



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

Mark Heim, Vice-Chairman

Brian Gaske

Dave Burke

Chad Hawes

Treasurer

Andrew Hallnan

Secretary

Kristi Mora

The organizational meeting of the Board of Fire Commissioners, Clarence Fire District No. 1, was held on **January 2, 2024** at 10355 Main St., Clarence, NY 14031. Meeting called to order by Secretary Mora at 18:31 hours. The Pledge of Allegiance was led by Commissioner Work.

ROLL CALL:

Present: Commissioners Burke, Gaske, Hawes, Heim, & Work, Secretary Mora

Absent: Treasurer Hallnan

Guests: Chief Brett Hanford, Asst Chief Ruth Rider-Work, Dan Cummiskey, Travis Griner Jr., David Metzger, Mackenzie Rider-Work, and Jerry Roy

Oath of Office for newly elected Commissioners Heim, Burke & Hawes was administered by Secretary Mora.

2024 ORGANIZATIONAL MEETING:

Personnel:

MOTION by HEIM, second by BURKE to appoint Commissioner Work as Chairman of the Board of Fire Commissioners for the year 2024. All in favor, motion carried.

Chairman Work took over the remainder of the meeting.

MOTION by WORK, second by GASKE, to appoint Commissioner Heim as Vice-Chairman of the Board of Fire Commissioners for the year 2024. All in favor, motion carried.

MOTION by WORK, second by BURKE, 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. All in favor, motion carried.

MOTION by WORK, second by BURKE, to enter into Executive Session at 18:36 hrs. All in favor, motion carried.

MOTION by WORK second by GASKE, to return to Regular Session at 19:09 hrs. All in favor, motion carried.

MOTION by WORK, second by HEIM, to appoint Kristi Mora as Fire District Secretary and Records Management Officer at an hourly rate of \$35.75 for the year 2024. Motion carried. Commissioner Hawes Abstention.

Oath of Office for Fire District Secretary Kristi Mora administered by Chairman Work.

MOTION by WORK, second by BURKE, to appoint Andrew Hallnan as the Fire District Treasurer for the year 2024 at the monthly rate of \$1,500.00, which is based on 10 hours per week. Motion carried.

(Treasurer Hallnan was unable to attend the meeting, so his Oath of Office will be conducted at the

January 8th, 2024 business meeting)

MOTION by WORK second by GASKE, to appoint Paul Meyer, Jr. as Fire District Building Maintenance Manager for the year 2024 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. All in favor, motion carried.

On November 25th, 27th and 30th of 2023, the Board of Fire Commissioners interviewed and approved candidates interested in running for firematic office for 2024. A list of the approved candidates was provided to the Fire Company. The Fire Company held their annual election on December 14, 2023. The results of the elections were as follows: Chief (Brett Hanford), 1st Assistant Chief (Ruth Rider-Work), 2nd Assistant Chief (Christian Rider-Work), Fire Captain (C-1) (Mackenzie Rider-Work), Fire Captain (C-2) (Travis Griner Jr.), and Fire Captain (C-3) (Zach Braunscheidel). Since these candidates were pre-approved by the Fire District, it is unnecessary to reapprove them. There are some vacancies that exist, which the Chief may or may not appoint personnel for.

At the November 30th, 2023 Work Session Meeting, the Board of Fire Commissioners reviewed Alan Herrscher Sr.'s training records with respect to *Article V – Firematic Officers and Qualifications* and approved him for the position of Fire Police Captain; however, the Fire Company By-Laws prohibit a member from holding a firematic office for more than 5 consecutive calendar years. As a result of the December 14, 2023 Fire Company Elections, the Office of Fire Police Captain is vacant. As such, **MOTION** by GASKE, second by WORK, to appoint Alan Herrscher Sr. to the position of Fire Police Captain for the 2024 calendar year.

MOTION by HEIM, second by HAWES, to approve the Chief's recommendations for truck officers for 2024:
Engine 1: Paul Blonski & Daniel Beil
Engine 2: Chad Hawes & Colin Folck
Rescue 5: Patrick Thompson
Ladder 6: Nathan Work & Quinten Burke
Rescue 7: Brian Gaske
Haz-Mat 7-1: Madeline Hanford
Ambulance 8: Justin Raynor
SR1 & SR2: Marshall Helms
All in favor, motion carried.

MOTION by HAWES, second by HEIM, to approve the Chief's recommendations for Firematic Lieutenants for 2024: Madeline Hanford (L-1) & Daniel Beil (L-2). All in favor, motion carried.

MOTION by WORK, second by BURKE, to approve the Chief's recommendation for EMS Lieutenant for 2024: Justin Raynor (EMS L-3) All in favor, motion carried.

MOTION by BURKE, second by GASKE, to approve the Chief's recommendations for Fire Police Lieutenants for 2024: Michael Burkhardt & Doug Larkin. All in favor, motion carried.

MOTION by GASKE, second by BURKE, to approve the Chief's recommendations for Firematic Safety Officers for 2024: Mark Heim & Nathan Work. Motion carried. Commissioners Heim & Work Abstention

MOTION by HEIM, second by GASKE, to temporarily appoint Cleanscapes, LLC of East Amherst, NY as the janitorial service at the increased rate of \$1,200.00 per month until the Board can evaluate this service and consider other possible options and/or vendors. Note, the Board decided to utilize an outside service for janitorial services in December of 2017 and solicited bids and quotes at that time. Cleanscapes has provided satisfactory service; however, their 2024 rate represents a 22% increase (\$220.00/month) from their 2023 rate, which was \$980.00 per month. All in favor, motion carried.

MOTION by HAWES, second by BURKE, to approve the distribution of New York State Wage and Theft Prevention Act forms to current employees prior to February 1, 2024. Treasurer is responsible for providing such notice to any new employees at hire. All in favor, motion carried.

MOTION by WORK, second by BURKE to appoint the Pinsky Law Group as the Fire District Attorney for the year 2024. Based on our desired scope of engagement, as well as the corresponding fee structure, an initial retainer/deposit of \$2,100.00 is required, which will be applied toward the first 6 hours of counsel. The hourly fee is \$350.00, to be billed monthly/quarterly once the initial retainer is exhausted. All in favor, motion carried.

MOTION by BURKE, second by GASKE, to accept the resignation of Nick Murphy from active membership effective December 1, 2023. If Nick's issued Minitor radio cannot be located and returned, a bill to be sent for the replacement cost of a new one. All in favor, motion carried.

MOTION by GASKE, second by WORK, to request the Fire Chief to provide the District with an updated roster of Active firefighters by the January 8, 2024 Fire District meeting so that the Board can adopt the roster and update insurance policies and any other documents for 2024. All in favor, motion carried.

MOTION by HEIM, second by BURKE, that all active firefighters on the January 8, 2024 roster of the Clarence Fire Company, Inc., as well as any active firefighters added to the roster during 2024, be covered on the Clarence Fire District Group Life Insurance Policy, Disability Policy and VFBL Insurance plans. All in favor, motion carried.

MOTION by HAWES, second by WORK, to make Firefighter #54 inactive due to failure to complete the required annual OSHA training in 2023.

MOTION by WORK, second by BURKE, to acknowledge that all active firefighters, with the exception being #54 addressed in the previous motion, have completed the required annual OSHA training in 2023. All in favor, motion carried.

Office:

MOTION by BURKE, second by GASKE that M&T Bank be designated as the official depository for the year 2024. 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. All in favor, motion carried.

MOTION by GASKE, second by HEIM, to designate the *Clarence Bee* as the official newspaper for the year 2024. The *Buffalo News* will be an alternate newspaper. All in favor, motion carried.

MOTION by HEIM, second by BURKE, to reaffirm the resolutions that established the Building and Equipment Reserves for purchases and replacements as defined by the established capital plans. All in favor, motion carried.

MOTION by HAWES second by GASKE, to require Commissioner Heim or Commissioner Work to countersign all checks and wires issued by the Treasurer or Deputy Treasurer. All in favor, motion carried.

MOTION by WORK, second by GASKE to authorize the Fire District Secretary to order Firefighter ID cards from Instant Card as new members join and/or change positions or as the need arises with said purchase(s) to be reviewed and audited at the next BOFC meeting. All in favor, motion carried.

MOTION by BURKE, second by HEIM, to allow the Fire District Secretary and/or Fire District Treasurer the ability to purchase required and necessary office supplies up to \$500.00 as needed, with said purchase(s) to be reviewed and audited at the next BOFC meeting. All in favor, motion carried.

MOTION by GASKE, second by BURKE, 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. All in favor, motion carried.

MOTION by HEIM, second by HAWES, that the Clarence Fire District Compensation Insurance cover all District employees and Fire Commissioners. All in favor, motion carried.

MOTION by HAWES, second by BURKE, 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. All in favor, motion carried.

MOTION by WORK, second by GASKE, that mileage reimbursement for Fire District official business will be at the IRS 2024 standard per mile rate (\$.67) for use of private vehicle. The IRS rate increased from the 2023 rate of \$0.655. All in favor, motion carried.

MOTION by BURKE, second by GASKE, that the Treasurer is hereby authorized within 60 days after the end of the 2024 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. All in favor, motion carried.

MOTION by GASKE, second by HEIM, that the Treasurer and Deputy Treasurer be bonded for \$3 million. All in favor, motion carried.

MOTION by HEIM, 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. All in favor, motion carried.

MOTION by HAWES, second by WORK, that 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: Pinsky Fire & EMS Law & Management Conference (Verona, NY), FDIC (Indianapolis, IN), Fire Fusion – *formerly* Firehouse Expo (Charleston, S.C.), New York State Association of Fire Chiefs, Vital Signs, G.R.I.T. Training (Getzville Fire Company), New York State Fire Academy (Montour Falls, NY), National Fire Academy (Emmitsburg, MD), FASNY, New York State Association of Fire Districts Spring and Fall Meeting & Workshops, and New York State Comptroller teleconferences.

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. All in favor, motion carried.

MOTION by WORK, second by BURKE, to acknowledge that the Fire District has reviewed the Workplace Violence Policy and there were no written or verbal complaints for the 2023 calendar year. All in favor, motion carried.

Contracts:

MOTION by BURKE, 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. All in favor, motion carried.

MOTION by GASKE, second by HEIM, to approve Emerling, Floss, Murphy & Associates as the District's 2024 insurance agent; a review of the District's insurance benefits through this Insurance agent was conducted in 2021. All in favor, motion carried.

MOTION by HEIM, second by BURKE, to approve Wilmington Trust as the District's 2024 Service Award Program Investment consultant. The Board of Fire Commissioners made action to move the Service Award Program to Wilmington Trust in September 2021 following a review of LOSAP investments managed by RBC Wealth Management. The Board meets with Wilmington Trust throughout the calendar year to discuss their returns and performance. All in favor, motion carried.

MOTION by HAWES, second by WORK, to approve Firefly Admin Inc. as the District's 2024 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. All in favor, motion carried.

MOTION by WORK, second by GASKE, to approve Comerica as the District's 2024 Service Award Program paying agent. All in favor, motion carried.

MOTION by BURKE, second by WORK, to approve Occustar of Western New York, as the District's 2024 medical authority. The last evaluation of medical providers was made in 1997, but there have been numerous informal evaluations. All in favor, motion carried.

The Fire District entered into a 5-year contract with University Emergency Medical Services, aka UB/MD Emergency Medicine for a qualified physician (Dr. Joshua Lynch, DO, FACEP) to serve as the District's Medical Director on November 8, 2021, with a clause that allows the District to terminate the agreement at any time. The Fire District is in the third year of the five year contract. **MOTION** by GASKE, second by HEIM, to continue the agreement with UB/MD for Medical Director Services. All in favor, motion carried.

MOTION by HEIM, second by BURKE, to approve Network Services as the District's 2024 computer consultant. The last evaluation of computer consultants was made in 2005. All in favor, motion carried.

MOTION by HAWES, second by BURKE to enter into an agreement with G&G Fitness for preventative maintenance of the fitness equipment in the District's Fitness Room for the 2024 calendar year. Said agreement includes the by-annual inspection, adjustment, cleaning, and maintenance of the exercise equipment and free weights at a cost of \$1,118.59.

The Fire District is in the 3rd year of a 5-year contract with Allied CPA's with a clause that allows the District to opt out at any time. **MOTION** by WORK, second by HEIM, to continue the contract with Allied CPA's, PC. for audit services. All in favor, motion carried.

MOTION by BURKE, second by WORK, to contract with Nowicki Certified Public Accounting Firm for bookkeeping/reporting services and to assist Treasurer Hallnan as requested and necessary. The contract for the 2024 calendar year is \$5,200.00, to be billed in quarterly installments of \$1,300.00. All in favor, motion carried.

The Fire District is in the 2nd year of a 3-year contract for snowplowing service with CAM Services. The annual cost is \$14,900.00, and the contract expires March 31, 2025. Since their service has been exemplary, no further action is required by the Board at this time.

District:

MOTION by HEIM, second by BURKE, that the regular business meetings of Clarence Fire District No. 1 for the year 2024 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 24th, 2024 edition of the *Clarence Bee*. All in favor, motion carried.

2024 Regular Business Meetings

- Monday, February 12
- Monday, March 11
- Wednesday, April 10
- Monday May 13
- Monday, June 10
- Monday, July 8
- Monday, August 12
- Monday, September 9
- Monday, October 21 – 2025 Budget Hearing at 18:00 hours and Business Meeting at 18:30 hours
- Monday, November 11
- Monday, December 9

2025 Organizational Meeting: Thursday, January 2, 2025

2025 Regular Business Meeting: Monday, January 13, 2025

MOTION by HAWES, second by BURKE, 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. All in favor, motion carried.

MOTION by BURKE, second by GASKE, 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. All in favor, motion carried.

MOTION by BURKE second by HAWES, 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. All in favor, motion carried.

MOTION by WORK, second by HEIM, to authorize the continuation of the Erie County Mutual Aid Agreement and Clarence Fire District No. 1 Automatic Aid Agreement. All in favor, motion carried.

MOTION by GASKE, second by WORK, to approve the renewal of all established policies of Clarence Fire District No. 1 with no changes. All in favor, motion carried.

MOTION by HEIM, second by WORK, to approve up to \$375 for re-elected Commissioner Heim and newly elected Commissioners Burke & Hawes to attend the mandatory Commissioner training in 2024. There are several different opportunities to complete this mandatory training; however, the local option in Erie County is scheduled for April 20, 2024 at U-Crest Fire Department #4 with an 8:00 AM start. Motion carried.

The New York Fire District Officer Guide suggests annual registration of the District's domain name. Being said, clarencifiedistrict.org was registered with GoDaddy.com in May 2023 for a period of five years. The Board will need to address this matter on or before the expiration date of May 31, 2028.

MOTION by WORK, second by BURKE, 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 former New York State Governor Cuomo on January 2, 2015. All in favor, motion carried.

MOTION by WORK, second by HEIM, to approve the following Board of Fire Commissioners Committee assignments for the year 2024:

Burke	Firematic Personnel (w/ Hawes), Inventory, Building/Capital Improvement
Gaske	House, Building/Capital Improvement, Technology
Hawes	Firematic Personnel (w/ Burke), Communications & Alarms, HazMat Liaison
Heim	Safety, Audit, Training, Service Awards, Grants, Life Insurance
Work	Budget, Equipment, Physical Exams/Occustar, Office, OSHA, EMS, Public Information Officer, ECFDOA Liaison, District Policies/District Rules and Regulations

Schedule of Fire Commissioner Attendance at 2024 Board of Directors meetings:

January 15	Heim	July 15	Burke
February 19	Gaske	August 19	Work
March 18	Work	September 16	Burke
April 15	Burke	October 21	BOFC
May 20	Hawes	November 18	Hawes
June 17	Heim	December 16	Work

MOTION by WORK, second by BURKE, to adjourn the meeting at 19:54 hours. All in favor, motion carried.

All motions were unanimously carried unless otherwise noted.

Attest,

Kristi Mora
Secretary

cc:
Commissioners
Chief
Day Room
Bulletin Board
Website