



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
Brian Gaske
Mark Heim

Treasurer
Sandra J. Larkin

Secretary
Kristi Mora

The Public Hearing for Clarence Fire District No. 1 2022 Budget was called to order by Chairman Work on **Monday, October 19, 2021** at 1800 hours.

PUBLIC HEARING FOR 2022 BUDGET

Chairman Work stated that this is a public hearing regarding the 2022 proposed budget. In accordance with New York State Town Law, all Fire Districts must, prior to the adoption of their budget, hold a public hearing. The budget hearing must be held in such a manner to maximize participation in the budget process. The purpose of this hearing is to discuss the contents of the budget. The Board of Fire Commissioners in accordance with legal requirements has adopted their proposed budget on September 13, 2021, which is 21 days prior to this budget hearing.

The Secretary of the Fire District will file an Affidavit with the District:

- 1) Stating the notice of this public hearing was published and posted at least 5 days before the hearing date as follows:
 - a) The official newspaper for the Fire District (The Clarence Bee);
 - b) The official signboard of the Town of Clarence, where the Fire District is located;
 - c) On the Fire District's website and signboard.

The notice of public hearing specified the time, date and place where this public hearing would be held. Upon its adoption, the Fire District Secretary also made available for inspection and copying of the proposed budget to any interested person at the Town Clerk's Office and the Clarence Fire District No. 1 during office hours.

The purpose of this public hearing is to allow any member of the public to make comments on the budget. Any person may be heard in favor of, or against, the preliminary budget or any item in it. Please note that this is only a proposed budget until the Board of Fire Commissioners adopts the final budget.

The Fire District Treasurer made presentation regarding the preliminary budget to the Board of Fire Commissioners. This budget must be adopted no later than November 4 and submitted to the Town Budget officer by November 7.

PUBLIC COMMENTS

Chairman Work: The public comments period begins. I will now ask any person present wishing to be heard on this proposed budget to come forward so that that person may be heard in favor of, or against, the proposed budget or any item in it. I request that if you wish to address the Board on the proposed budget, raise your hand to be recognized. Clearly state your name and address for the record. Please limit your comments to five (5) minutes. Please direct all your questions to the Board or the Treasurer. This is not a question and answer session. Your question will not be answered when asked. The board is looking for your opinion on the budget or any part of it, whether favorable or not. Please tell us what you are in favor of regarding this budget or what you are against. You may ask questions, but this Board and the treasurer will not answer any questions, until the conclusion of the public comments period.

There were no public comments made regarding the Fire District's proposed 2022 budget. No questions were raised regarding the budget from the Commissioners or any others in attendance.

Chairman Work concluded the budget hearing at 1830 hours.

The regular Board of Fire Commissioners' meeting was called to order by Chairman Work on **Tuesday, October 19, 2021** at 1831 hours. Commissioner Heim led the Pledge of Allegiance.

ROLL CALL:

Present: Commissioners Work, Dudas, Gaske, Heim, and Larkin. Treasurer Larkin and Secretary Mora.

Guests: Chief Brett Hanford, Board of Director Chairman Dave Metzger, Jeff Schlabach.

APPROVAL OF PRIOR MEETING MINUTES:

MOTION by LARKIN, second by DUDAS, to approve the September 13, 2021 regular meeting minutes with no corrections. All in favor, motion carried.

BOARD OF DIRECTORS' REPORT: By Dave Metzger

- 1) Audio Visual Project Update - A consultant from the Geek Squad with Best Buy has been contacted to assist with updating system in the banquet room.
- 2) Madeline Hanford has been appointed to the Board of Directors.
- 3) Sexual Harrassment Training Update – the Board is seeking advisement from a new attorney on the most suitable option.

PRESIDENT'S REPORT: Absent

SECRETARY'S REPORT:

- 1) In/Out Correspondence was reviewed.
- 2) 2021 District Election Preparation – Yvonne Work and Maureen Rider have accepted election inspector positions. Notice of Election for one five-year commissioner seat will be held on Tuesday, December 14, 2021 from 6:00pm to 9:00pm. Nominating Petitions will be made available no earlier than October 20, 2021 and must be filed with the Fire District Secretary by November 24, 2021 at 4:00pm.
- 3) Active Member ID Card Update – New cards are ready for distribution to active members with a photo on file. Cards will be placed in member mailboxes this week.
- 4) Group Life Insurance Beneficiary Form Update – Outstanding forms have been placed in member mailboxes.

TREASURER'S REPORT:

Commissioner Heim reviewed the bank statements and found all to be in good order.

Commissioner Work reviewed the Chief's vehicle reports for September and found all to be in good order.

Board of Fire Commissioners reviewed the credit card statements from August 20, 2021 to September 19, 2021 at \$212.86 and found all to be in good order.

- 1) Treasurer Larkin reports bills paid during last month were from check #6075 - 6134, in the amount of \$41,412.12.
- 2) Monthly Summary Report was reviewed. Assistance to Firefighters Grant program was declined.
- 3) Wex Charge Card – Treasurer Larkin presents a new credit card line that are accepted at most gas stations.
- 4) Quotes for Building Update – Three ceiling tile quotes are presented for review to complete the Board of Directors conference room, President's office, banquet room, cooler room, and atrium.

CHIEF HANFORD:

- 1) There were 42 total calls for the month of September as follows: 25 EMS, 11 False Alarms, 2 Good Intent, 1 Hazardous Condition, and 3 Service. Top responder for September was Dave Metzger with 34 calls. Call volume continues to rise with an increase of intensity. Chief Hanford requests any members seeking support to contact a Chief for assistance.
- 2) Chief Hanford acknowledges Chairman Work for his assistance in coordinating five driver recertification drills. The official Certified Driver and Operators List is presented to the District.
- 3) Clarence Fire Company Open House was held on Saturday, October 16, 2021. Chief Hanford applauds the support of the District, participating firefighters, and outside agencies including NFTA K-9 unit, NYSP, and US Border Patrol.
- 4) New York State ePCR Mandate Update – New tablets have been received and set up with Verizon data plans.
- 5) The Fire Company is participating in the Clarence Youth Bureau's Halloween in the Park event on Saturday, October 30th from 2-4pm at the Town Park.
- 6) Annual Testing Updates: The annual hose testing was completed with several lengths of LDH failed. All trucks have full complement of hose with spare hose on rack in truck bay. The annual pump test was completed with no issues of concern.
- 7) Level Zero Mutual Aid Ambulance Plan – Due to current strike affecting area hospitals, the area Chief's Association is developing a plan to assist and support TCA in transporting patients within the Amherst Fire Control area should an ambulance not be available.

COMMISSIONER WORK:

- 1) 2020 Audit – Commissioner Work publicly thanks Treasurer Larkin for her hard work for another clean audit.
- 2) 40-50 Year LOSAP Consideration – Harris Hill and Clarence Center companies have increased their LOSAP programs to 40 years. The law allows for an increase to 50 years. Commissioner Work suggests an increase to 50 years of service with no retroactive allowances. A referendum would be required for voter approval at the upcoming District Election.
- 3) 100 Year District Anniversary ideas are presented for planning including lawn signs, window signage, District logo installation, anniversary shirts, and possible inspection dinner celebration.
- 4) Driver Recertification Program is discussed for new drivers in need of a more detailed initial driver certification rather than a more general re-certification.
- 5) Pump Testing was completed on October 13, 2021 requiring a few emergency repairs.
- 6) Fall OSHA classes will be held at Clarence Fire Company starting on Monday, November 29 and Monday, December 6 starting at 6:30pm.
- 7) Pinsky Law Conference 2022 is scheduled for March 31 through April 3, 2022 in Verona, NY.

COMMISSIONER WORK (cont.):

- 8) FDIC 2022 will take place on April 25 - 30, 2022. Registration and hotel reservations were made securing rooms between two hotels in Indianapolis.
- 9) Chief & Assistance Chief Vehicle 3-Year Replacement Plan Update - Several new model options and the best return of investment timing for sale of current vehicles are discussed.
- 10) Ongoing Pandemic & Response Update – Chairman Work reviews the current status of the ongoing pandemic response with the Chief and members of the Board. No changes, modifications, or adjustments were discussed or necessary at this time.
- 11) Tri-R Mechanical Agreement – Annual agreement for building maintenance of all units.

COMMISSIONER HEIM:

- 1) District shirt order has been received.

COMMISSIONER LARKIN:

- 1) Erie County Mutual Aid agreement needs to be re-approved every 5 years.

COMMISSIONER DUDAS:

No report.

COMMISSIONER GASKE:

- 1) Building Updates – Cleaning contract still needs to be addressed. Fitness Room blinds and rails have been replaced. Commissioner Gaske asks members to report any further issues. Commissioner Work seeks an updated regarding the ceiling tile project for the banquet room and other areas.

PUBLIC COMMENTS:

Member Jeff Schlabach requests the total cost of the brown leather Commissioner helmets. Commissioner Work responds with an approximate cost of \$630 each. Commissioner Heim was inactive at the time and choose not to order one.

OLD BUSINESS:

MOTION by WORK, second by DUDAS, to resolve the bill from APEX Automotive for \$38.62 for the emergency repairs required for the front tire of the 9-2 vehicle. All in favor, motion carried.

MOTION by WORK, second by DUDAS, to resolve the invoices (#193873, 193891, 194262, 194286) from Churchville Fire Equipment in the sum of \$8,128.35 for the annual maintenance and inspection of Engine 1, Engine 2, and Heavy Rescue 5, as well as a repair to the Blitzfire mounting plate on Engine 2. All in favor, motion carried.

MOTION by WORK, second by DUDAS, to pay the bill from Dival Safety Equipment in the sum of \$456.80 for the annual air compressor service and repairs. All in favor, motion carried.

MOTION by WORK, second by LARKIN, Since the audit for the 2020 fiscal year has been completed and filed accordingly on behalf of the fire district, motion to pay the bill of \$1,200.00 to Allied CPA's, PC. All in favor, motion carried.

OLD BUSINESS (cont.):

MOTION by WORK, second by GASKE, to resolve the bill with First Due Services LCC in the sum of \$3,017.50 for the annual hose testing, which was completed on 10/6/2021. All in favor, motion carried.

MOTION by WORK, second by HEIM, to resolve the bill with Hardee Bros. Dry Cleaners in the sum of \$70.60, which represents Class A uniform changes for the newly appointed Fire Company President, Ken Beil. All in favor, motion carried.

MOTION by WORK, second by GASKE, to resolve the bill with NOCO Energy Corp for the purchase of 280 gallons of diesel fuel for exclusive use of the fire district apparatus, as well as the standby diesel generator. All in favor, motion carried.

MOTION by GASKE, second by HEIM, to pay the bill from Dobmeier Janitor Supplies in the sum of \$80.16 for janitor supplies. All in favor, motion carried.

MOTION by GASKE, second by LARKIN, to pay the five invoices as listed on the Vendor's Report from Gui's Lumber/Ace Hardware in the sum of \$502.18. All in favor, motion carried.

MOTION by GASKE, second by HEIM, to pay the bill from Macken Services, Inc in the sum of \$1,140.00 for septic and grease trap cleaning. All in favor, motion carried.

MOTION by GASKE, second by WORK, to pay the invoice from Positive Promotions in the sum of \$1,373.66 for Fire Prevention materials. All in favor, motion carried.

MOTION by GASKE, second by LARKIN, to pay the invoice from Tri-R Mechanical Services in the sum of \$652.00 for maintenance and inspection services. All in favor, motion carried.

NEW BUSINESS

MOTION by WORK, second by DUDAS, to pay bills, check #6075 - 6134, in the amount of \$41,413.12. All in favor, motion carried.

MOTION by WORK, second by LARKIN, to publish the legal notice required for the annual budget in the Clarence Bee (Bee Publications) for a cost of \$60.11. All in favor, motion carried.

MOTION by WORK, second by GASKE, to resolve the quarterly payment to Firefly Admin Inc, who is the district's LOSAP actuary, in the sum of \$321.30. All in favor, motion carried.

MOTION by WORK, second by DUDAS, to approve the Fire Commissioners, Fire District Employees and Firematic Chiefs to attend the Pinsky Fire and EMS Law & Management Conference in Verona, New York (3/31/22 to 4/3/22). All in favor, motion carried.

MOTION by WORK, second by LARKIN, to approve RESOLUTION: APPROVE FINAL BUDGET FOR 2022 WITHIN REAL PROPERTY TAX LEVY LIMIT. All in favor, motion carried. (See attachment for roll call vote.)

MOTION by WORK, second by DUDAS, to approve the following resolution adopting the form of the nominating petition for election of the Fire District Commissioner:

RESOLVED, that the Clarence Fire District No. 1 Board of Fire Commissioners adopt, as its official nominating petition, the attached form to be used by all candidates for the office of Fire District Commissioner, and it is further

RESOLVED, that only registered electors of the Clarence Fire District No. 1 may obtain signatures on the form and in the manner as set forth in the nominating petitions, and it is further

RESOLVED, that the signature of the witness to the signers of the nominating petition must be notarized in the form and in the manner as set forth in the nominating petitions, and it is further

RESOLVED, that signatures of all signers of the nominating petitions must be dated between October 20 and November 24, 2021 (the date petitions are required to be filed with the Secretary), and it is further

RESOLVED, that the Secretary of the Clarence Fire District No. 1 shall make the nominating petitions available to any interested party no earlier than October 20, 2021.

All in favor, motion carried.

MOTION by WORK, second by DUDAS, to approve the following information regarding the Clarence Fire District No. 1 election:

1) It will be held on Tuesday, December 14, 2021 from 6:00 PM to 9:00 PM;

2) It is for one Commissioner five-year term commencing January 1, 2022 through December 31, 2026;

3) Notice of the election will be posted in the District's designated newspaper (Clarence Bee) between the dates of November 10 and 17, 2021;

4) Fire District Secretary will request registration rolls of eligible registered voters as of November 23, 2021 from the Erie County Board of Elections,

5) Fire District Secretary Kristi Mora will serve as Election Chairperson, Maureen Rider of 9907 Grantham Court and Yvonne Work of 4646 Stonebridge Way will serve as Election

6) Inspectors/Ballot Clerks. All will be compensated at \$70 pursuant to Town Law, Section 175. Alternate Election Inspectors will be contacted when a list is provided by Erie County Elections in the event the appointed inspectors are unable to serve.

6) Election will be held in accordance with Clarence Fire District No. 1 Election policy.

7) In addition to the compensation as set forth in Town Law, the above-mentioned chairperson and election inspectors will be compensated \$100.00/each for the preparation of the polling place and register.

Commissioner Work abstains. Commissioner Dudas, Heim, Gaske, and Larkin approve, motion carried.

MOTION by GASKE, second by LARKIN, to pay NYS Department of Environmental Conservation annual fee in the amount of \$330.00. All in favor, motion carried.

MOTION by GASKE, second by LARKIN, to pay Maintenance & Inspection Agreement to Tri-R Mechanical Services in the amount of \$3,763.00. All in favor, motion carried.

MOTION by LARKIN, second by WORK, to approve expenditure of \$213.16 for a compartment light on Engine 2. All in favor, motion carried.

MOTION by LARKIN, second by DUDAS, to approve Chairman Work to sign Erie County mutual aid agreement. All in favor, motion carried.

MOTION by LARKIN, second by GASKE, to approve Treasurer Larkin be allowed to issue Wex fuel cards. All in favor, motion carried.

EXECUTIVE SESSION:

MOTION by WORK, second by LARKIN, to ENTER INTO EXECUTIVE SESSION at 2026 hours to discuss the training records, as well matters leading to the possible appointment, employment, promotion, demotion, discipline, suspension, dismissal, or remove of a particular person or corporation. All in favor, motion carried.

MOTION by WORK, second by LARKIN, to return to REGULAR SESSION at 2129 hours. No formal action was taken during Executive Session. All in favor, motion carried.

MOTION by WORK, second by DUDAS, after reviewing the training records of all active firefighters, it was discovered that there is a discrepancy with the training records of Active Life Member and Past Chief Patrick Casilio. Firefighter Casilio reports that he completed a Pump Operator course in the late 1970's in Akron, New York. The discrepancy of the training records appears to be attributed to County records and not the fault of Firefighter Casilio. As such, it is the determination of the Board of Fire Commissioners that Firefighter Casilio is compliant with the Article VII - Operators and Drivers of Fire District Vehicles and he is hereby approved as such. All in favor, motion carried.

MOTION by WORK, second by DUDAS, after reviewing the training records of all active firefighters, it was discovered that there is a discrepancy with the training records of Active Life Member and Past Chief David Baumler. Firefighter Baumler reports that he completed a Pump Operator course shortly after joining the department. The discrepancy of the training records appears to be attributed to County records and not the fault of Firefighter Baumler. As such, it is the determination of the Board of Fire Commissioners that Firefighter Baumler is compliant with the Article VII - Operators and Drivers of Fire District Vehicles and he is hereby approved as such. All in favor, motion carried.

MOTION by WORK, second by HEIM, to approve the list of Drivers and Operators, effective immediately. All in favor, motion carried.

MOTION by WORK, second by GASKE, to approve Firefighter Dussing's banquet room request on November 2, 2021 pending submission of the necessary and required paperwork. The event will not be catered and no alcohol will be sold or consumed. All in favor, motion carried.

GOOD OF THE FIRE DISTRICT:

Commissioner Larkin will be attending the Board of Directors meeting on November 15, 2021. The next Regular District meeting is on Monday, November 8, 2021 at 1830 hours.

MOTION by WORK, second by GASKE, to adjourn the meeting at 2135 hours. All in favor, motion carried.

All motions were unanimously carried unless otherwise noted.

Attest,

Kristi Mora, District Secretary
cc: Chief, Commissioners, Day Room Bulletin Board, Website



CLARENCE FIRE DISTRICT NO. 1
RESOLUTION OF THE CLARENCE FIRE DISTRICT
NO. 1 TO AMEND THE LENGTH OF SERVICE
AWARD PROGRAM.

In the matter of amending the Length of Service Award Program

WHEREAS, eligible voting residents of the Clarence Fire District No. 1 approved a referendum to establish a defined benefit Length of Service Award Program (a “LOSAP”) for active volunteer firefighters of the Clarence Fire Company in accordance with Article 11-A of the New York State General Municipal Law (GML); and

WHEREAS, the Fire District is the LOSAP Sponsor and Program Administrator; and

WHEREAS, GML § 216 authorizes the Fire District, as LOSAP Sponsor, to amend the LOSAP; and

WHEREAS, an active volunteer firefighter member currently earns a \$20 monthly Service Award benefit for each year of Service Credit, payable at the Entitlement Age of sixty (60); and

WHEREAS, a participating active volunteer firefighter obtains a nonforfeitable right to a service award upon earning five (5) years of Service Credit, the attainment of the Entitlement Age of, death, or total and permanent disability; and

WHEREAS, under the current LOSAP provisions, the maximum number of years of Service Credit for which an active volunteer firefighter may earn a Service Award is 30 years which represents a maximum monthly Accrued Service Award of \$600; and

WHEREAS, a year of Service Credit is earned for each calendar year during which the active volunteer firefighter earns 50 or more points. Points are awarded for such things as attending training sessions, participating in drills, responding to calls, being an officer, and other activities; and

WHEREAS, Chapter 400 of the Laws of 2021 amends GML § 219 to allow a LOSAP sponsor to extend the maximum number of years of Service Credit for which a participating active volunteer firefighter may earn a Service Award to a maximum of 50 years; and

WHEREAS, the Board of Fire Commissioners desires to amend the LOSAP to extend the maximum years of Service Credit for which a participating active volunteer can earn a Service Award from 30 to 50 years; and

WHEREAS, this amendment is consistent with the intent of the LOSAP to recruit, retain and reward volunteer firefighters; NOW, THEREFORE BE IT

RESOLVED, that the Board of Fire Commissioners of the Clarence Fire District No. 1, Town of Clarence, County of Erie, as authorized by Article 11-A of the GML, approves an amendment to the LOSAP pursuant to Chapter 400 of the Laws of 2021 to extend the maximum years of Service Credit that may be earned under its LOSAP from 30 to 50 years, and therefore the maximum Accrued Monthly Service Award from \$600 to \$1,000, effective January 1, 2022. The calendar year 2022 contribution to be made by the Fire District for the LOSAP is currently expected to be about \$125,000. Of this total contribution, the component attributable to each participating volunteer firefighter that earns Service Credit averages about \$1,600. As a result of this amendment, the annual contribution requirement will increase by approximately \$30,000, to an estimated amount of \$155,000. The component of the contribution attributable to each participating volunteer firefighter that earns Service Credit will change to about \$1,800. The Fire District pays an additional \$7,000 annually in administrative expenses, which will not change as a result of this amendment.

BE IT FURTHER RESOLVED that this resolution is subject to a mandatory referendum of qualified voters of the Clarence Fire District No. 1 and said referendum shall be held on December 14, 2021, between the hours of 6:00 PM and 9:00 PM (prevailing time) at 10355 Main Street, Clarence, NY 14031.

BE IT FURTHER RESOLVED that the proposition placed before the qualified voters read as follows:

THE BOARD OF FIRE COMMISSIONERS OF THE CLARENCE FIRE DISTRICT NO. 1, TOWN OF CLARENCE, COUNTY OF ERIE, IN A RESOLUTION ADOPTED OCTOBER 19, 2021, APPROVED AN AMENDMENT OF THE DEFINED BENEFIT LENGTH OF SERVICE AWARD PROGRAM, ADMINISTERED BY THE FIRE DISTRICT AND ESTABLISHED FOR ACTIVE VOLUNTEER FIREFIGHTERS OF THE CLARENCE FIRE COMPANY, TO EXTEND THE MAXIMUM YEARS OF SERVICE CREDIT FOR WHICH A PARTICIPATING ACTIVE VOLUNTEER FIREFIGHTER MAY EARN A SERVICE AWARD FROM 30 TO 50 YEARS, AND THEREFORE THE MAXIMUM PROJECTED ACCRUED MONTHLY SERVICE AWARD FROM \$600 TO \$1,000, EFFECTIVE JANUARY 1, 2022.

THE CALENDAR YEAR 2022 CONTRIBUTION DUE FOR THE PROGRAM IS ABOUT \$125,000, WHICH INCLUDES AN AVERAGE CONTRIBUTION FOR EACH PARTICIPATING VOLUNTEER FIREFIGHTER THAT EARNS SERVICE CREDIT OF APPROXIMATELY \$1,600. AS A RESULT OF THIS AMENDMENT, THE ANNUAL REQUIRED CONTRIBUTION IS EXPECTED TO INCREASE BY \$30,000 TO APPROXIMATELY \$155,000. THE AVERAGE CONTRIBUTION FOR EACH PARTICIPATING VOLUNTEER FIREFIGHTER THAT EARNS SERVICE CREDIT WILL ALSO INCREASE TO ABOUT \$1,800. THE DISTRICT PAYS ADDITIONAL ANNUAL ADMINISTRATIVE COSTS OF ABOUT \$7,000 WHICH WILL NOT CHANGE AS A RESULT OF THIS AMENDMENT.

SHALL THE STATED RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS BE APPROVED?

BE IT FURTHER RESOLVED that the LOSAP shall continue to be administered by the Fire District and that all other provisions of the LOSAP shall remain the same.

Commissioner Work raised the motion to approve, Commissioner Larkin seconded the motion, and upon roll call the vote of the Board was as follows:

*Chairman Work: Aye
Commissioner Dudas: Aye
Commissioner Heim: Aye
Commissioner Gaske: Aye
Commissioner Larkin: Aye*

The resolution was thereupon duly declared to have been adopted.

Dated:
Clarence, New York
October 19, 2021

Kristi Mora
Secretary
Clarence Fire District No. 1