

**EAST CLINTON FIRE DISTRICT**

November 14, 2018

**COMMISSIONERS MEETING – FINAL**

Regular Meeting 7:30 PM

**COMMISSIONERS IN ATTENDANCE:**

Stephen Forschler, Chairman  
Byron Calame  
Kevin Russell  
Robert Trzcinski  
Arthur Weiland

**COMMISSIONERS ABSENT:**

**ALSO IN ATTENDANCE:**

Roderick MacLeod, Attorney for the District (arrived 7:15 p.m.)  
Robert Simon, Treasurer  
James Passikoff, Accountant (Left at 7:48 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:**

1. From D.C. Sheriff’s office dated October 29, 2018, 2019 Administrative Fee Schedule – no interest in contract renewal
2. From Town of Stanford, Holiday of Lights Flier, Saturday, December 1, 2018, 6:00 p.m. – to Chief Estes
3. From Town of Clinton Planning Board, Stewart’s Shop application for amendment of special permit for extended hours – SEQRA Review – the Fire Department was listed as an interested agency. The response time has passed no there was no action taken.
4. From Central Hudson dated October 18, 2018 – Energy efficient upgrades – to Commissioner Trzcinski
5. From Staatsburg Fire Department, check for fundraiser – to Chief Estes
6. From State of NY Fleet Card Program, participation instructions – No interest

**MINUTES:**

Motion to accept the October 10, 2018 regular meeting minutes as corrected made by Commissioner Trzcinski and seconded by Commissioner Calame.

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

Motion carried 4-0.

**FINANCIALS:**

Having reviewed the vouchers, a motion to pay the bills per the abstract dated as of November 14, 2018 made by Commissioner Trzcinski and seconded by Commissioner Russell with the addition of check 2531 in the amount of \$261.50. Mr. Simon will send out a new abstract to include this additional check. Chairman Forschler noted monies to McClane Ford will be expended from the equipment purchase fund.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0.

Motion to accept the bank statement for the period ending on October 31, 2018 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 Weiland.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner Russell	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0.

Shelter Point – Mr. Simon received the check from Shelter Point for the refund in the amount of \$12,436.00 for an overpayment from 2017. Shelter Point administers the disability for paid employees. The refund is because in 2017, the coverage was erroneously done for all members of the company. This will be deposited as a refund of a prior year’s expenses to the general fund.

Audit – The audit was filed with the Town Clerk and the budget has been submitted to the town. Mr. Simon has been directed to put these documents on the website.

Permissive referendum – There has been no opposition to the permissive referendum so it carries by default.

RFP for auditor – Mr. Passikoff said he sent the RFP to three accountants for a five-year term with the option to drop with responses due back for the December meeting.

Posting of RBC statement on website - A motion was made by Commissioner Calame and seconded by Commissioner Weiland as follows: Be it resolved, that the following RBC reports on the district’s LOSAP investment account be posted on the district website by the Treasurer within 15 days of receipt: (1) the Annual Statement (with account numbers deleted, and (2) any Portfolio Review provided by RBC during the year.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
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Commissioner Russell           Aye                   Chairman Forschler           Aye  
Commissioner Weiland        Aye  
Motion carried 5-0.

Rehab vehicle – Commissioner Weiland said the rehab vehicle tends to go out on mutual aid more than to our own town and asked Chief Estes what the custom is for reimbursement of expenses. Chief Estes said if the rehab vehicle goes out for a mutual aid call, it is totally appropriate to send a restocking bill to the fire department that requested it. Chairman Forschler asked Mr. Simon to itemize what was used in the Pleasant Valley fire so an invoice can be sent to the PV fire department. Mr. Simon will get in touch with Maryanne Thompsett.

**FIRE POLICE:**     Tim Odell                   N/A

**DEPARTMENT:**   Monthly calls: 11 for October   Year to Date: As of October 31, 2018 - 99 calls

Car 1 - Don Estes

- The satisfaction of OSHA requirements in drills and modules is going very well. There are only a few active members that are going to have to pick it up. On 11/29, the drill for that month will be modularized OSHA to provide the training for those who still need it.
- Regarding the apartments going in on Brookstone, Chairman Forschler said he spoke to the town's zoning person who said this is zoned as a multi-family residence and does not require a change in zoning so he would forward to the planning department. Chief Estes said the building is a death trap and should not be inhabited by humans. Chairman Forschler said we may have to meet with the building inspector or zoning enforcement officer. When asked if this needs to be documented for liability, Mr. MacLeod said the minutes have the discussion. There is no liability for enforcing town or building codes; you are informing the town of a possible problem with public safety.
- Brush truck - Hopewell is not able to marry the skid unit. The unit is being shipped and will be here for a time until Hopewell can take care of it in January. We also have to consider the lettering. The truck is down there now getting the flatbed put on.
- The floating pump (that we got the grant for) for the aforementioned vehicle is still back ordered. Chief Estes informed MES that they will lose the sale if we lose the grant. Chief Estes called the forest ranger who justifies the grants and he said this won't be a problem. MES guaranteed the floating pump will be in by December 31.
- Brian Dingee with West Clinton is certified for evoc instruction. He will call when he has a class so we can get the three people here who need the class done.
- The fire response to EMS calls has been tremendous.
- Do we have detail about the last delinquent turn out gear? Chairman Forschler is trying to get ahold of the sheriff's office.
- As recently as last week, Chief Estes requested a sit down with the County to make that map on the board a realization and get district lines squared off better as we now have a

MA coverage agreement with West Clinton. County will let him know when they are cleared to do it. It's been six months.

Car 2 – Jim Bathrick

- We received two new SCBA's. We've taken out the oldest packs on the truck and replaced with new ones. Seven new SCBA's are in service. The spare ones we use for training are now stored in the attic as it's a little warmer there.
- David and Chris went through rig inventory on all three rigs. Once completed, we will send the information to Sue and Bob who will print it out.

Car 3 – Jim Ruffell N/A

**SUPPORT:** N/A

**RESCUE:** Monthly Calls: 22 dispatches Year to Date: 136 at end of October

Bob Simon - will put the stats on the website. Bob Simon and Sue deHaan are trained as CPR instructors and will be putting two classes together, the first one being November 27<sup>th</sup>.

**Safety** – There will be a safety meeting on November 20<sup>th</sup>.

- The floor mats have been put down to prevent slipping and to keep the carpet cleaner.
- Last month there was a discussion about insufficient support on one side of the trusses. There has been in initial quote from R.E. Buotte Construction for \$1586 which is \$83 dollars above two verbal quotes so Chairman Forschler asked if they would do it for \$1,499.

A motion was made by Chairman Forschler and seconded by Commissioner Calame to authorize \$1,499 for R.E Buotte Construction to fix the trusses.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0.

- Electric – There are two quotes: Burlington Contractor for \$1,945.06 and Hitchcock and Company (who installed the generator) for \$1,696.75.

A motion was made by Commissioner Trzcinski and seconded by Commissioner Calame that the Board engage Hitchcock and Company to do the electrical work. This will eliminate the problem of running the cord from inside to outside for the rehab vehicle, and the problem of too many plugs with extension cords in outlets and will include a new LED 4 foot light in the EMT room and a new outlet to plug in the laptop.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0.

Commissioner Trzcinski will contact Hitchcock.

- Front door – Buotte Construction could not commit to a full price but quoted \$58 per hour to look at the door and make the corrections to keep it from binding. That door is a fire exit and can't be jammed.

A motion was made by Chairman Forschler and seconded by Commissioner Calame to authorize Buotte Construction up to \$1,499 to work on the meeting room exit door to preclude the binding issue.

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

Motion carried 4-1.

- Mold – Commissioner Trzcinski reported that Enviro Check did a NYS qualified inspection with laboratory and testing which cost the District about \$1,000. This report was transmitted to Serve Pro who have quoted \$26,000 to take down the sheetrock for three rooms and the ceiling and back wall. Expediant came in at \$12,496. According to District policy, we need a third quote. The fire police equipment in that room is an insurance claim. ServePro did not break it out. Serve Pro won't clean the fire police equipment, they wanted to replace it. The other company will attempt to clean it. There are two quotes for cleaning the equipment and two quotes to rip out the sheetrock. A third quote is needed for the sheetrock.

A motion was made by Commissioner Weiland and seconded by Chairman Forschler to authorize Commissioner Trzcinski to forward the quotes to the insurance company so they can proceed with the cleaning and/or replacement of the Fire Police equipment.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner Russell	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0.

Commissioner Trzcinski said the tear out will be expensive, above \$10,000. Can we consider an alternative such as putting a quarantine on the area, leaving it covered, and sealing it off to keep people away from it? Mr. MacLeod said the liability will still be there but due diligence would decrease it. Chairman Forschler said Commissioner Trzcinski should get the third quote and the Board will make an informed decision at the December meeting.

- Fire Police equipment – Commissioner Trzcinski said the two fire police need to be outfitted. All members are outfitted with vests and there are squad helmets they can use. Tim Odell will contact the fire chiefs with what equipment is needed and they will make it happen for under the \$500.
- Physicals – Chairman Forschler said at this point, all people who are active or on course to be active for 2019 have had physicals and received clearance from TEK. Interiors need a FIT test; exteriors do not need a FIT test.

## Membership – Ed Olson

- Nancy Naim's application will be sent out for a background check.
- Tim Bathrick has re-applied for membership. He is an interior FF. His application will be sent out for the background check and he will get his physical Monday.

## Old Business:

- Carpet was cleaned and the bill was paid.
- Bean store – The cones are still out there in front of the store to prevent people from parking there. The Board had some discussion about considering a new road or continuing to bring vehicles out by the Bean store. It becomes a safety issue as the new road is not paved and the culvert, guardrail and lack of a paved apron would be an issue. It needs to be paved before it can be used but could be considered down the road. Commissioner Trzcinski will start asking if that road is an authorized access for the property.
- Town of Washington contract – Chairman Forschler said his perception is we are at an impasse. We have not heard anything back from Mary Alex or Gary Ciferri. Based on that, Chairman Forschler suggested sending a note to Mary Alex stating since we have not been able to reach an agreement, we will be authorizing the chief as of January 1, 2019 to take us off of first call due to termination of agreement for ambulance calls in that corner of the Town of Washington. We would go to MA for fire. Commissioners Calame and Russell had no objection to that. Commissioner Trzcinski suggested talking to the people - do they want to do something different than that contract. The people in that area do not know what is going on. If they were aware of this, would they lobby the Town of Washington Town Board. This would leave the school, Hickory Hill and Jameson Hill without fire protection. Upton Lake School should contact the Town of Washington. After some discussion, it was agreed that Mr. MacLeod will send the appropriate verbiage to Chairman Forschler who will get the letter to the secretary and Commissioner Trzcinski will provide the names of the impacted people to the secretary. Commissioner Trzcinski will verify Upton Lake is in the impacted area.
- Cancer Insurance – Commissioner Trzcinski said it is available now. We need a list of interior current firefighters that have five years certified and a fit test for five years. The sticky part is the initialization physical. The insurance company is saying the initial physical did not have to screen for those cancers, but Mr. MacLeod disagrees with that stating a firefighter would need a physical not showing cancer when service was commenced. The statute says you need a physical upon entry into firefighter service. OPEC said you need it when you become interior. Mr. MacLeod's opinion and advice are self-insurance is a better path to take. He expects changes to the statute will be made in 2019. Worse case exposure is about \$150,000 per individual firefighter. Self-

insurance would require the Board to pass a resolution stating the intent to self-insure. How you self-insure is up to you – you can put money into an account set aside for cancer insurance payments, maybe \$5,000 a year. There should be no claims for the first five years. This would not be a reserve fund so the account can be rolled over to pay for insurance once the insurance is stabilized. There was some discussion about how a payout for a claim would be handled, possibly by a bond or a lump sum. Commissioner Trzcinski said there is a disability payment also. Chairman Forschler said insurance has been quoted at \$137 per firefighter per year. This is written only for people who enter fire service right now moving forward. Our only exposure would be for people who join right now and we would have to get their blood screened. The exposure would not come into play until five years of interior firefighting. A new firefighter coming in would need a cancer screening but the district would not be liable for five years. The law says you can self-insure. We would need to set money aside for insurance for the next five years. The Board directed Mr. MacLeod to prepare a resolution for the December meeting to self-insure for the year 2019.

- 44/55 waiver – Mr. MacLeod said to exceed the 44/55 ratio requires an application to the state fire administrator. The notice is published in the state register for 60 days. During that time, anyone can object, specifically neighboring fire departments. If they do object, the state administrator can still grant a waiver depending on the difficulty of the fire company to attract personnel and what has been done to attract personnel. He comes down for a public hearing to exceed the rule and then makes a decision based on those three things.

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to authorize Mr. MacLeod to submit this application for a waiver to the 44/55 rule. Chairman Forschler said his perception is given the make-up of this department and the active members, the waiver is essential if we want to stay in business. We have members coming from surrounding districts. We have always been on the cusp of being over the limit. Commissioner Russell agreed. Commissioner Trzcinski asked if a letter is sent to all the adjacent fire companies. Mr. MacLeod said in two other instances, the state sent out a letter in one and didn't in the other. Chairman Weiland said once you are granted the waiver to go beyond 44/55, can you go as far as you want in ratio? Mr. MacLeod said yes.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0.

- Fire District election - is on Tuesday, December 11 from 5 to 9. Nominating petitions are due on November 21.

A motion was made by Chairman Forschler and seconded by Commissioner Calame to authorize Chairman Forschler and Commissioner Russell to mark up the Board of

Elections registered voter list so the election inspectors can identify people who may not be in the East Clinton Fire District.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0. Commissioner Weiland will pick up the ballot boxes.

- ISO letter – Commissioner Russell said the ISO people have not received the letter regarding the mutual aid agreement between East and West Clinton. He provided an email address to the secretary who will email it out tomorrow morning.
- Generator on the rehab vehicle – Mr. Simon pulled the invoices from Shrek and Camper’s World. Crown was the last one and they put a new regulator on. Shrek was in October of 2017 and the bill was \$690.19. Campers World was in March of 2018 and that bill came to \$1,469.62 at which time they changed the oil and gaskets and did some other work. Mr. Simon will give Commissioner Trzcinski the paperwork and he will pursue that.
- VFBL – Who does it cover and for what purpose? If you are not an active fire fighter, you are not covered by VFBL. If you are active, you are covered when performing certain activities. Fundraising activities, parades, funerals are covered. If you are playing on a softball team, you are not covered. A retired member who is working a fundraiser is not covered but he is covered with another liability insurance and they can sue the district. Commissioner Trzcinski said this policy does not have workers comp. Active volunteers are considered employees. Chairman Forschler said to Mr. Olson that retired life members need to be made aware of this. We need a policy as to what retired life members can and can’t do. Commissioner Calame said the company by-laws address that. Mr. MacLeod said fundraisers are covered by VFBL provided they are authorized by the Board of Fire Commissioners. This board authorizes fundraisers with a blanket motion. Other districts authorize specific fund raisers which is probably the more conservative route to take. You can have a blanket motion for the BBQ, the lobster dinner, fundraisers that happen with regularity, but they need to be enumerated in that motion. If there is something else the company wants to do that was not included in the motion, that should be approved specifically. Mr. Olson was asked to please provide a list of known fundraisers and length of time to the Board by the reorg meeting in January. Mr. Olson needs to let the Board know as parades and other events come up, even if they are off of Fire Department property, so they can be authorized. Commissioner Calame said general liability should cover anyone and guests on site or off site. Commissioner Trzcinski said we also need to know if alcohol is being served.
- District inventory – Mr. Simon and Ms. deHaan met with Chief Bathrick on Monday. That information was entered into the Excel program and will be absorbed into the inventory program. Work is continuing.



- Equipment replacement spreadsheet – Chairman Forschler and Chief Estes did a spreadsheet which will be distributed.
- Facility needs – Commissioner Calame said it was suggested earlier in the year that Perma was the tool to use to start exploring facility needs. Nothing has happened since then. The safety committee has done good things but we need to get Perma involved. Commissioner Weiland agreed. Commissioner Trzcinski will forward the contact information to Chairman Forschler to get this started. This will provide more information to communicate to the public.
- Occupancy - Commissioner Trzcinski has met with town building inspector and he is working on an occupancy number for this room. There is a concern that the door to the active bay can't be used so there is only one entrance and exit. That will limit the occupancy number.
- Equipment inspection – Chief Estes will schedule a drill for equipment inspection for December.
- Phone lines – All are in agreement that we do not need to pay for cell phone lines on 3870 or 3871. The cost is \$58.00 each per month. 3871 has an iPad which gets Spotted Dog info and GPS if it's working which is handy for the driver and crew. We can't gain access to the locked tablet – Commissioner Trzcinski and Mr. Simon will handle that. We have a missing tablet and are paying for the connection. Mr. Simon has not identified that line yet.

A motion was made by Chairman Forschler and seconded by Commissioner Russell to authorized Bob Simon to call Verizon and cancel the service for those three lines.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0.

- Surplus Apple phones – A motion was made by Chairman Forschler and seconded by Commissioner Weiland to declare these two Apple phones surplus equipment.

Commissioner Calame	Aye	Commissioner Trzcinski	Aye
Commissioner Russell	Aye	Chairman Forschler	Aye
Commissioner Weiland	Aye		

Motion carried 5-0.

Chairman Forschler said he needs a new phone. He believes the value of these phones are at \$105 to \$145. Mr. Simon said these phones through Amazon that are refurbished with guarantees are going for about \$100. Through eBay, they go for about \$100 with no guarantee.

A motion was made by Commissioner Weiland and seconded by Commissioner Trzcinski to accept the offer from Chairman Forschler of \$100 for one of the surplus phones

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

Motion carried 4-0-1.

- Annual dinner policy – Draft 3

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to adopt this policy with the changes as marked.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0. The secretary will update the digital copy of the company policy.

- Falls Village Fire House – Commissioner Russell said Falls Village just built a new fire house for a little over 2 million dollars. He went through it. The bays are close to what we need, it’s a steel building. We need a new fire house and this is something that is close to what we need that doesn’t cost a lot. Anyone is welcome to tour the fire house. The Board agreed to make a group visit to the fire house on Thursday, December 6<sup>th</sup>. Commissioner Russell will make the arrangements. Chairman Forschler said it’s possible that after the fire house visit, the Board could meet for a workshop on the active member policy – he will let everyone know.

Public comment: None

A motion was made by Chairman Forschler and seconded by Commissioner Russell to adjourn the meeting at 10:00 p.m.

Commissioner Weiland	Aye	Commissioner Russell	Aye
Commissioner Trzcinski	Aye	Chairman Forschler	Aye
Commissioner Calame	Aye		

Motion carried 5-0.

The annual election will be held on Tuesday, December 11, 2018, 5:00 p.m. to 9:00 p.m. The next meeting of the Board of Commissioners will be held on Wednesday, December 12, 2018.

Respectfully submitted,

Karen Buechele, Secretary  
East Clinton Fire District