors moved to cast one ballot for the unopposed firematic positions of Chief (Brett Hanford), 1<sup>st</sup> Assistant Chief (Ruth Rider-Work), 2<sup>nd</sup> Assistant Chief (Christian Rider-Work), and Fire Police Captain (Alan Herrscher Sr.). Since these candidates were pre-approved by the Fire District, it is unnecessary to reapprove them. It is anticipated that the Fire Company will hold a formal election for the administrative and vacant firematic positions (EMS Captain) when it is safe and permissible to do so. There are some vacancies that exist, which the Chief may or may not appoint personnel for.

**MOTION** by LARKIN, second by GASKE, to approve the Chief's recommendations for truck officers for 2021:

Engine 1: Paul Blonski  
Engine 2: James Dussing  
Rescue 5: Kenneth Beil  
Ladder 6: Nathan Work  
Rescue 7: Patrick Thompson  
Haz-Mat 7-1: Madeline Hanford  
Ambulance 8: Benjamin Hanford  
SR1 & SR2: Marshall Helms

Motion Carried. Commissioner Work Abstention

**MOTION** by GASKE, second by WORK, to approve the Chief's recommendation to appoint Doug Larkin as a Duty Captain (9-5) for 2021. Motion Carried. Commissioner Larkin Abstention.

**MOTION** by HEIM, second by LARKIN, to approve the Chief's recommendations for Firematic Lieutenants for 2021: James Dussing, Marshall Helms, & Nathan Work. Motion Carried. Commissioner Work Abstention

**MOTION** by WORK, second by LARKIN, to approve the Chief's recommendations for EMS Lieutenant for 2021: Benjamin Hanford. Motion Carried.

**MOTION** by HEIM, second by GASKE, to approve the Chief's recommendations for Firematic Safety Officers for 2021: David Baumler & Kenneth Beil. Motion Carried.

**MOTION** by LARKIN, second by HEIM, to appoint Cleanscapes, LLC or East Amherst, NY as the janitorial service for 2021 for a cost of \$980 per month, based on quotes received in December of 2017. Note, the Board decided to utilize an outside service for janitorial services in 2017. The work to be performed is based on the janitorial job scope that was updated in December 2017 as a result of the expansion of the District facilities.

**MOTION** by GASKE, second by LARKIN, to approve the distribution of New York State Wage and Theft Prevention Act forms to current employees prior to February 1, 2021. Treasurer is responsible for providing such notice to any new employees at hire. Motion carried.

**MOTION** by WORK, second by GASKE to appoint Mark C. Butler as Fire District Attorney for the year 2021 with an initial retainer of \$3,500. His hourly fee is \$375 and \$95 per hour will be billed for paraprofessional work. Attorney interviews were conducted by the Board on October 6, 2015. Motion carried.

**MOTION** by HEIM, second by WORK, to request the Fire Chief to provide the District with an updated roster of Active firefighters by the January 11, 2021 Fire District meeting so that the Board can adopt the roster and update insurance policies and any other documents for 2021.

**MOTION** by LARKIN, second by WORK, that all active firefighters on the January 11, 2021 roster of the Clarence Fire Company, Inc., as well as any active firefighter added to the roster during 2021, be covered on the Clarence Fire District Group Life Insurance Policy, Disability Policy and VFBL Insurance plans. Motion carried.

**MOTION** by GASKE, second by WORK, to acknowledge the relocation and resignation of firefighter Jarrod Saxton, who was previously on Military Leave from October 1, 2019 through October 7, 2020. Per Article XV: *Service Award Plan Provisions*, a participant whose volunteer fire service is interrupted by full-time extended obligatory military service or by a single voluntary enlistment not to exceed four years in the armed forces of the United States shall be considered on military leave. During his military leave, firefighter Saxton earned the active volunteer service credit of fifty points for the 2020 calendar year. Firefighter Saxton has resigned and is no longer an active participant in the Service Award Program. Motion Carried.

**Office:**

**MOTION** by WORK, second by GASKE that M&T Bank be designated as the official depository for the year 2021. Also, the Board of Fire Commissioners and the Fire District Treasurer may deem prudent that other financial institutions may be added as an official depository. The last evaluation of M&T Bank services to other financial institutions was made in 2012. There are currently no costs to the District for use of M&T Bank as the District's financial institution. Moody's Investors Service rates the outlook for the bank as stable at March 2017. Motion carried.

**MOTION** by HEIM, second by LARKIN, to designate the *Clarence Bee* as the official newspaper for the year 2021. The *Buffalo News* will be an alternate newspaper. Motion carried.

**MOTION** by LARKIN, second by WORK, to reaffirm the resolutions that established the Building and Equipment Reserves for purchases and replacements as defined by the established capital plans. Motion carried.

**MOTION** by GASKE second by LARKIN, to require Commissioner Heim or Commissioner Work to countersign all checks and wires issued by the Treasurer or Deputy Treasurer. Motion carried.

**MOTION** by WORK, second by HEIM, that the membership of all Commissioners, Secretary and Treasurer be continued in the Erie County Fire District Officers Association and the Association of Fire Districts of the State of New York. Motion carried.

**MOTION** by HEIM, second by LARKIN, that the Clarence Fire District Compensation Insurance cover all District employees and Fire Commissioners. Motion carried.

**MOTION** by LARKIN, second by GASKE that all utilities, postage, freight charges and invoices with discounted terms may be paid prior to audit pursuant to Subdivision 176 of Town Law (4a). All such claims shall be presented at the next regular meeting for audit. Motion carried.

**MOTION** by GASKE, second by WORK, that mileage reimbursement for Fire District official business will be at the IRS 2021 standard per mile rate (\$.56) for use of private vehicle. The IRS rate decreased from the 2020 rate of \$.575. Motion carried.

**MOTION** by WORK, second by HEIM, that the Treasurer is hereby authorized within 60 days after the end of the 2021 fiscal year to submit to the Board a copy of the annual report required by General Municipal Law Section 30, in lieu of a written statement showing the receipts and disbursements for the preceding fiscal year. Motion carried.

**MOTION** by HEIM, second by WORK, that the Treasurer and Deputy Treasurer be bonded for \$3 million. Motion carried.

**MOTION** by LARKIN, second by GASKE, to pay all registration fees for workshops, seminars, conferences and other lawful functions of the State of New York Fire District Officers, NYS Association of Fire Chiefs, Erie County Fire District Officers Association, FASNY and any other training session for any Commissioner, Secretary, Treasurer, Deputy Treasurer, Deputy Secretary, Chief, Firematic Officer or any firefighter selected by the Chief and approved by the Board of Fire Commissioners.

IT IS HEREBY RESOLVED, that the Board of Fire Commissioners, in accordance with General Municipal Law Section 77-b, has considered the needs of the Fire District and has approved attendance by Fire Commissioners, District Officers, District Employees and Chiefs at the following conventions, conferences and trainings: FDIC (Indianapolis, ID), Firehouse (Nashville, TN), New York State Association of Fire Chiefs, Vital Signs, New York State Fire Academy (Montour Falls, NY), National Fire Academy (Emmitsburg, MD), FASNY, Western New York Fire District Officers' Legislative Seminar (Batavia, NY), New York State Association of Fire Districts Spring and Fall Workshops, New York State Comptroller teleconferences, NYS Government Finance Officers Association, Fire Training Center Oakville, Canada and Niagara Regional Training (Niagara Falls, Canada).

IT IS FURTHER RESOLVED, that the Board of Fire Commissioners finds such attendance of personnel to relate to official business and to be in the public interest and directs that such travel be undertaken by such personnel at District expense in accordance with the travel expense policy of the District, and that District staff (or Board designee) is directed to make arrangements for travel and lodging utilizing a cost-effective and reasonable method of travel, and

IT IS FURTHER RESOLVED, that such personnel furnish proof to the Board of Fire Commissioners of attendance at such conferences and conventions in accordance with such proofs as provided by the organization sponsoring and conducting the conference. Motion carried.

**MOTION** by GASKE, second by WORK, to acknowledge that the Fire District has reviewed the Workplace Violence Policy and there were no written or verbal complaints for the 2020 calendar year.

**Contracts:**

**MOTION** by HEIM, second by GASKE, to empower the Chairman, or in his absence the Vice-Chairman, to sign any contracts of the District on behalf of the District whenever such contracts are approved by at least three Board members at a Board meeting. Motion carried.

**MOTION** by WORK, second by LARKIN, to approve Potter, Harris & Scherrer as the District's 2021 insurance agent; a review of the District's insurance benefits through this Insurance agent was conducted in 2014. Motion carried.

**MOTION** by LARKIN, second by GASKE, to approve RBC Wealth Management as the District's 2021 Service Award Program Investment consultant. The Board of Fire Commissioners made action to move the Service Award Program to RBC Wealth Management in July 2013 following a review of LOSAP investments managed by Morgan Stanley Smith Barney. Motion carried.

**MOTION** by GASKE, second by WORK, to approve Firefly Admin Inc. as the District's 2021 Service Award Program Actuary. The district evaluated the actuarial services as provided by Penflex in 2020 and the decision was made to contract with Firefly Admin Inc. effective August 1, 2020. Motion carried.

**MOTION** by WORK, second by HEIM, to approve Comerica as the District's 2021 Service Award Program paying agent. Motion carried.

**MOTION** by HEIM, second by WORK, to approve Occustar of Western New York, as the District's 2021 medical authority. The last evaluation of medical providers was made in 1997, but there have been numerous informal evaluations. Motion carried.

**MOTION** by LARKIN, second by WORK, to approve Network Services as the District's 2021 computer consultant. The last evaluation of computer consultants was made in 2005. Motion carried.

The Fire District received five RFP's for annual audit service in October, 2017. A 5-year contract was established with Amato, Fox & Company with a clause that allowed the District to opt out at any time. In November of 2019, the Amato, Fox & Company merged into the Tette, Ingersoll & Co., CPA's, PC and changed the name of the firm accordingly. The Fire District is in the fifth year of the five year contract.

**MOTION** by GASKE, second by WORK, to continue the contract with Tette, Ingersoll & Co., CPA's, PC. for audit services. Motion carried.

The Fire District is in a 2-year contract for snowplowing service with CAM Services. The annual cost is \$13,500.00, and the contract expires March 31, 2022. Since their service has been satisfactory, no further action is required by the Board at this time; however, the Board will need to take action for snowplowing services beyond March 31, 2022.

#### **District:**

**MOTION** by HEIM, second by WORK, that the regular business meetings of Clarence Fire District No. 1 for the year 2021 will normally be held on the second Monday of each month at 18:30 hours, except as otherwise specified below. The Legal Notice will state that a Work Session may precede each meeting, beginning at 18:00 hours. The following meeting dates shall be published in the January 13th 2021 edition of the *Clarence Bee*. Motion carried.

#### **2021 Regular Business Meetings**

- Monday, February 8
- Monday, March 8
- Monday, April 12
- Monday May 10
- Monday, June 14
- Monday, July 12
- Monday, August 9
- Monday, September 13
- Tuesday, October 19 – 2022 Budget Hearing at 18:00 hours and Business Meeting at 18:30 hours
- Monday, November 8
- Monday, December 13

**2022 Organizational Meeting:** Monday, January 3, 2022

**2022 Regular Business Meeting:** Monday, January 10, 2022

**MOTION** by HEIM, second by LARKIN, that all firefighters may use the wash bay for their own personal vehicle per the rules and regulations as set forth by the House Committee Chairman of the Board of Fire Commissioners. Motion carried.

**MOTION** by GASKE, second by HEIM, to authorize the Equipment Committee Chairman, or in his absence, the Vice-Chairman of the Board, to authorize repairs to the apparatus and other firefighting equipment as deemed necessary to maintain the District-owned equipment in service ready condition. Said repairs are those that cannot wait for authorization by the entire Board. Such expenditures shall be reported to and audited by the entire Board at the next regular meeting of the Board of Fire Commissioners. Motion carried.

**MOTION** by LARKIN, second by HEIM, to authorize the Commissioner in charge of buildings, or in his absence, the Chairman of the Board, to authorize emergency repairs to the building and related equipment as deemed necessary to maintain the District-owned structures. Such expenditures shall be reported to and audited by the entire Board at the next regular meeting of the Board of Fire Commissioners. Motion carried.

**MOTION** by WORK, second by LARKIN, to authorize the continuation of the Erie County Mutual Aid Agreement and Clarence Fire District No. 1 Automatic Aid Agreement. Motion carried.

**MOTION** by HEIM, second by GASKE, to approve the renewal of all established policies of Clarence Fire District No. 1 with no changes. Motion carried.

Pursuant to the successful December 8, 2020 referendum vote, **MOTION** by LARKIN, second by WORK, to amend Article XV: *Service Award Plan Provisions* accordingly, i.e. #9 Form of Benefit Payment & #14 Commencement of Benefit Payments, these amendments go into effect January 1, 2021.

**MOTION** by GASKE, second by WORK, to approve the \$125 cost for Commissioner Larkin to attend the mandatory Commissioner training in 2021. Motion carried. Commissioner Larkin Abstention.

The New York Fire District Officer Guide suggests annual registration of the District's domain name. Being said, [clarencedistrict.org](http://clarencedistrict.org) was registered with GoDaddy.com on June 24, 2013 for a period of ten years. No action is required by the Board at this time.

**MOTION** by WORK, second by GASKE, to grant insurance coverage to any active Clarence Fire District No. 1 firefighter who may be injured while providing emergency services outside the bounds of Clarence Fire District No. 1 and prior to the arrival of an officer in command of the scene. This is in accordance with legislation signed into law by New York State Governor Cuomo on January 2, 2015. Motion carried.

**MOTION** by HEIM, second by LARKIN, to adopt the *Operations Plan in the Event of Certain Declared Public Health Emergencies* policy pursuant to Governor Cuomo's 2020 Executive Orders and the recent amendment to Labor Law 27-C.

**MOTION** by LARKIN, second by WORK, to approve the following Board of Fire Commissioners Committee assignments for the year 2021:

Dudas	Technology, Inventory
Gaske	House, Building/Capital Improvement, ECFDOA Liasion
Heim	Safety, Audit, Training, Firematic Personnel w/ Larkin, Service Awards, Training, Grants
Larkin	District Policies/District Rules and Regulations, Life Insurance, Assist House as needed, Communications and Alarms, Firematic Personnel w/ Heim
Work	Budget, Equipment, Physical Exams/Occustar, Office, OSHA, EMS, HazMat Liasion, Public Information Officer

Schedule of Fire Commissioner Attendance at 2021 Board of Directors meetings:

January 18	<b>Heim</b>	July 19	<b>Larkin</b>
February 15	<b>Larkin</b>	August 16	<b>Work</b>
March 15	<b>Work</b>	September 20	<b>Dudas</b>
April 19	<b>Dudas</b>	October 18	<b>Gaske</b>
May 17	<b>Gaske</b>	November 15	<b>Larkin</b>
June 21	<b>Heim</b>	December 20	<b>Work</b>

**MOTION** by WORK, second by LARKIN, to adjourn the meeting at 19:47 hours in honor and memory of longtime Lake View Fire Commissioner & AFDSNY District 6 Representative John Wicka, carried.

All motions were unanimously carried unless otherwise noted.

Attest,  
Kristi Mora

Secretary

cc:  
Commissioners  
Chief  
Day Room  
Bulletin Board  
Website