

EAST CLINTON FIRE DISTRICT
March 13, 2024

COMMISSIONERS MEETING–DRAFT
Regular Meeting 7:00 p.m.

COMMISSIONERS IN ATTENDANCE:

Stephen Forschler, Chairman
Thomas Bonanno
Kevin Fierro
Howard Shapiro
Russell Tompkins

COMMISSIONERS ABSENT:

ALSO IN ATTENDANCE:

James Passikoff, Accountant (left at 7:20 p.m.)

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

CORRESPONDENCE:

- RBC Account Statement from February 1, 2024 through February 29, 2024 – to Commissioner Shapiro
- From RBC dated February 14, 2024 – Certificate of Investment Powers (CIP) document – A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to maintain the two points of contact the same as last years – Howard Shapiro as primary and Stephen Forschler as secondary.

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| Commissioner Bonanno | Aye | Commissioner Tompkins | Aye |
| Commissioner Shapiro | Aye | Chairman Forschler | Aye |
| Commissioner Fierro | Aye | | |
- Motion carried 5-0
- Notice of Unemployment Insurance Rate dated 2/9/24 – to Ms. deHaan for Mr. Simon to send a copy to Paychex.
- M&T Bank Month-End Collateral Statement
- Marshall & Sterling dated February 7, 2024 – Disclosure Statement – Advising EC that they do not share and looking for a signature. – to Ms. deHaan for Mr. Simon.

MINUTES:

A motion was made by Commissioner Shapiro and seconded by Commissioner Fierro to approve the regular meeting minutes of February 14, 2024 as presented.

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| Commissioner Tompkins | Aye | Commissioner Bonanno | Aye |
| Commissioner Fierro | Aye | Chairman Forschler | Aye |
| Commissioner Shapiro | Aye | | |

Motion carried 5-0

FINANCIALS:

A motion was made by Commissioner Tompkins and seconded by Commissioner Bonanno to pay the bills per the modified abstract dated February 29, 2024.

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| Commissioner Fierro | Aye | Commissioner Bonanno | Aye |
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| Commissioner Tompkins | Aye | Chairman Forschler | Aye |
| Commissioner Shapiro | 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 29, 2024 and in agreement with that noted on the balance sheet as put forward by Mr. Simon and Mr. Passikoff.

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| Commissioner Bonanno | Aye | Commissioner Fierro | Aye |
| Commissioner Shapiro | Aye | Chairman Forschler | Aye |

Motion carried 5-0.

AUD – Mr. Passikoff said we still need the unfunded liability for LOSAP and the fixed assets schedule needs to be adjusted. Mr. Passikoff submitted the request for extension and copied the board on the transmittal.

Independent audit – Mr. Passikoff said once he finishes the AUD, he and Mr. Simon will send all the information to the auditors and will send Quickbooks within the month.

CDs - Mr. Passikoff was not happy with the two companies which are not banks but investment houses. He would like to go back to the Bank of Millbrook and if they don't provide a good enough rate, perhaps M&T bank.

Budget alignment – Mr. Passikoff suggested holding off to March to make the motion to align the 2023 budget.

Budget surplus – Mr. Passikoff said in December there was an excess of revenue over expenses of \$7,800 which left a fund balance of \$215,470. You will need \$50,000 to \$75,000 as working capital for the first couple of months of the year. You can probably take \$125,000 of the fund balance and put it into the reserve funds if you wish. Chairman Forschler said we are in receipt of the tax check from the town which will be deposited. The treasurer would need to make the budgeted transfers to the reserved funds immediately. Something to consider as we move into expenses for a potential new building is to leave the \$125,000 where it is and then have that money to spend which would not be subject to a referendum or put some of it into the reserve funds. We have \$500,000 in the capital improvement fund which requires a permissive referendum to spend. If we will have soft costs in terms of the building this year, a thought is to leave that \$125,000 where it is so it is readily available. We will revisit this next month. Mr. Passikoff agreed with that. Mr. Passikoff said you are putting \$143,000 into the equipment reserve fund which has \$743,000 now and will be \$868,000. You have about \$516,000 in the capital improvement fund. Chairman Forschler would like to get the equipment transfer fund up to a million. If the surplus stays in the regular bank account, it would be in the general fund. Commissioner Tompkins said it makes sense to leave it there for expenses that may pop up for a potential new building. This will be finalized next month. Mr. Passikoff said this will be okay with the auditors as the process is in the minutes.

Car 1 Don Estes Monthly Calls: 7 Year to Date: 14

- On March 19th we are going to a battalion meeting in Pleasant Valley.
- The stipend for classes has been approved through the state so now as classes are taken and completed, the personnel taking the class will be reimbursed from the state for BFFO, FF1 and FF2. The amount of the stipend depends on the level and time of the class. It does not include EMS classes but now that EMS is being declared essential by the state, that may change.
- All members have been advised that the burn ban is in effect from March 16th to May 14th and all have been re-educated about ag exemptions.
- The drill will be on March 25th on wild land fires and the local forest ranger will be attending. We will take out new floating pump out after the classroom session.
- Chief Estes reached out to the member who had been sent a letter and had gear to return but had not contacted him. He will retrieve the gear this week.
- There is a clean-up work detail on March 20th at 1600 hours. There is lots to clean up in the bays and outside.
- Driver recertifications are going well. Standard operating guidelines are being put together slowly with a lot of information and learning for the junior officers.
- There was a structure fire in Stanford on Monday and was the best handled structure fire that he has worked with Stanford in 47 years. East Clinton responded on first. It went off without a hitch and there was never a loss of water.
- All paperwork is submitted for the forestry grant. We have received the check and it is awaiting deposit.
- Chief Estes thanked Commissioner Bonanno for all his work on the grants. He said there are so many grants out there so it is great to have a grant writer on board. Many fire companies utilize grant writers.

Car 2 – Jim Bathrick – Not present.

Car 3 - Chris Gammone – Not present.

EMS – Susan deHaan Monthly calls: 10 Year to Date: 23

- There were a couple of parkway accidents in the same area as a result of excessive speed and hydroplaning.
- The CPR class was held on the 29th as planned. Twenty people showed up. The card is good for two years at the BLS level.
- The state is really focused on making EMS an essential service. There are a number of bills being looked at as well as task forces and legislation to be able to mobilize different squads ahead of time, breaking the state up into zones. They would like to be able to bring other agencies into different zones when needed.
- The state is looking at funding recruiting and retention in the budget, ways to educate the communities, and defining EMS as to what is an emergency and what is a non-

emergency. Chairman Forschler forwarded Ms. deHaan a link from the Pine Plains Herald which discusses EMS in northern Dutchess County.

- The state is looking to make EMS a license instead of a certification in NYS, giving more credential to EMS.
- There is a county training put on by the Behavioral Department which will focus on mental health for the first responders. Ms. deHaan and Mr. Simon will attend.

Jim Ruffell Sr. – Company President

- Mr. Ruffell handed the Active Member Roster (AMR) to the secretary. He said a copy will be provided every month whether there are changes or not.
- A new application has been submitted from John Nesbit who lives on Marshall Road. He is in the West Clinton district. Chief Estes signed the background check application. Marshall Road is a road East Clinton uses to get back into the East Clinton district. He is within a reasonable distance to the firehouse. Mr. Ruffell handed the application to the secretary who handed it back because it was missing two signatures. Mr. Ruffell will get the signatures and get the application back to the secretary. Commissioner Tompkins asked if there is a limit to how many members can be out of district and Chairman Forschler said we were granted a waiver to the limit.
- On May 18 starting at 2:00, there will be a cornhole tournament in the bays. This fundraiser was part of the original list of fundraisers submitted in January. There were no objections to this and no problems with putting the equipment outside. If they break a chair, they will replace it.
- Donna Ruffell said there has been no dusting done in the meeting room. Chairman Forschler will discuss with the cleaner.
- There are books on the filing cabinet that are all old minutes from commissioner meetings. The secretary will take a look at them.
- There was some discussion as to whether the district was being charged for a cable box. Mr. Simon will take a look at the bill.

LOSAP – The secretary reported that the data request packages for the defined contribution and the defined benefit plans have been submitted to Penflex.

Haulmark Trailer – Chairman Forschler will list the trailer for sale this month.

Facility Workshop – Commissioner Bonanno said we had a new facility workshop last Wednesday evening in which the grant writer, Steve Densmore, and Chad Young, a municipal job estimator, attended. We went through the cost estimate and itemized sheet from McCormack to see where we can save and how prices have changed since 2022. Mr. Young offered to provide more advice when additional information is received from McCormack. The grant writer does not know when he will start. Commissioner Bonanno will report back to the board if he needs more information. Commissioner Tompkins said he should be made aware of all the deficiencies in the existing building. Commissioner Bonanno said an important element will be our EMS. With all the focus from the state on EMS right now, putting that in the grant will put us on good footing. Chairman Forschler referred to the article in the Pine Plains paper

and said the Town of Stanford pays \$859,000 for EMS coverage which is more than our budget with the added cost for the bond to build a new facility. The job the rescue squad is doing is saving a boatload of money every year. All agreed the workshop was an extremely fruitful meeting as the grant writer and Mr. Young are very knowledgeable. Commissioner Bonanno said some help from the Town of Clinton may be helpful. When he went to look at the Falls Village firehouse, he saw that part of the information packet presented to the voters was a document the town administration put together showing cost and how much was spent on the fire budget as compared to other projects in the town. It would be very helpful for our case with respect to other communities. If this volunteer fire district was not here, the town would need to supply these services. Commissioner Shapiro said it appears that since the report from the architect is three years old, some of the prices can be tweaked. Some may be outdated; some may be current. The next workshop will be on April 3rd at 6:30 p.m. The board agreed that since a representative from the architect's firm will be at the meeting, see how that goes and then possibly invite Mr. Young and the architect to the May meeting. After the presentation from the architect, we can crunch numbers together.

OSHA Webinar – On February 27, the commissioners and chief's staff viewed a webinar on the proposed new OSHA standards. If they go through, the district is in pretty good shape. A few documents will need to be created.

New Attorney - No progress on the new attorney. Chairman Forschler has not received a call back.

April Meeting – The next meeting is scheduled for April 10th. There is a Fireman's Service scheduled for Rod MacLeod that day so Chairman Forschler will not be able to attend the board meeting. The funeral home is in Wappingers with calling hours from 6:00 to 8:00 and the Fireman's Service at 7:30. Most of the county will be there. A motion was made by Commissioner Shapiro and seconded by Chairman Forschler to move the next regular meeting date from April 10th to April 17th at 7:00 p.m.

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| Commissioner Fierro | Aye | Commissioner Bonanno | Aye |
| Commissioner Tompkins | Aye | Chairman Forschler | Aye |
| Commissioner Shapiro | Aye | | |

Motion carried 5-0. The secretary will post the legal notice in the paper and bulletin boards and send to the district and town websites.

On April 12th, they are having a service by invitation only at the church. There will be a fireman's viewing at New Hackensack which includes a procession of fire equipment. A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to authorize a vehicle to go to New Hackensack for the service.

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| Commissioner Bonanno | Aye | Commissioner Tompkins | Aye |
| Commissioner Shapiro | Aye | Chairman Forschler | Aye |
| Commissioner Fierro | Aye | | |

Motion carried 5-0. Chairman Forschler and Chief Estes will discuss which vehicle to take. All services can be verified on the New Hackensack Fire District website.

Insurance review – Chairman Forschler met with Linda Flanagan from Marshall & Sterling who had some suggestions on the insurance coverage.

Increase identity fraud policy from \$10,000 to \$25,000 and add forgery to a maximum of \$250,000 for an additional \$40.

Property deductible is currently \$500 – we agreed to \$1,000 which saved us \$283.

Increase declared value on tanker and international pumper from \$600,000 to \$750,000 each.

Increase accidental death benefit from \$150,000 to \$200,000

Increase seatbelt benefit amount from \$37,500 to \$50,000

Increase safety vest benefit amount from \$37,500 to \$50,000

Increase dismemberment and paralysis from \$150,000 to 200,000

Increase vision impairment benefit principal sum from \$150,000 to \$200,000

Increase permanent injury impairment benefit principal sum from \$150,000 to \$200,000

Increase cosmetic disfigurement resulting from burns principal sum from \$150,000 to \$200,000

Increase illness permanent impairment (lifetime) from \$150,000 to \$200,000

Increase felonious assault benefit amount from \$75,000 to \$105,000

To make all the above changes results in an \$80 increase in the yearly premium.

Ms. Flanagan recommended increasing the excess liability from 3-6 million to 4-8 million limit which covers us in case of a lawsuit.

The total net change is \$337 a year.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins that the board authorize the changes above for an additional \$337 to the annual insurance premium.

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| Commissioner Bonanno | Aye | Commissioner Fierro | Aye |
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| Commissioner Shapiro | Aye | Chairman Forschler | Aye |
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| Commissioner Tompkins | Aye | | |
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Motion carried 5-0.

Chairman Forschler will advise Ms. Flanagan of the changes and gave Ms. deHaan the net bill for Mr. Simon.

Do we want to extend the EAP (Employee Assistance Program) to family members at a cost of \$11.76 per year per member. A motion was made by Chairman Forscher and seconded by Commissioner Tompkins that the district authorize \$11.76 per member annually to include their dependents, spouses and significant others in the assistance program. Commissioner Tompkins said he can see it for a member but why family members. Chairman Forschler said in many instances, a husband and wife are a team and are both covered. Commissioner Shapiro said there are so many grief counseling options available that are free through the county and hospice which taxpayers are paying for under other auspices. Ms. deHaan said she thinks this will be discussed in the March 23rd training as to what services are available in the community. If there is something of note, she will bring it back. Chairman Forschler, with Commissioner Tompkins agreement, withdrew the motion.

Generator Servicing - Do we want the generator serviced as part of the Premier service? Chief Estes said yes. The cost was \$3,000 per truck and he believes it includes the generator service. The estimate pre-approved by the board was \$3,000. We would also get the generator serviced on 12. Chairman Forschler will advise them to proceed with generator.

Central Hudson – We have a proposal from Central Hudson to redo all light fixtures and put LED fixtures in. They will do a \$4,000 upgrade for \$1,200 and will remove the ballast and modify all fixtures to go LED. Chairman Forschler said they did this where he works and the lighting is amazing. We will save \$2,000 a year. They will redo 38 fixtures. A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to authorize \$1,212.28 to have Central Hudson redo 38 fixtures to LEDs as listed in the scope of work in their efficiency proposal.

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| Commissioner Shapiro | Aye | Commissioner Tompkins | Aye |
| Commissioner Bonanno | Aye | Chairman Forschler | Aye |
| Commissioner Fierro | Aye | | |

Motion carried 5-0. Chairman Forschler will inform Mr. O'Brien and he will take care of this.

Driving Standard – Chairman Forschler said as part of the annual re-certifications, we decided to create a standards document and have drivers sign it every year so it is clear what the standards are for driving district apparatus. It is totally at the chief's discretion when drivers have violated the standards. Commissioner Tompkins said regarding the sixth paragraph under Policy, he suggested changing "When approaching a negative right-of-way intersection, the vehicle shall come to a complete stop" to "the vehicle shall proceed with caution". They are not required by law to stop unless you change it. If you come up to a blinking light or stop sign, and you can see completely, do you want to make them come to a complete stop. After some discussion, Commissioner Tompkins said to leave it as is. As far as Radios, etc. (sixth paragraph on page 2), he suggested changing to "operated by a vehicle passenger when possible". As far as emergency brakes (ninth paragraph on page 2), he asked if you really want to eliminate wheel chocks for the ambulance. Chief Estes said the district doesn't have wheel chocks for the ambulance. Regarding paragraph 12 on page 2, how do you know you have \$2,500 of damages. This says subject to immediate mandatory testing for impairment – should subject be required? Chairman Forschler said there are certain discretionary takes on this, giving the officer in charge some latitude. Subject to does not give the person the right to refuse it. Commissioner Shapiro said he would end it at damages, dropping the \$2,500 and then add mandatory testing. Chairman Forschler said this does not eliminate the need for a report. All agreed to leave it alone. Commissioner Bonanno said he didn't see anything about taking fire apparatus out of district. That is in the district driving policy. Commissioner Shapiro suggested the second paragraph on page 2 say, unless directed by a police officer, fire police or incident commander.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins that the board accept this vehicle operating standard with the intent of having every driver sign this annually as presented with modifications as follows: In the last paragraph on page 1, "the vehicle shall exercise due caution and shall proceed only when the driver can account for all oncoming traffic in all lanes yielding the right-of-way"; in the second paragraph on page 2 add

unless directed by a police officer, “fire police or incident commander”, in the sixth paragraph on page 2, move “when possible” to after vehicle passenger; and leave \$2,500 in paragraph twelve on page 2.

Commissioner Fierro Aye

Commissioner Tompkins Aye

Commissioner Shapiro Aye

Chairman Forschler Aye

Commissioner Bonanno Aye

Motion carried 5-0.

SCBA standard – Chief Estes said he has been reminding the interior firefighters of the shaving policy and it came to a head at a drill a couple of weeks ago so we decided to make it a policy that is clear and understood and signed. You must comply with NFPA standards or not be an interior. An officer must be interior and to be interior, you need to be clean shaven enough to get a proper seal on. An officer sets the example. Chairman Forschler said the danger presented is that someone who has facial hair is going to try to don a face mask and puts his life in jeopardy because he won’t get a proper seal. If Chief Estes knowingly permits someone to go into an atmosphere and he knew they had facial hair and were not capable of getting a good seal and they were injured or died, he would be held liable. He is not taking that risk and it is not fair to the public. You must be clean shaven to comply with the NFPA 1981 standards. The only change suggested was to add to paragraph three “and to maintain their ability to attain an adequate fit at all times.”

A motion was made by Chairman Forschler and seconded by Commissioner Shapiro that the board accept the SCBA Standard as presented with the addition to paragraph three “and to maintain their ability to attain an adequate fit at all times.”

Commissioner Bonanno Aye

Commissioner Fierro Aye

Commissioner Shapiro Aye

Chairman Forschler Aye

Commissioner Tompkins Aye

Motion carried 5-0.

Chairman Forschler will provide updated copies for the board at the next meeting.

Public Comment: - None

A motion was made by Commissioner Bonanno and seconded by Commissioner Shapiro to adjourn the meeting at 8:35 p.m.

Commissioner Fierro Aye

Commissioner Bonanno Aye

Commissioner Shapiro Aye

Chairman Forschler Aye

Commissioner Tompkins Aye

Motion carried 5-0.

The next regularly scheduled meeting of the Board of Commissioners will be held on Wednesday, April 17, 2024 at 7:00 p.m. at the firehouse.

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District Board of Commissioners

DRAFT