

EAST CLINTON FIRE DISTRICT

March 15, 2023

COMMISSIONERS MEETING – FINAL

Regular Meeting 7:00

COMMISSIONERS IN ATTENDANCE:

Stephen Forschler, Chairman
Michael DiGiacomio
Kevin Fierro
Howard Shapiro
Russell Tompkins

COMMISSIONERS ABSENT:**ALSO IN ATTENDANCE:**

Robert Simon, Treasurer
James Passikoff, Accountant, left at 7:20 p.m.
Roderick MacLeod, Attorney, arrived at 7:00 p.m.

Chairman Forschler called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

CORRESPONDENCE:

- RBC Statement February 1, 2023 through February 28, 2023 – Commissioners copied.
- From Bank of Millbrook dated March 1, 2023 – Repair Fund
A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to authorize Commissioner DiGiacomio to sign the notice from the Bank of Millbrook to prevent the Repair Fund account from going dormant.

Commissioner Shapiro	Aye	Commissioner DiGiacomio	Aye
Commissioner Tompkins	Aye	Chairman Forschler	Aye
Commissioner Fierro	Aye		

Motion carried 5-0. Commissioner DiGiacomio signed the form and handed it to Mr. Simon.
- From VFIS Claims Management – Paid Claim \$25,000 – Chairman Forschler did an insurance review with Linda Flanagan which was prompted by Ms. Thompsett asking if there were any benefits for the beneficiary of Ed Olson. Upon the review, there is an accident policy for members even if the accident is not fireground related. They pursued it and Ed's beneficiary was paid \$25,000 last week. The document was given to the secretary for filing.
- From M&T Bank – Month End Collateral Statement dated March 1, 2023 – Chairman Forschler
- From NYS Dept. of Labor dated February 28, 2023 – Notice of Unemployment Insurance Rate – Mr. Passikoff said this comes out annually – the unemployment rate for the district for 2023 is 2.025%. – To Mr. Simon
- RBC Correspondence - to Commissioner Shapiro
- Posters from Paychex – to Mr. Simon to post.
- Brochure from Firehouse Payroll – No reason to pursue changing payroll services.

- Notification from Lens that they are monitoring a deceased individual, possibly two individuals – to Chairman Forschler

MINUTES:

A motion was made by Commissioner Shapiro and seconded by Commissioner Fierro to approve the regular meeting minutes of February 15, 2023 as presented.

Commissioner DiGiacomo	Aye	Commissioner Fierro	Aye
Commissioner Shapiro	Aye	Chairman Forschler	Aye
Commissioner Tompkins	Aye		

Motion carried 5-0.

FINANCIALS:

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to pay the bills per the abstract dated February 28, 2023 plus authorize Mr. Simon to pay Junior's Diesel Repair \$949.66 for an overlooked invoice.

Commissioner Tompkins	Aye	Commissioner Shapiro	Aye
Commissioner Fierro	Aye	Chairman Forschler	Aye
Commissioner DiGiacomo	Aye		

Motion carried 5-0.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to accept the bank statement for the period ending on February 28, 2023 and in agreement with that noted on the balance sheet as put forward by Mr. Simon and Mr. Passikoff.

Commissioner Fierro	Aye	Commissioner Tompkins	Aye
Commissioner DiGiacomo	Aye	Chairman Forschler	Aye
Commissioner Shapiro	Aye		

Motion carried 5-0.

AUD – Mr. Passikoff filed in extension. He said we are waiting for the LOSAP report from Penflex. Mr. Simon will pursue that. The goal is to have it ready for the board to review in April.

Independent audit – Mr. Simon has submitted some materials to the auditors and hopes to have most of the materials submitted by next month.

Year end financial statement – The balance in the general fund is \$207,658.03. Mr. Passikoff said the board should take some of this and allocate to the reserve funds. Last year when we did the 2021 review, we left about \$100,000 in the general fund to cover the expenses in January and February prior to the tax money from the town. The surplus for 2022 for the fiscal year is \$107,657.

Mr. Passikoff did not see anything in the budget that necessitates a motion to realign. The year end final December report can be posted online with the statement that it is subject to independent audit which is in process.

Transfers – Chairman Forschler received the tax check which was deposited Monday into the savings account. We need to make two transfers in the budgeted amounts – \$12,500 to the capital improvement fund and \$157,068 to the equipment purchase fund. We are obligated by the statute to make these transfers.

A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio to authorize the transfer of \$12,500 from the general savings to the capital improvement fund and \$157,068 from the general savings to the equipment purchase fund.

Commissioner DiGiacomio	Aye	Commissioner Shapiro	Aye
Commissioner Fierro	Aye	Chairman Forschler	Aye
Commissioner Tompkins	Aye		

Motion carried 5-0.

New Firehouse – Keith Scofield from Lyscum, McCormack and VanVoorhis was present for a discussion with the board about moving forward in the process. Mr. Scofield said he had a discussion with Mr. McCormack and they think the next steps should be to schedule two district meetings for the public to discuss the district’s intention regarding the need for new station, why there is a need, go over the report, and offer a tour of the facility. We will have a presentation including a 3D rendering showing the building with concept elevations and a concept plan. We can refine the site plan and provide a cost estimate. We should engage in bond council to calculate the construction cost per taxpayer for the project. Chairman Forschler said he would prefer to figure out the cost before we schedule the meetings. Mr. MacLeod would interact with the bond counsel. Mr. MacLeod said the bond counsel figures out in today and tomorrow dollars over the life of the bond how much each \$1,000 of assessed value will pay. The calculation is computerized. Bond counsel is not cheap – it could be several thousand dollars up to \$10 or \$20,000. However, they handle all documentation including the closing and getting documentation from the bank. Mr. MacLeod said if we go with bond counsel, we need to advertise and will need an RFP. Chairman Forschler asked at what point do we do that? He wants numbers before we pay more for documents. Mr. MacLeod said we can look to engage bond counsel to calculate the cost to tax payers. He would write the RFP. The bond counsel you choose you would use throughout the project but at this point, it would be for initial calculations and projections. Part of that is the assessed value of the town today but that could change. They will project how the district will grow over the next 20 years. You should have a starting point as to the cost of the building, i.e., are you thinking a \$5 million building, and the cost per square foot. Mr. Scofield said he worked with a contractor to get his prices. He does the construction documents that the contractors would bid from, but we are not the construction managers that oversee the project. You still have to bid for builders, i.e., GC’s for structural, mechanical, electrical, and plumbing, and should include a clerk of the works. When you work multiple primes, a clerk of the works makes it all work together. They coordinate with the GC’s. The GC controls the construction schedule. This project is not at a point to bid. You are using the cost estimate provided to give you an idea of your budget. It’s a

reasonable estimate. Chairman Forschler said we have basic plans and a construction estimate so now we need to know what that looks like in terms of the effect on our budget and taxpayers. It sounds like we need to engage bond counsel to answer the primary question of how much will this cost me per year. The board supported Mr. MacLeod putting together an RFP for the April meeting with the estimated cost at this point of \$5 million. The May meeting will be the due date. Then we can engage bond counsel in May and figure out where the money is coming from. Mr. MacLeod said the district is not obligated to take the lowest of the numbers; this is not a bidding process. Mr. Scofield said we will assist in whatever means we can including a power point presentation, hard copies of drawings in leaflets, etc. Chairman Forschler said we may need to do a mailing. Mr. Scofield said he thinks people should see in real time what the deficiencies are. Chairman Forschler said our ISO rating came down to an 8b because we can bring 4,000 gallons of water to the scene in our first two responding vehicles. However, we need to be able to fit those vehicles inside.

DEPARTMENT:

Car 1 Don Estes Monthly Calls: 14 Year to Date: 22

- The daytime drill is tomorrow at 1,000 hours and will be on modules. The next drill is on March 21st and will also be modules.
- Driver training is being done by Jim Bathrick, Don Estes and Jim Ruffell.
- There is an EVOC review class on the 29th.
- We had four or five pagers repaired. Each pager was \$200 which is still a third of the price of a new pager. We are in good shape with pagers.
- The burn ban starts tomorrow.
- The vehicle Inspection is on April 22nd at 9:00 a.m.
- A firefighter gear washer has been donated to us from the Rhinebeck fire department but we have no place to put it. Hopefully a new fire station will take care of that. All gear needs to be cleaned after a structure fire.

Car 2 – Jim Bathrick – Not present.

Car 3 – Chris Gammone – Nothing to add.

EMS - Bob Simon for Susan deHaan Monthly Calls: 10 Year To Date: 20

- In January we had our first hands only CPR class sponsored by the company and the town recreation center. It was a big success with over 30 people attending. The next class is March 25th and will be here at the firehouse.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to authorize Mr. Simon and Ms. deHaan to conduct another hands only CPR class open to the public here at the firehouse on March 25th.

Commissioner Tompkins	Aye	Commissioner DiGiacomio	Aye
Commissioner Shapiro	Aye	Chairman Forschler	Aye

Commissioner Fierro Aye

Motion carried 5-0.

- Two new EMT's have started EMT class and are doing good.
- Commissioner Shapiro said he saw the dispatch that was cancelled to East Clinton for the City of Poughkeepsie, a priority four transport to detox. He asked if the board would agree with asking the captain of rescue and the chief to look at and provide us with a pro and con list on whether we should stay in mutual aid for ambulance only. This will be discussed later.

Fire Police - Jim Ruffell Sr.

- There is a Fire Police class coming up in April. Tom O'Brien is the only person signed up right now. Mr. Ruffell is trying to sign up Austin Burns. There probably won't be another class for two years. Chairman Forschler clarified that Tom O'Brien needs a background check and has to be covered by insurance before he attends a class.

Company/Membership – Maryann Thompsett, President

- We are in the midst of the fish fry.
- She submitted the application to the secretary from Austin Burns to be reinstated for fire police. His mentor will be Jim Ruffell. Chairman Forschler said Austin Burns is not a life member and not a social member. He is not being reinstated. He is coming in as a new member.
- She submitted to the secretary a letter from Matt Estes declaring a change in status from retired life member to active duty service. Ms. Thompsett read the letter. The board authorized sending Austin Burn's application in for a background check and Matt Estes needs to fill out the form to be sent for a background check.
- A letter was received from Zacharias Shapiro. He is a cadet with the civil air patrol in the Air Force and has taken an active service position with the US Coast Guard. He was reinstated to full active membership and will be going on military leave. Military leave is counted towards his active service in the department. Upon return home, he will return to active membership.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to accept Zak Shapiro's request to go on military leave. He will keep his active member status while on military leave and will return as an active member. He will not receive the 50 points for LOSAP while on military leave. He has no later than two months to return to active duty once after returning from military service.

Commissioner DiGiacomo	Aye	Commissioner Shapiro	Abstain
Commissioner Fierro	Aye	Chairman Forschler	Aye
Commissioner Tompkins	Aye		

Motion carried 4-0-1

- The inspection is scheduled for April 22, 2023 at 9:00 a.m.
- The dinner will be held on May 6, 2023. Please RSVP.

Turnout Gear/Hose – We need to purchase hose and turnout gear. The turnout gear is going up 20%. We have new people coming in who need the gear.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to authorize the purchase of two sets of turnout gear per the quote from MES dated 2/28/2023 in the amount of \$6,896.50.

Commissioner DiGiacomio	Aye	Commissioner Fierro	Aye
Commissioner Shapiro	Aye	Chairman Forschler	Aye
Commissioner Tompkins	Aye		

Motion carried 5-0.

Chief Estes said we need extra hose so we can restock after a fire.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to authorize the expenditure on the supplemental hose per the quote from MES dated 2/23/2023 in the amount of \$1,962.25.

Commissioner Shapiro	Aye	Commissioner Fierro	Aye
Commissioner Tompkins	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

Town of Washington – This is in process. Commissioner Shapiro is waiting for a call back from Gary Cifferri.

Insurance review – Chairman Forschler reviewed the existing coverage.

The fire station is insured at \$910,707, the BBQ pit at \$2,250 and both storage containers at \$2,250 each. He has asked for a higher quote on the building.

VFIS insures property on a guaranteed replacement cost, replacement cost, actual cash value or functional replacement cost basis.

VFIS offers a broad range of fidelity coverages customized to meet the needs of emergency service organizations including the following: Employee Dishonesty, Computer and Funds Transfer Fraud, Fraudulent Impersonation, and Identity Fraud Expense. The schedule of covered entities for the district and department is as follows: Computer and Funds Transfer Fraud limit is \$100,000; fraudulent impersonation is \$100,000 limit, and identity fraud expense is \$10,000 limit. For the district: Public employee dishonesty blanket per employee and per loss is \$250,000 limit each. For the department: employee dishonesty blanket is \$100,000 limit.

Mr. MacLeod will ask what the town does about a fraudulent transfer of money as he thinks that limit should be higher. The identity theft coverage should be higher also. Marshall & Sterling will be quoting additional bonding coverage.

Portable equipment has a guaranteed replacement cost which does not include the equipment on a truck. Temporarily borrowed equipment is covered up to \$50,000.

Under Auto, bodily injury has a \$1,000,000 limit, medical payments \$10,000 limit, uninsured motorists \$1,000,000 limit, underinsured motorists \$1,000,000 limit. If a volunteer is in an accident enroute to a scene or to the firehouse, his or her insurance is primary and ours is in excess of primary.

Commissioner Shapiro asked if anyone has looked at the possibility of lowering the age to 18 years old to drive emergency vehicles. Chairman Forschler said currently, the age is 21 to drive a district vehicle. He feels 18 is too young and immature in the broad sense. Chief Estes said there are 18 year olds mature enough to drive the trucks but agrees with Chairman Forschler in the broad sense. At this point in our district, it's a moot point as there is no one in that range. Commissioner Tompkins is in 100% agreement with Chairman Forschler. Twenty-one is okay and leave it alone. Commissioner DiGiacomio said allowing 18 year olds to drive the vehicles would increase insurance costs.

Mr. MacLeod said the firefighter's insurance is primary and we pay anything over that. If a firefighter's insurance has a deductible, is it the board's policy to pay that deductible? There should be a policy for that. Also, if the firefighter doesn't have collision, does the board cover that or pay nothing and how is that determined? The board agreed that Mr. MacLeod will write a policy for a maximum of \$500 reimbursement for the deductible with no coverage for collision if the firefighter does not carry it.

Schedule of vehicles – The vehicles are assigned values as listed in the policy. The insurance is written for listed value, not replacement. Chairman Forschler has asked for increased coverage on the tanker and 38-12.

General Liability/Professional Health Care Liability coverages: each incident \$1,000,000 limit, personal and advertising injury each offense \$1,000,000 limit, fire damage legal liability any one fire \$1,000,000 limit, medical expense each person \$10,000 limit, general aggregate (the total payable in any policy term) \$10,000,000 limit, products/completed operations aggregate (the total payable in any policy term) \$10,000,000 limit.

Management Liability: each offense or wrongful act \$1,000,000 limit, Fair Labor Standards Act suit defense coverage \$100,000 for each claim unit, cyber liability each event limit \$1,000,000, privacy crisis management expense each event limit \$100,000, cyber extortion expense each event limit \$20,000.

The total estimated annual premium is \$19,600. Chairman Forschler has asked Ms. Flanagan for some modifications which he will review next month.

A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio that the board adjourn to executive session at 8:27 p.m. to discuss a personnel issue.

Commissioner Fierro	Aye	Commissioner Shapiro	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Tompkins	Aye		

Motion carried 5-0.

A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio to return to public session at 8:30 p.m.

Commissioner Fierro	Aye	Commissioner Shapiro	Aye
Commissioner DiGiacomio	Aye	Chairman Forschler	Aye
Commissioner Tompkins	Aye		

Motion carried 5-0.

Vehicle Replacement – The replacement of the 1987 mini pumper was discussed at the last meeting. Mr. Gammone said parts for the 1987 vehicle are obsolete and hard to find and it is a manual. It is at the end of its useful life span and is difficult to draft. Chief Estes started looking for a replacement and has found a 2022 F350 automatic vehicle and provided a handout to the commissioners. The new pump has the same gpm capacity and is detachable from the vehicle for remote use. It is a gasoline driven pump. All equipment on the current vehicle is transferable to the new vehicle. The hazmat equipment will be transferred to the current trailer. The road barricades are easily stowed in the new vehicle. Retrofitting will be done in house. After the work is done, the mini pumper can be put out for bid. The trailer will be declared surplus once we have necessary storage. The current back up extrication tool is not readily portable. No one is using gas powered extrication tools anymore. The lighter unit is totally electrical and better for staffing. The old extrication tool will be declared surplus along with the old vehicle and trailer. The mini pumper could bring in \$5,000 to \$10,000. The trailer close to the same. The old extrication tool is worthless and may end up being donated.

The prices are at state bid. The 2022 Ford super duty is \$48,924. The commercial utility box is \$7,841.95, the receiver for the pump attachment is \$789.90, the pump is \$8,650. This is the same pump as we have on the brush truck with 550 gpm and will be mounted as removal – a real pump. The lettering is \$600, radio transfer and emergency lights \$9,095.23. This includes a sound off light bar for \$2,008 – Chief Estes does not think a light bar of such magnitude is necessary. A smaller bar will suffice and will cost less. The pump carrier and toolboxes \$747. This goes in the front of the truck with warning stickers on the corners. On either side would be toolboxes to carry small miscellaneous tools. The pump weighs 188 pound. All the equipment on the truck now will go on this truck on racks as needed. Assembly incidentals \$750. The estimated total cost is \$76,950.57. The electric jaws are \$12,900. All costs combined is under \$90,000.

This vehicle would respond as back up to multi-vehicle accidents, wires down, pump details, hazmat incidents, structure fires as an auxiliary water source or large fires of any dimension. It won't be a first attack truck but can get to many places.

Commissioner Shapiro said this sounds good and is a good investment for the taxpayers. Commission Tompkins agreed since the current truck has such a long list of problems and we can't get parts for it. Commissioner Fierro said the money is there and we'll get some back after selling the current vehicle and trailer. Commissioner DiGiacomio thanked Chief Estes for a super job and agreed this is a good idea.

A motion was made by Chairman Forschler and seconded by Commissioner Shapiro to approve this list of purchases all at state bid for \$77,000 and all of the incidentals from the general fund surplus that has accumulated. There is no sales tax.

Commissioner DiGiacomio	Aye	Commissioner Tompkins	Aye
Commissioner Shapiro	Aye	Chairman Forschler	Aye
Commissioner Fierro	Aye		

Motion carried 5-0. We will keep the current mini-pumper in service for the time being.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro that the board approve \$13,000 for the purchase of the battery operated multi tool also to be spent from the general fund surplus that has accumulated over the past several years.

Commissioner Fierro	Aye	Commissioner DiGiacomio	Aye
Commissioner Tompkins	Aye	Chairman Forschler	Aye
Commissioner Shapiro	Aye		

Motion carried 5-0.

New business:

Mutual Aid for Ambulance: Commissioner Shapiro suggested that the board allow Ms. deHaan and Chief Estes to do a pro-con on MA for the ambulance and provide a recommendation. Chairman Forschler has had conversations with Dave Alfonso who runs the dispatch center about the abuse that we have been suffering under Stanford and West Clinton which is really not mutual aid. Mutual aid implies it is bi-directional where this is unilateral aid. He is very understanding and very open to the idea that there is a solution whereby we can still be part of the mutual aid system but limit the abuse in terms of what we will respond to when other units can't get off the floor and have no units to respond. We want to be part of mutual aid. When we have parkway accidents, we need the assistance of MA companies, and we want to be in a situation to provide MA when West Clinton or Stanford or Pleasant Valley has that accident on the parkway and they need multiple ambulances. However, we can have further discussions with Dave Alfonso to stop the abuse. Commissioner Shapiro said we responded to the Poughkeepsie call because Mobile Life had no units available. Paid companies will not provide MA to us if we need them. This is a one-way street. Chairman Forschler said it is a back handed compliment – they dispatch us because they know we'll get off the floor. Chief Estes said we responded to that call knowing full well we weren't going. The call was turned down by other districts as well. The abuse in actuality is a fraction of what it was two years ago. When West Clinton's ambulance is out on a call and another call comes in, we will go and help. MA is not nearly the problem it has been in the past. We've been dealing with it and Stanford now has 24 hour coverage. The impetus to that is the letter that we sent. Commissioner Shapiro

said if our people need us, we should be there. Chairman Forschler said we have the option to direct Chief Estes what to respond to or to let Dave Alfonso know.

A question was asked if it would be possible to get electricity to the new site prior to community day. Commissioner Fierro will look into that.

Mr. Ruffell asked if he was authorized to sign a contract.

A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio that the board authorize James Ruffell Sr. to sign a contract with Trailer King for the cab.

Commissioner Tompkins	Aye	Commissioner Fierro	Aye
Commissioner Shapiro	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

Ms. Fitzpatrick asked if she donates her car, can the district give her a letter. Mr. MacLeod said she needs to go on Kelley Blue Book for the value, leave the title open, and the district can issue a receipt for the value of the car.

Public Comment:

- Mr. Werner suggested the district touch base with Carol Mackin, Town Clerk, prior to scheduling the public hearing for the firehouse.

Adjourn:

A motion was made by Commissioner DiGiacomio and seconded by Chairman Forschler to adjourn the meeting at 9:17 p.m.

Commissioner Tompkins	Aye	Commissioner Fierro	Aye
Commissioner Shapiro	Aye	Chairman Forschler	Aye
Commissioner DiGiacomio	Aye		

Motion carried 5-0.

The next meeting of the Board of Commissioners will be held on Wednesday, April 12, 2023 at 7:00 p.m. at the firehouse.

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District