

EAST CLINTON FIRE DISTRICT

April 13, 2022

COMMISSIONERS MEETING – DRAFT

Regular Meeting 7:00

COMMISSIONERS IN ATTENDANCE:

Stephen Forschler, Chairman
Kevin Fierro
Howard Shapiro
Russell Tompkins

COMMISSIONERS ABSENT:

Michael DiGiacomo

ALSO IN ATTENDANCE:

Robert Simon, Treasurer
Jim Passikoff, Accountant, left at 7:30 p.m.
Roderick MacLeod, Attorney for the Board, arrived at 7:00 p.m.

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

CORRESPONDENCE:

- Penflex January 1, 2022 Annual Report – Executive Summary distributed to all commissioners; Annual Report to Jim Passikoff, Chairman Forschler, and Commissioner Shapiro
- RBC Statement March 1, 2022 – March 31, 2022 – Commissioners copied.
- Various Prospectus from RBC – to Howard Shapiro
- From M&T Bank dated 4/1/2022 – Month-End Collateral Statement.
- From Bank of Greene County dated 3/30/22 soliciting business.
- Posters from Paychex – to Mr. Simon to post.
- From Central Hudson – Free energy assessment.
- A \$25.00 donation was received from a Fishkill family in memory of Kevin Russell.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to authorize Mr. Simon to deposit the check and issue a check to the Fire Company for \$25.00.

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

Motion carried 4-0.

- A document was received from Penflex regarding vesting a member who participated for three years as an active member and then moved out of the district and has since participated in the company only. Commissioner Shapiro will follow up on that.

MINUTES:

A motion was made by Commissioner Tompkins and seconded by Commissioner Fierro to approve the regular meeting minutes of March 16, 2022 as written.

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

Motion carried 4-0.

Mr. MacLeod informed the board that a law was passed in November that requires minutes be posted on the district website with 14 days after the meeting even if they are in draft form.

Penflex Annual Report - Chairman Forschler noted that the program contribution due in 2023 is calculated to be \$38,717 which is down from \$49,000 this year and down from \$115,000 over past years. Some of that is due to the fact that we are not paying benefits to certain people anymore, but a lot is due to all the hard work that has been done. When asked, Mr. MacLeod said he is not sure it is appropriate to post any of the actuarial report on the website. The secretary will be mailing out the member participation statements within the next couple of weeks.

FINANCIALS:

A motion was made by Commissioner Tompkins and seconded by Commissioner Shapiro to pay the bills per the abstract dated March 31, 2022 with no discussion.

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

Motion carried 4-0. Chairman Forschler said \$65,000 was transferred from the general fund to the checking account to cover bills, of which part was the \$49,000 LOSAP payment.

Chairman Forschler said a motion is needed to move the budgeted reserve fund amount to the appropriate reserve savings account as was discussed at the March meeting to keep the budget aligned.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to transfer \$90,000 from the general fund to the equipment purchase fund and to transfer \$12,500 from the general fund to the capital reserve fund.

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

Motion carried 4-0.

AUD/Asset Report – Mr. Passikoff submitted the AUD and asset report for the board to review and ask any questions prior to authorizing him to file with the state. The total of the asset report is incorporated into the AUD. The AUD was due on February 28th but Mr. Passikoff filed an extension. Mr. Passikoff said he sent out the spreadsheet so you should be able to trace the

numbers from the spreadsheet into the general fund. The only difference from this and the annual report is that they combine everything into one group of numbers rather than four columns. Chairman Forschler said we have zero indebtedness. The truck was paid off this year. We have assets totaling \$2,282,644 which includes LOSAP as of 12/31/2021.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to authorize Jim Passikoff to file the AUD with New York State.

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

Motion carried 4-0.

Chairman Forschler said last month we discussed the surplus we have accumulated. We need to move some of that. We need to leave \$100,000 to cover the first three months of 2023. We have a surplus of \$114,374. We moved \$90,000 to the equipment purchase fund for a balance of \$457,000 tonight and we moved \$12,500 from the general fund to the capital reserve fund which will bring that to a hair over half a million. A half million is sufficient start up money for building project phase. Every dollar we put into the equipment purchase fund is a dollar we don't have to take a loan out and pay interest on. Mr. Passikoff recommends putting as much as possible into the equipment fund. You will have to borrow for a new building no matter what so to avoid borrowing for equipment, you are better off. Chairman Forschler said if we put it all into the equipment purchase fund, we would have \$571,000 in that fund. As a point of interest, he said eight or nine years ago, we had about \$82,000 in the equipment purchase fund. Commissioner Tompkins asked if the money can be moved later and Mr. Passikoff said you would need a permissive referendum. Mr. MacLeod said a permissive referendum is a board motion to move money and if the public objects, they have to do a petition and then it goes to vote. It's 25% of the valuation of the district which has to be from residents; it can't be commercial. Commissioner Shapiro asked what the next big ticket item is that will need to be replaced. Chairman Forschler said the main pumper. Chief Estes said that is the next big one but we have quite a while for it; it's a 2013 and the replacement recommendation is 20 years. Chairman Forschler said we are in good shape with the ambulance and the brush truck is brand new. The 2005 pumper is not a first line so there is no recommendation on that. In 10 years, a new engine will probably cost a million. Commissioner Shapiro said it's not a bad idea to put money in the equipment purchase fund.

A motion was made by Commissioner Shapiro and seconded by Commissioner Tompkins that the board place the \$114,374 into the equipment purchase fund.

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

Motion carried 4-0. Chairman Forschler said so we will have \$501,000 in the capital reserve fund and \$571,000 in the equipment purchase fund. That's progress!

Mr. Simon will make three separate deposits via telephone transfers.

Independent audit – Mr. Simon said everything the auditor asked for has been sent. She will be asking for particular vouchers as the next step.

Facilities –

Eliot Garcia, Director of Technology and Data Services for Millbrook Central School District, was present to discuss with the board his experiences about the building process in the school district. He distributed a handout and said it would be a very similar process for the fire district. They started the process by issuing and publishing an RFP in September/October of 2021. Mr. Garcia said when you put the project out for bid, you are required to take the lowest bid. MCSD went with the RFP process for architectural services which allows more value for the dollar. Once they received all RFP submissions (within a 30-day window from publication), they started the selection process to identify firms to interview. The interview is where you ask for very specific instances and references and you should look for a firm that has done projects for similar size districts. Once the partnership is established and the contract is awarded, you get into the pre-referendum work. Mr. Garcia suggested asking at the interview how much time the firm commits to for pre-referendum work which is about 10% of the general design. If the vote passes, that design work is rolled into the referendum. You won't see a bill for the pre-referendum work unless the vote goes down. Post referendum is when you get into the heart of the project.

Mr. Garcia stressed the importance of having a point person(s), one or two people who deal with the agency exclusively and report back to the board frequently, and a construction project manager. Architectural firms are notorious at underbidding. The construction manager will be on site every day doing the work. Bring them in early to leverage their experience to get the right cost estimate on the table. Mr. Garcia advised the board to dive into the RFP process as soon as possible, figure out how much design work is needed pre-referendum, engage a stakeholder's group to identify priorities such as how much space you need for everything including community space, have a constituent group that helps you build the general design pre-referendum to include a balance of diversified individuals with different perspectives. When asked about the timeline, Mr. Garcia said we could have truncated this within 12 to 14 months in terms of having the front end work completed. 18 months is standard for school districts.

We try to allow for two to three months of public relations work where we go to firehouses, town halls, town meetings, community outreach groups, local churches, senior centers, even neighboring districts. He engages everyone. Reach out to local realtors, community leaders, and rotary and lions club meetings. You can't overcommunicate this. Commissioner Tompkins said the only way to get people to respond is send a mailer informing them of this project. Mr. Garcia said MCSD has done that. We have done mailers with a QC code. If you can't do that, have a one-page mailer identifying all the important facts. A SEQRA resolution will be required. Pre-referendum expectations could be a beautiful picture of what you are expecting inside and outside and possibly a conditioned survey of your existing facility. Chairman Forschler said we

did have an architect come in and identify the deficiencies in this building at which time it was pointed out it would be hard to shoehorn all the updated technology into an old building.

Mr. Garcia asked what the district was planning on doing with the existing building and asked if they considered shrinking the footprint of the new building and using part of the existing building. Chairman Forschler said this is a good commercial property which we can sell. Commissioner Tompkins said after learning about all the deficiencies in this existing building, he does not think this building can be repurposed and said the general consensus seems to be building a new building and selling this one. Mr. Garcia said getting out front with the deficiency study would be a good step. He also suggested thinking about who you could support and partner together with where your space could benefit other groups who would have a say in the vote such as scouting groups. A commercial kitchen could help groups who want to put on a dinner. Present the deficiencies in the existing building, explain the new building, and point out how it will benefit the community.

Recovered Funds – Chairman Forschler said last month we received two documents from Utica National Insurance Group regarding unclaimed checks in the amounts of \$3,150 and \$122. Mr. Simon followed up and Utica National will be sending the checks within a couple of weeks.

FIRE POLICE: No representative present.

DEPARTMENT:

Cars 1 – Don Estes Monthly Calls: 12 Year to Date: 23

- We have had 10 calls in April thus far.
- Fail Safe is doing the host test in June and the SCBA flow test is in May.
- 68 has new batteries. They were down to 22%.
- Inverter for 68– 68 – Since the decon vehicle has to be able to run emergency equipment, not the least is the mister for rehab, we are trying to make it as easy to operate with as with a generator so we took it to Juniors. He ordered a 5,000 watt inverter that the vehicle can support which is just like a generator. It was way below the budgeted amount. We will have about \$300 left over.
- We have the estimate for the damage on 68 to be discussed later.
- We are working on getting Kevin’s vehicle service records which are not on the computer. However, we are good right now.
- We are working through the new officers staff picking up different responsibilities.
- Chief Estes wants the radios and pagers at 90%. A-1 is working on it. A couple of weeks ago, they determined three radios to be beyond hope. Others were good but had bad batteries. When all is said and done, we will have a good stock of portables and pagers.
- Drill is April 19th at 1800 hours and is a wildfire drill with hands on brush truck exercises.
- Work details will be held two days prior to the inspection which is the 30th at 8:30 a.m.

- He is working on the addresses on CAD that were out of the five mile limit to get the ISO rating down. Chief Estes requested this information six weeks ago and county was slow to activate. They are now actively working on this and should be near the end of getting street addresses into CAD. Chairman Forschler said this is our last step to get the ISO rating lowered which will save everyone but significantly save for residents for fire safety insurance on the north side of the district.
- Chairman Forschler sent an equipment return letter to Brandon Maisonet but has received no response. Chairman Forschler will send the sheriff out to Brandon's address.
- Clinton is re-instituting Community Day – Chief Estes has gone to a meeting already. This will be a great opportunity to have the firehouse open for community exposure. If the commissioners approve, we will participate in the parade and have other activities going on at the firehouse until the fireworks such as an extrication demonstration. We can also serve beer (with commissioner approval) and food after the parade. Chairman Forschler said the chief staff and department should have a plan in place for the commissioners to consider at a board meeting.
- Town of Washington update – Many people who lost the East Clinton protection district and are now back to being protected by the Village of Millbrook and Town of Washington were unaware of it and they are unhappy about it. Chief Estes told them if they want to do something, get the list of residents that fall into jurisdiction from Mary Alex so they can start a petition to have the affected properties annexed to the East Clinton district. Mr. MacLeod agreed the petition is the first step. East Clinton responds on first call for fire, not EMS, to these addresses.

Car 2 – Jim Bathrick – Not present.

Car 3 – Chris Gammone – Just appointed.

Support: Not present.

Membership – Maryann Thompsett, Acting President – Not present.

EMS - Susan deHaan Monthly Calls: 11 Year To Date: 37 with two mutual aid calls to Stanford and were lift assists which has been corrected.

- West Clinton is filling their shifts. Ms. deHaan gets an email from the supervisor letting her know when they are off shift. However, the situation has improved. East Clinton hasn't gone to Cornerstone in about a month.
- 100% attendance on EMS calls.
- The EMS drill is on April 26th and will piggyback on what Don is doing and focus on burns, heat exhaustion and heat stroke that we might see at a wildfire.

- Preventative maintenance was done on the ambulance. That bill was paid. There is a proposed contract which would cover preventative maintenance for the power stretcher and power loader. It's better to go with a contract as preventative maintenance is included. Also, the contract is a fixed price and they may be discontinuing the on demand. At the very least, prices will go up for on demand.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to enter into a service contract with EMSAR at the price of \$700.00 in the proposal for the stretcher, stair chair and power load system for one year.

Commissioner Tompkins	Aye	Commissioner Tompkins	Aye
Commissioner Fierro	Aye	Chairman Forschler	Aye

Motion carried 4-0.

We still need approval for repair parts. Part of the latest bill for repair is replacement of all the plastic coverings that go on the power loader which crack with age. With the contract, you get preventative maintenance and one free repair with travel time.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to authorize EMSAR to repair the cot and replace the battery for \$1334.84.

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

Motion carried 4-0.

- Ms. deHaan is in the process of completing the certification of the rescue squad. It should be completed by the end of this week.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins for the board members and Mr. MacLeod to adjourn to executive session for the purpose of discussing personnel issues at 8:17 p.m.

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

Motion carried 4-0.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro to return to public session at 8:29 p.m.

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

Motion carried 4-0.

Company - Heather Fitzsimmons

- The list of officers and positions elected at the company election were submitted to the board secretary.

- District Officers nominated are Chief Don Estes, First Deputy Chief Jim Bathrick and Second Deputy Chief Chris Gammone.

A motion was made by Chairman Forschler and seconded by Commissioner Fierro that the board confirm nominations for Chief Don Estes, First Deputy Chief Jim Bathrick and Second Deputy Chief Chris Gammone.

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

Motion carried 4-0.

Out of district application – The applicant passed the background check and has been approved for a physical. Chairman Forschler contacted him but hasn't heard anything back.

38-1 Vehicle and Insurance Status - The chief was traveling on Clinton Corners Road and was rear ended by another vehicle. The driver was issued two summonses. The chief vehicle was totaled. Insurance will compensate \$24,702 for the vehicle plus reimburse for lettering the new vehicle and the cost of transferring the light bars, radios, and other peripheral equipment. We have authorized Matt's to release the vehicle to the insurance company.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to declare the 2016 Ford Explorer as surplus equipment and authorize Chairman Forschler to sign the title to transfer ownership to the insurance company and to sign the authorization letter that says he is authorized to sign the title.

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

Motion carried 4-0. Chairman Forschler signed the title and will send it out priority mail.

Chairman Forschler said we typically would need three bids for this purchase but if we declare this an emergency, the need for bids is waived.

A motion was made by Chairman Forschler and seconded by Commissioner Shapiro to declare this an emergency purchase and the board waives the procurement policy due to the emergency aspect of replacing the emergency vehicle. Used vehicles are hard to come by. Northeast Ford in Millerton has a 2017 vehicle with 60,000 miles on it for \$33,985. If we decide we want to go this route, we can fund the difference between the two out of the general fund or out of the equipment purchase fund. If we decide on the equipment purchase fund, it would require a permissive referendum which would take 30 days. Chief Estes contacted several other car dealerships and there is nothing comparable out there. He was not sure if it comes with a warranty. Commissioner Tompkins said take the difference out of the general fund – it's only \$9,000. The commissioners agreed with taking the money out of the general fund, especially because there is not much in the way of used vehicles out there now.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins that the board authorize the purchase from Northeast Ford for the 2017 Ford Explorer as quoted for \$33,985 of which \$24,708 is compensation for the totaled vehicle with the balance taken from the general fund.

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

Motion carried 4-0.

Decon Vehicle – Chairman Forschler said it is not a matter of if I back a district vehicle into something else, it’s a matter of when. The commissioners need to be notified of an incident immediately when the call is done and Chairman Forschler better get a phone call informing him of what’s happened.

At a pump detail, someone needed to retrieve a pump and backed the mini pumper into the new decon vehicle leaving a minor dent of which Chairman Forschler had a picture. He said our choices are we can make a claim for \$2,326 which is an estimate from Matt’s, we can pay for the repair ourselves, or we can replace the lense and let it go. Commissioner Shapiro said you don’t put a claim in for \$2,326. Commissioner Tompkins suggested popping out the fender ourselves and putting the lense on. Chairman Forschler said to remove and replace the left fender panel, clear coat and restore is \$918 labor and \$1,100 parts and the lense is \$165. Commissioner Tompkins said let’s give it a try ourselves and if it doesn’t work, then we can pay for it. Let’s table this until we try to do it. Commissioner Shapiro said if we can’t do it ourselves, let’s self-pay. Why throw public money at this? Let’s replace the lense as the first step and then see if we can fix the dent so it is acceptable.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to authorize \$165 for Matt’s Auto Body to obtain the lense.

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

Motion carried 4-0. Chief Estes will call Matt’s to order the lense.

Public Comment:

Glenda Schwarze said she came to the meeting to hear the presentation about the firehouse.

A motion was made by Commissioner Fierro and seconded by Commissioner Tompkins to adjourn the meeting at 8:57 p.m.

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

Motion carried 4-0.

The next regular meeting of the Board of Commissioners will be held on Wednesday, May 11, 2022 at 7:00 p.m. at the firehouse.

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District

DRAFT