

EAST CLINTON FIRE DISTRICT

March 13, 2019

COMMISSIONERS MEETING – FINAL

Regular Meeting 7:30 p.m.

COMMISSIONERS IN ATTENDANCE:

Stephen Forschler, Chairman
Byron Calame
Michael DiGiacomio
Robert Trzcinski
Arthur Weiland

COMMISSIONERS ABSENT:

ALSO IN ATTENDANCE:

Roderick MacLeod, Attorney for the District (arrived 8:20 p.m.)
Robert Simon, Treasurer
James Passikoff, Accountant (left at 8:00 p.m.)

Chairman Forschler called the meeting to order at 7:30 p.m. and explained to the public the process of reviewing the Vouchers and Financials.

CORRESPONDENCE:

- Notice of Unemployment Insurance Rate dated 2/14/19 from the Dept. of Labor – To Mr. Simon.
- Wilmington Trust Statement of Account for 6/1/18 through 1/31/19 – Commissioners copied - To Secretary to file.
- RBC Investment Access Account Statement from 1/1/19 through 2/28/19 – Commissioners copied – To Secretary to file.
- ShelterPoint dated 2/11/19 – Benefit Reminder for Accidental Death and Dismemberment Rider – To Commissioner Trzcinski
- Renna Engineering Design dated 2/7/19 – Kent Earthen Dam, Allen Road – Chief Estes has a copy and has read the report. To Secretary to file.
- NFPA received 2/15/19 – Restructured membership – No action
- Dutchess County Board of Elections – E. Clinton will not be used as an early voting super poll site. – To Secretary to file.
- LexisNexis dated 2-25-19 – Release for NY Fire Laws 2019 Edition - \$42 each – Will re-visit later in meeting.
- Bank of Green County Firefighter 5k Challenge Sunday April 28 – No interest.
- PERMA dated 3/4/19 – Annual Election of PERMA Board of Directors – To Commissioner Trzcinski
- FOIL Request from LexisNexis dated February 2019 and the response from Roderick J. MacLeod dated March 4, 2019 – To Secretary to file.
- Paychex – Labor Law Posters – To Mr. Simon.

MINUTES:

Motion to accept the February 13, 2019 regular minutes as corrected made by Commissioner Trzcinski and seconded by Commissioner Weiland. Commissioner Weiland expressed a concern regarding HIPPA and the LVAD paragraph but the district member with the LVAD is personally encouraging all to attend the LVAD training so Chairman Forschler did not perceive this as a HIPPA violation.

Commissioner Calame	Abstain	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 4-0-1.

FINANCIALS:

Having reviewed the vouchers, a motion to pay the bills per the abstract dated as of February 28, 2019 was made by Commissioner Weiland and seconded by Commissioner Trzcinski. Chairman Forschler noted that regarding the bill for food to replenish the support vehicle, Roosevelt said they would pay. Mr. Simon suggested waiting to see if anyone else will contribute and the bill for the balance has not been received yet. Chairman Forschler also noted that on another voucher, the expense is offset in a large part by insurance.

Commissioner Weiland	Aye	Commissioner Calame	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

A motion to accept the bank statement for the period ending on February 28, 2019 and in agreement with that noted on balance sheet as put forward by Mr. Passikoff with no exceptions made by Chairman Forschler and seconded by Commissioner Trzcinski.

Commissioner Weiland	Aye	Commissioner Calame	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

ACH account – needs to be funded. Mr. Simon will move \$100 from general checking to the ACH account. Chairman Forschler noted that as of tonight, the District has not received the tax check from the Town of Clinton.

AUD – Mr. Simon has filed an extension until April 30, 2019.

Audit – Mr. Passikoff said the auditors asked for the quick books general ledger knowing it will change. There are no unanswered requests from the auditor. Coming out of last year's audit, we will need a motion that Mr. Passikoff will reconcile last year's budget to last year's expenditures. Mr. Passikoff's opinion is to amend in broad sections, not by individual line. A motion was made by Chairman Forschler and seconded by Commissioner Calame to amend the

2018 budget as follows: Add \$5,405 to personal services to be transferred from the equipment reserve and to add \$4,618 to benefits to be transferred from the equipment reserve.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0.

Mr. Passikoff advised the board they need to think about what to do with the money left over in 2018 on page 8 of 8 in the amount of \$64,782. Something should be done with that money by the end of May. There are several alternatives such as it can be used as a rainy day fund, put in a reserve fund, used to reduce taxes, etc. There is also money from the prior year that has been kept in the general fund so there is \$130,000 coming forward plus the \$64,782.

Commissioner Calame asked why Penflex sends the GASB73 report to the board in January and why it won't be used by the auditor. Mr. Passikoff said it is used as part of the footnote. There are two pieces to this – the state is looking for the unfunded liability and they want that put in the financial statement. GASB wants it in two pieces and the accountants have to follow GASB in doing the financial reports. Commissioner Calame pointed out that the GASB is out of date by the time it gets to the accountants and Mr. Passikoff said they will redo it for this report.

FIRE POLICE: Tim Odell N/A

DEPARTMENT: Monthly calls: 11 Year to Date: 22 as of February 28, 2019

Car 1 – Don Estes

- The drill will be on Wednesday, March 27 and will cover two modules – blood borne pathogens and HIPPA.
- The drill last month was actually a training session. The forest ranger gave a basic presentation on search and rescue which spurred about 20 of our members who would like to get certified in search and rescue. The forest ranger will be coming back to pursue the certifications.
- Another class that has been requested is a meth lab class.
- Commissioner Trzcinski and Chiefs Estes and Bathrick attended a county class about how to fulfill the drills and OSHA requirements. A big take away from this class is that Chiefs Estes and Bathrick are doing what needs to be done. One aspect that needs to be worked on is the quarterly review on SCBA with interior members.
- The officers did a walk through at Stewarts to acclimate with their emergency preparedness plans. They had no information about the electric charging stations in the back. Chief Estes said we need information on those stations before we go forward. They don't know if there is a shut off or where the shut offs are for the gas and automatic extinguishers. Chief Estes is pursuing this. If answers are not provided short term, he will get the Town of Clinton, including the fire inspector, involved.

- Chief Estes asked if the inspection scheduled on April 27th at 9:00 am can be moved to later in the day. The Department does a public outreach that day providing traffic control at the race in town and many members are involved in that. We are expected to be there and it's good outreach in the community. The Board agreed to change the time to 1500 hours on April 27th and encouraged Chief Estes to invite the public.
- SCBA float test date is April 5.
- The hose annual holes test and ladder inspection will be scheduled. The parking lot needs to be completely dry.
- Several members are taking classes. One member has signed up for Firefighter 2. Two members have finished EVOG. Two members are enrolled in the pump ops class. Two members attended the DC fire weekend.

Car 2 – Jim Bathrick

- The drill on SCBA's is out in the bays at 1800 hours. We will have Support and EMS there. EMS will be there as we will have an interior down. Support will be there to continue learning how to change the valves on the back of packs as they come out.
- 3861 (the new brush truck) left Monday for Hopewell Hose to get finished up. We are hoping to have it back in 10 days.
- Surplus equipment is still ongoing. We may have someone interested in the jaws and spreaders – we are waiting to hear back.
- Started cleaning rigs last night in preparation for the inspection.
- Driver training is going well.
- Starting at some point next month, every other Monday night we will be doing pump training with the drivers. Not sure yet of the date of commencement.
- We washed the hose on the back of 63 and 38 with the new hose washer at a work detail last week. It worked excellent and saved a lot of time. Chief Bathrick thanked the Board.

Car 3 – Jim Ruffell N/A

SUPPORT: N/A

RESCUE: Monthly Calls: 10 Year to Date: 19

Susan deHaan

- EMS assisted 4 fire calls with 8 to the year.
- The stretcher is fixed. We did not need a new board, just wire replacements, so saved \$700.
- Chest straps have been ordered with the bill coming next month.
- New EMT Nate Silvius passed his state exam and got fully outfitted on Monday. He has been coming out to calls.
- Will keep doing skill reviews in squad meetings.

- We have coordinated with Mid-Hudson Regional for LVAD training which will be held on April 22, 7 to 9 p.m.
- Ms. deHaan attended mental health first aid USA training. Ulster County is acting as the coordinator for this training.
- March 21 - we will be presenting a program with SSIP (Seniors Staying In Place) at the Clinton library at 2 o'clock. We will talk about safety in the home and also educate them about ECFD response.

SAFETY:

Chairman Forschler said the committee held their quarterly meeting on February 26.

- Many of the issues identified have been remedied. Some are still outstanding but can be taken care of within the Department. Ongoing issues are clutter and housekeeping which is a function of missing storage space. The ongoing difficulty of maneuvering through the equipment bays continues. Commissioner Calame noted that the flag we are flying is tattered and needs to be replaced. A motion was made by Commissioner Calame and seconded by Chairman Forschler to purchase a new flag up to \$100 for the main flagpole in front of fire house.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomo	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0.

Ed Olson will take care of the old flag in an honorable fashion.

Mold mitigation – Commissioner Trzcinski said most of the equipment has been cleaned, the bill is paid, and the expense ended up being less than \$100. They were not able to clean the radio so the radio, charger and batteries will need to be replaced. Chief Estes will provide a cost estimate and Commissioner Trzcinski will find out how much insurance will cover. The cleaning and sheetrock is done. What is the next step? Commissioner Trzcinski has one quote from a contractor to rebuild which includes two rooms with OSB, the first foot around the inside with pressure treated material, the wall on the outside for the remaining area, the ceiling with OSB, metal work to stop leakage, and cleaning the gutters and adding a gutter guard. The other part of the estimate is to take the studding down on the first section close to the hill. Commissioner Trzcinski said one other item that needs to be done is to get the dirt away from the cement, drop it about 2 to 3 inches and get it away from the building. That may be something we could do ourselves. Commissioner Trzcinski will come back next month with estimates.

Electrical – Commissioner Trzcinski said the electrical work is finished and they are paid.

ISO – There was no action taken during the past month. Commissioner Trzcinski said the ISO company is looking for an intermunicipal agreement and he has found in talking with insurance

people, even when you have that agreement, it does not force the insurance company to change ratings. This will be on next month's agenda.

45/55 waiver – Mr. MacLeod has submitted the application to the state fire administrator.

Active member roster – The active member roster has been submitted to the Secretary. Ms. deHaan will be providing updates. Each person has their own page so the files can be updated individually. The roster is also in spreadsheet format. The Secretary will maintain a digital file. Many thanks to everyone who helped compile this information.

Inventory system – Mr. Simon said the work is continuing.

Annual dinner – The Company has a committee in place. They are working on it and understand the groundrules.

District policies –

A motion was made by Commissioner Calame and seconded by Commissioner Trzcinski that the board authorize Mr. MacLeod as our general counsel to revise the following policies in our manual: Drug Testing, Fundraising Events, Lens Program, Physical Ability, and Workplace Violence Prevention Program. They are not accurate and these seem to be complex areas which could use Mr. MacLeod's expertise. Chairman Forschler said part of the formulation of policies is a workshop and interview process to get input. Mr. MacLeod said he would approach this with the first step as looking at each policy and posing questions the board should consider for each policy. As far as a ballpark figure, Mr. MacLeod would allow one to two hours per policy not to exceed \$1,000. There was some discussion about the Lens Program (License Event Notification System) Chairman Forschler said all authorized drivers licenses are entered into this system. Anytime there is an event with regard to any licenses, Chairman Forschler gets notified such as license renewal or defensive driving. He would not bring any minor events before the board, such as a renewal, but he would bring forth a conviction to the board in executive session. Mr. MacLeod said all firefighters should be in the system because when a firefighter responds to a call from home, he is on your insurance ticket.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomo	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0. The Secretary will send Chairman Forschler the spreadsheet of the active member roster which has the license numbers on it.

LOSAP Analysis Proposal –

A motion was made by Commissioner Calame and seconded by Commissioner Weiland that the board engage Firefly Admin Inc. to prepare a plan that would look at the options the board has for the LOSAP plan including a defined benefit plan versus a defined contribution plan not to exceed \$1,150 to be completed within ten business days after the retainer is put into effect.

Firefly is a company started by Tony Hill who used to be an executive vice-president of Penflex and was the LOSAP coordinator for ECFD. He was with Penflex for 17 years. Ed Holihan was going to sell Penflex to him which fell apart so he started his own company. Commissioner Calame recommends getting the proposal from Firefly not Penflex. Penflex will cost more and Ed Holihan talked about the timing being two months from the time our roster and points for 2018 are received and a month to prepare his analysis. The information Firefly will need to do these analyses is the last three completed annual reports, the December 31, 2018 trust fund statement and the 2018 LOSAP points listing. For the actuary report, they need to see the people who have been added and deleted. They have not asked for information from RBC.

Commissioner Weiland	Aye	Commissioner Calame	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

Subsidiary group – Chief Estes provided a list of requirements to add a driver subsidiary group which was distributed to the board members.

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski that the board authorize a fifth subsidiary group called driver with requirements as outlined by Chief Estes and as amended by this board to be added to the policy book. Commissioner Calame suggested adding that the person must meet the active member requirements which would encompass the requirements for a physical, the four required modules and minimum of six drills, and the application process. Commissioner Weiland mentioned the benefit to the District to have increased ability to get equipment to a scene. Commissioner Trzcinski asked what level of physical will be required – the medical provider needs to know what the person is going to be doing, i.e. EMT, fire police, pump operator, etc. The following should be added to the requirements: (1) The Board must approve the change in status, and (2) participation in the LENS program. There was some discussion about the Board approving the change in status. Mr. MacLeod said the board should be approving every driver – that person is driving the board’s equipment. Each approval should come with a recommendation from the chief. Chairman Forschler said we do a driver re-certification every year and the chief submits the re-certified list to the board. He suggested the board approve that list on a yearly basis. Mr. MacLeod agreed that is one way the approvals can be done and it allows the board to evaluate a driver as they get older as to whether or not they should be driving. Commissioner Weiland said he would like to see TEK’s criteria for the physical categories. Commissioner Trzcinski disagreed saying TEK are the professionals with the expertise in this area. Commissioner Calame asked if we have similar qualifications in the district or company policy for the other subsidiary groups. He could not find “subsidiary” in the bylaws or district policy. There was some discussion on whether the driver status should require Firefighter 1. Chief Estes said the first half of FF1 is called scene support. To say a driver needs FF1 is taking the purpose of this subsidiary group and throwing it out the window. You can have very capable drivers who pass the physical and you will lose them if you require FF1. The purpose of this subsidiary group is to

retain and encourage members coming in to better serve the district and department. On the onset, FF1 is not mandated to get drivers in. A pre-requisite for pump ops is scene support. In order to take the pump ops class, you would have to take the first part of FF1. You'll take EVOC before pump ops. Chairman Forschler said a driver has to know where to park a truck and how a scene runs. Mr. MacCleod asked if there is no officer on the scene, is there a chain of command on the scene? That needs to be looked at. If it's a regular fireman who is the driver, he would be the command on the scene but if he's just a driver, he could not. Mr. Gammone said that is covered under EVOC and the driver will be required to take EVOC.

Chairman Forschler reiterated the changes to the document:

- Add "Must adhere to active member requirements" which then eliminates the following bullets: The application process, including background checks, will remain the same, Must complete the four required modules and attend a minimum of six drills to meet OSHA requirements, and Must have an annual physical approved by TEK for vehicle operations.
- After May not drive a district vehicle for one year, add "to emergencies unless waived by the board."
- After Operators of fire apparatus must complete Pump Operators' class prior to driving said equipment, add "to emergencies."
- Add the following bullet: Must participate in LENS program.
- Add the following bullet: Board approval is required for each person to be certified as a driver as recommended by the chief.

Chairman Forschler said these changes need to be made to the document and then it can be considered at the next meeting to be added to the district policies.

Commissioner Weiland	Nay	Commissioner Calame	Nay
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 3-2.

Insurance - Commissioner Trzcinski said the Board will have to consider renewal comparisons; he will be asking the Board to consider an increase in the deductible.

Membership – Ed Olson submitted the application for Samantha Smith, an EMT, to join the rescue squad and the resignation letter from Shelby Traver. He said all of Shelby's equipment has been turned in.

NYS Fire Law Books – A motion was made by Commissioner Weiland and seconded by Commissioner DiGiacomio to purchase one NYS Fire Law book.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0.

Executive Session –

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to adjourn to executive session at 9:35 p.m. with Mr. MacLeod to discuss a legal matter and personnel issue.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0

A motion was made by Commissioner Calame and seconded by Commissioner Weiland to return to public session at 9:50 p.m.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0

A motion was made by Commissioner Calame and seconded by Commissioner Weiland that the Board authorize the Chair to send a letter to Penflex to correct a coding error.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0

Commissioner Weiland expressed concern about possible line of sight deficiencies with the access onto the District property that abuts the Salt Point Turnpike and suggested the Board have the Dutchess County Department of Public Works look at the access for sight distance. A motion was made by Commissioner Weiland and seconded by Commissioner Trzcinski to seek permission from the Dutchess County Department of Public Works to use the existing access from the Salt Point Turnpike onto the District property that abuts the Salt Point Turnpike. Chairman Forschler thought it was premature to consider this. Commissioner Trzcinski said it is a safety issue using this entrance and it is regularly blocked. There will be no cost associated with this at this point.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Abstain
Commissioner Weiland	Aye		

Motion carried 4-0-1.

Commissioner Weiland said if we can't find the property markers by the Salt Point Turnpike and if the county requires us to tell them where they are, we would need a surveyor to come in and locate them.

Commissioner Weiland said his other concern is with Firehouse Lane. Parcel access indicates it is 41 feet wide. Theron Tompkins, Clinton Highway Superintendent, said Firehouse Lane is a user road. The town is driving over private property and by use has the right. The amount of footage the town is allowed to use is 18 feet. Commissioner Weiland is proposing that the Board send a letter to Mr. Tompkins requesting that the Town of Clinton Highway Department define the northern edge of Firehouse Lane with a white line.

A motion was made by Commissioner Weiland and seconded by Commissioner Trzcinski to send a letter to the Clinton Highway Department requesting the Department define the northern edge of Firehouse Lane with a white line. There was some discussion about whether it should be a request or a demand. Commissioner Weiland agreed to strike "if possible and appropriate" and replace with the District requests the Town of Clinton Highway Department define the northern edge of Firehouse Lane with a white line.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0

Perma Conference – Commissioner Trzcinski wanted to make sure the Board is aware he is attending the Perma Conference and it will cost money. Chairman Forschler said Commissioner Trzcinski is authorized to attend the conference.

Public Comment:

Tony Irkliewskij asked what will be done with the \$67,000 surplus at the year end of 2018. Chairman Forschler said that has not yet been decided – there are several options.

Ed Olson commented that the white line on Firehouse Lane should be painted at the northern side of Fire house Lane as opposed to eastern. (Eastern has been changed to northern in the above motion and the letter sent.)

Chief Estes agrees with Commissioner Weiland that something needs to be done as patrons are parking in front of the Bean store again. A suggested was made for someone to speak to Dave Bean and ask him to put the cones out in front of the store again.

A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio to adjourn the meeting at 10:06 p.m.

Commissioner Weiland	Aye	Commissioner Calame	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

The next regular meeting of the Board of Commissioners will be held on Wednesday, April 10, 2019.

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District