

EAST CLINTON FIRE DISTRICT

September 11, 2019

COMMISSIONERS MEETING – FINAL

Regular Meeting 7:30 p.m.

COMMISSIONERS IN ATTENDANCE:

Stephen Forschler, Chairman
Byron Calame
Michael DiGiacomio
Arthur Weiland (arrived 8:10 p.m.)

COMMISSIONERS ABSENT:

Robert Trzcinski

ALSO IN ATTENDANCE:

Robert Simon, Treasurer
James Passikoff, left at 8:00 p.m.

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

CORRESPONDENCE:

- State of NY Workers Comp Board dated 8/28/19 – payment rescinded – to Commissioner Trzcinski
- ShelterPoint dated September 3, 2019 – Accidental Death and Dismemberment Benefits Rider – to Commissioner Trzcinski
- NYS Department of Labor – Public Employee Health and Safety (PESH) – to Chairman Forschler
- 2019 Regional Manager’s Summit – Crisis Management – to Susan deHaan
- 2019 Annual PERMA Member Survey – to Commissioner Trzcinski
- LaGrange Professional Firefighters Annual Clay Shoot October 2, 2019 – To Chief Bathrick
- Summary Prospectus – First Eagle Global Fund and Flex Shares – to Commissioner Calame
- The Title for the 2009 Ford - No liens are recorded – A motion was made by Chairman Forschler and seconded by Commissioner Calame to authorize Chairman Forschler to sign the title to transfer the vehicle to Millerton Ford to complete our half of the contract to buy the new 38-1 vehicle.
 Commissioner DiGiacomio Aye
 Commissioner Calame Aye
 Chairman Forschler Aye
 Motion carried 3-0. Chairman Forschler will call Northeast to confirm where to sign then get the title out to them.

MINUTES:

A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio to accept the August 14, 2019 regular meeting minutes as amended.

Commissioner Calame Aye
Commissioner DiGiacomio Aye
Chairman Forschler Aye
Motion carried 3-0.

FINANCIALS:

Having reviewed the vouchers, a motion to pay the bills per the abstract dated as of August 30, 2019 was made by Chairman Forschler and seconded by Commissioner DiGiacomio.

Commissioner DiGiacomio Aye
Commissioner Calame Aye
Chairman Forschler Aye
Motion carried 3-0. Chairman Forschler said we reimburse for parade detail refreshments but we may want to look at that as it seems like it is a department activity.

A motion was made by Chairman Forschler and seconded by Commissioner Calame to accept the bank statement for the period ending on August 30, 2019 and in agreement with that noted on balance sheet as put forward by Mr. Passikoff with no exceptions.

Commissioner Calame Aye
Commissioner DiGiacomio Aye
Chairman Forschler Aye
Motion carried 3-0.

Independent Audit - was filed. Mr. Passikoff will send the secretary a pdf copy to file with the town and Mr. Passikoff will send to the state.

Transfers – At the last meeting, the board authorized the transfer of monies to the equipment purchase fund out of surplus and to the LOSAP fund out of surplus. Mr. Simon verified both of those transfers took place.

38-1 vehicle – Mr. Simon provided a report on the final expenditures as follows:

Approved cost	\$20,000.00
Cost of vehicle	\$10,836.00
Cost of lettering	\$ 1,250.00
Cost of lights, siren etc.	\$ 6,450.00
Cost of storage cabinet	\$ 106.00
Cost of radio installation	\$ 367.95 Voucher 2791
	\$ 990.05

Mr. Simon said the final expenditure was \$18,642 plus the cost of the radio installation on the voucher approved tonight. He will transfer that amount from the equipment purchase fund to the checking account.

Provisional budget – Chairman Forschler said a good budget was hammered out Friday evening at the budget workshop. There was a question as to whether we owe ourselves \$7,000 for the repair fund and Mr. Passikoff determined we did not. That would have affected the capital reserve fund contribution which would be at \$12,500. Mr. Passikoff said the building reserve fund is \$12,500 and the equipment fund is \$60,000. A few changes to the budget were discussed before tonight’s meeting. The first item is to allow the rescue squad to move from paper PCR’s to ePCR’s as this how the EMS world is transitioning. Mr. Simon and Ms. deHaan put in a proposal for the move to ePCR’s. The estimate of costs is as follows: \$1,500 to \$2,000 initial purchase fee for tablets and \$2,500 recurring annual charges. Commissioner Calame also suggested adding \$2,000 to technology for website maintenance. Chairman Forschler recommended adding \$6,000 to technology and modifying the building reserve allocation to \$65,000 so the technology line will go from \$3,000 to \$9,000. Mr. Passikoff will put it under computer technology. The building capital reserve fund is reduced to \$65,000. The budget decrease is still \$740 and the total tax levy is \$548,000.

A motion was made by Chairman Forschler and seconded by Commissioner Calame that this budget be submitted to the town: expense budget of \$548,185 of which \$548,035 will be collected by real estate taxes. This is a decrease from last year’s budget of .014 percent.

Commissioner Calame Aye
Commissioner DiGiacomio Aye
Chairman Forschler Aye

Motion carried 3-0. The budget must be filed with the town by September 23, 2019. Mr. Passikoff will send the copy that gets filed with the town to the secretary. The rescue squad can move forward with purchasing the equipment to transition to ePCR’s in 2020.

Budget hearing – will be held on October 15 from 7:00 to 8:00 p.m. The secretary will publish the legal notice in the paper and send to the district and town website and post on the bulletin board at the firehouse and post office. The board will adopt the budget at the October 16th board meeting.

Mr. Passikoff commented that the way we have to put in transfer information, it looks like the board spent \$135,000 more than you actually spent. He will have to adjust the formatting to show exactly what is there. It is a glitch with Quick books and there is no fix and no better program to use without spending considerably more money.

Welsh Sanitation – sent a contract for 36 months of service at \$145.60 per month. A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio authorizing Chairman Forschler to sign the contract on behalf of the board.

Commissioner Calame Aye
Commissioner DiGiacomio Aye
Chairman Forschler Aye
Motion carried 3-0.

FIRE POLICE: Tim Odell N/A

DEPARTMENT: Monthly calls: 6 Year to Date: 63 through 8/30/19

Car 1 – Don Estes

- Drill on 9/19 is extrication with EMS assistance, air bags and lift bags, using rescue jacks, and information on car fires.
- Several members will attend a fire behavior seminar on 10/28. The foam class last week was postponed.
- At the monthly meeting, members were reminded of the requirements for 2020 response which is drills, OSHA modules and physicals. There were a few members that had concerns they thought they had more points than what was recorded for LOSAP – he reviewed the sheets with them.
- 38-68 is being painted tomorrow. They took the air out of tires to get into the paint shop.
- Tomorrow new LED's will be attached to 38-38. LEDs are the most cost effective. We don't know how light came off and it was not replaceable.
- Cost of the paint job is part of the insurance claim.
- Perma – the meeting attended by Chairman Forschler and Chief Estes came out well, resulting in the district is doing everything right with policies, procedures, and overall training. There were very few suggestions, one being an on line safety class suggested by Chairman Forschler, and that a few policies need to be tightened up.

Car 2 – Jim Bathrick

- Received two four to five inch reducers - one is on 12 and one on 38.
- The fundraiser dinner this past Saturday was a good success.
- One member is participating in the class in West Clinton and is doing very well.
-

Car 3 – Kevin Russell – N/A

SUPPORT: Maryann Thompsett – N/A

-

RESCUE: Susan deHaan Monthly Calls: 12 Year to Date: 80 as of 8/30/19
Dispatches and responses

- The flow charts were distributed. One call does not show up as the patient was in the East Clinton district and moved himself to Pleasant Valley. There were several mutual aid calls.
- Chief Estes said there are some concerns with properties in town that use their property for large gatherings which needs to be addressed with the Town Board. Two calls came in one particular evening regarding one property.
- Classes are going well. There is a new EMT class at Bard in December and we may have a member interested. The rescue squad is growing and healthy.

- Sharon Frazier, the EMS coordinator at Mid Hudson Regional, contacted Ms. deHaan to invite her to attend the Mid Hudson Valley Veteran’s Conference which will talk about the needs of veterans and how to disseminate resources to veterans.

MEMBERSHIP: Ed Olson

- At the last meeting, two applications were submitted for background checks and both cleared – Deborah Pelligrini, EMT, and Cheyanne Leroy, taking the EMT class. A motion was made by Commissioner DiGiacomio and seconded by Chairman Forschler to accept Deborah Pelligrini as an active member and Cheyanne Leroy as a junior member into active membership.

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

Motion carried 4-0.

When asked, Chief Estes said Cheyanne can respond to calls but never alone and always under the guidance of a Senior EMT. She is 17 so is in effect a junior member and becomes an active member on her birthday.

- Mr. Olson said two applications came in at the company meeting and they will be turned in to the secretary for background checks. One was submitted to the secretary tonight.

SAFETY: Chairman Forschler

- The Safety Committee met on August 29th. There were no injuries and no close calls to discuss.
- The seat belt issue has been resolved.
- Chairman Forschler was required to take an advanced safety coordinator class and submitted his certificate to the secretary. He is waiting for communication for PERMA on what policies need to be updated.

The secretary read a thank you note that was handed to her by Susan deHaan thanking the rescue squad for a job well done on a recent call.

Public Relations – At the budget meeting on September 6, Jeanne Rebillard, Public Relations, came in for a discussion with the board in anticipation of having four referendums on the ballot in December. The board wants to effectively educate the department, members, and the public on how these referendums are beneficial for the taxpayers and what they mean. The board voted to have Jeanne Rebillard pursue this for a fee not to exceed \$2,500 and cover the cost of not more than two mailers under the line item of public information. Based on this, we need to set up some dates with Jeanne. The date she provided is the date of the drill so Chairman Forschler will communicate with her for some additional dates and will email the board members.

Insurance – Commissioner Trzcinski has been meeting with another insurance company and wants a representative of the company to come in and make a presentation to possibly save money on insurance costs for 2020. Chairman Forschler has no information. He will contact Commissioner Trzcinski and will try to set up some dates via email.

Town of Washington (TOW) – At the meeting between the TOW board and the district board representatives, there was discussion about the proposed amount that we requested for fire protection coverage for 2020. There is a wide disparity in the amount they are willing to pay and what we are asking for. There is a wide disparity in the amount they collect from the TOW residents that we provide coverage to and the amount we asked for. There is a wide disparity in the properties they thought we covered and the properties actually in our coverage district. Chairman Forschler ran this by Commissioner Trzcinski but has not received anything back yet. Chairman Forschler went parcel by parcel and put together a list of assessed values of those properties and he wants Commissioner Trzcinski to look it over. We agreed we had to get back together after looking at the properties, etc. Mary Alex called Chief Estes yesterday to review the list and tighten it up. He tried several times to call her back but she was out of the office. Chairman Forschler has the list and he will forward it to Chief Estes. Commissioner Calame said the basic issue is their tax rate vs. our tax rate. They are at 0.40 and we are at 1.59. Chairman Forschler said they were interested in annexation. With annexation, we could bring our tax rate down to 1.51 maintaining the current budget.

Election hours – The election is on December 10. A motion was made by Commissioner Calame and seconded by Commissioner Weiland that the polling be open from 4:00 p.m. to 9:00 p.m. on December 10 for the commissioner election and the voting on referendums. Commissioner Calame said we moved it up to 5:00 p.m. last year but he thinks it's too dark at that time of night in December and it will discourage older people who don't want to drive at night and with the referendums, the ballot will be a chunky document. We don't want a line of people if it's raining or cold out.

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

Motion carried 4-0. The secretary will contact the election inspectors.

Facilities committee update – Commissioner DiGiacomio said the Facilities Committee met on August 21st and had a good meeting discussing what is the tone and current needs and whether we can rehab this station or build something new. Discussion will continue. There is not a lot of agreement on the correct direction to go in but this is a work in progress.

Website updates – Mr. Simon said the minutes and P and L's are up to date on the website and the AUD will go on tomorrow. He said he will make the calendar more visible.

TEK Physicals – There are signup sheets for physicals that will take place on October 3 and October 19 here. A list of people was provided to TEK. If there is no chance of someone meeting active member requirements this year, they were removed from the list. Lisa provided a draft of a contract based on what was discussed at the last meeting and everyone has received a copy. They have available 24 7 drug and alcohol testing. Commissioner Calame commented that there were recently three return to duty exams and different services were billed for – will those three people be required to have another physical in October? Also, not on this list is return to duty physicals which would be based on need relative to why that person was not on activity duty for a period of time and the contract does not refer to the job description list. Chairman Forschler said we can add that as an addendum if we choose. Commissioner DiGiacomio said we previously discussed who was doing the physicals and talked about it having to be a doctor – does it have to say doctor in the contract? Chairman Forschler said as part of a physical, there are five or six stations, the final part is you get examined by a PA who works under the direction of a physician and has a consulting physician. Return to duty physicals have to be signed by a doctor and that is when she consults a physician. Commissioner Calame has two proposed additions to the TEK sample contract: (1) An appendix containing a list of the standard job classifications TEK uses and for each of these classifications, the appendix lists the things TEK examines/checks during the annual physical and (2) a sentence is added along these lines “TEK agrees to fully examine each ECFD member for the classification specified by the ECFD on the list of physical recipients it provides to TEK.” He suggested adding this sentence under “TEK will perform the following:” Commissioner Calame feels these proposed changes will make the contract more meaningful and it give us the ability to make sure we have some leverage to make sure they are doing what we need to have done. Chairman Forschler said relative to the first suggestion, the appendix, the list they supplied us was less than exhaustive and needs to be flushed out but we don’t want to get in the situation in current policy which is unenforceable. Lisa is the medical expert. There should be a happy medium on the list of physical abilities on what will be checked. Commissioner Calame said there are people that have some sense of what kind of mobility tests you need and physical strength you need to do various classifications which he thinks is different from this list. The list from Lisa talks about the classifications and duties we will assume these people perform under each classification. Commissioner Calame said he is talking about given the duties, there needs to be for each classification, what physical abilities are required. It’s basic. They need to commit to what they will check in the contract. Chairman Forschler said there is a list of tests performed similar to the list of fees. Commissioner DiGiacomio does not think the board should determine the test. We should determine what the person has to be able to do, i.e. lift 50 pounds, for each classification and let them figure out the test. Commissioner Calame agreed. Chairman Forschler asked how we find those requirements and Commissioner DiGiacomio suggested working this out with the chiefs. Chairman Forschler said such as interior needs to be able to have respiratory capacity to work under stress in full turn out gear, exterior needs to be able to work at a physical nature for up to a two hour time frame and lift periodically up to 100 pounds, an EMT needs to be able to lift up to 100 pounds and do chest

compressions for an extended period of time, and a driver needs to have mobility to be able to react in an appropriate fashion and in case of emergency have the physical strength to rack hose. Chief Estes said TEK should be the ones to determine if this person is capable and can meet the requirements for doing interior, exterior, etc. They do this for all sorts of companies then they get the liability, not us. TEK should provide guidelines for interior, exterior, etc. Commissioner Calame said if they will give us those guidelines, we can review them. TEK should provide the appropriate standards for each level. Commissioner Weiland said they will be testing pulmonary, EKG, etc. Many of these tests would be appropriate for everyone but then interior has the FIT test and needs to have the ability to pull someone out of building – it is an additional level of strength and endurance. He said generally, it looks like they are covering the important aspects of being able to be very energetic. Commissioner DiGiacomio agrees with Chief Estes – go with what everyone else is doing then we are covered. Commissioner Calame said TEK won't do more than they have to – it is our job to make sure there are ways to hold them responsible. He suggested the board should wait for Commissioner Trzcinski as he has been very involved in this and said we can go without a contract through the upcoming physical period and make sure we do this right. Chairman Forschler said we have operated for a number of years without a contract and people are due for physicals to meet our yearly requirements. He said he is comfortable continuing to operate for the time being without a contract but he does think Commissioner Trzcinski was adamant about having a contract in place. Commissioner Weiland said if Commissioner Trzcinski saw this list with the tests that are being done, it seems the people being looked at by TEK are in good shape. Chairman Forschler asked the board if we want them to do a drug and alcohol screening as part of the physical or randomly down the road – he thinks random and not part of the physical. Commissioner Calame agreed with that. The board's consensus is to continue to work on a contract and Chairman Forschler will talk to Lisa about her descriptions and the four classifications, and will let her know no drug and alcohol screening as part of the physical and we will set up on a random basis throughout 2020. This will be tabled if everyone is comfortable going forward. There were no strong objections. Chairman Forschler thinks we should discuss an indemnification clause with Rod who is out of the country at this time. Commissioner Calame said the description that Lisa provided us of duties that relate to classifications should be our ball game. We should do the description of duties for each classification and give them to Lisa. For instance, scene support she views as someone not required to perform hose duties but that is definitely part of our policy to roll and rack hose. Chairman Forschler said this communication was prior to him sending her that communication. He will let Lisa know there will be no drug or alcohol testing at the physicals and he will run some classifications by Chief Estes and then by Lisa. He said we can do a drug and alcohol test as part of the initial physical. Before someone is accepted as a member, do you want a drug test? Board members agreed to a drug and alcohol test prior to someone being accepted as a member. Commissioner Calame proposed that the board should see the definition of duties before they are locked in. Chairman Forschler said he will communicate via email.

Fourth referendum – Chairman Forschler asked the board do we move forward with a statement that we intend to maintain the defined benefit payment at \$20? Commissioner Calame said he does not see how you do that in a way that you don't run the risk of opening up a can of worms. If you start affirming one thing and unaffirming something else, it looks tricky. He feels the \$20 should be preserved. It's always possible to take it to a referendum at any time, not necessarily in December. Chairman Forschler said with the effort we are undertaking to educate the public, he thinks it could be communicated effectively enough that people will understand this is an effort to keep LOSAP costs from increasing. Commissioner Calame agreed and said that will help to sell the capital improvement reserve fund. Anything that says the board is trying to be careful will get people's trust on the reserve fund. Chairman Forschler agrees and said that and the fact that it's not going to be challenged down the road as there is no potential for legal action, we ought to just get it done. His perspective is it demonstrates to the public in a tangible way that we are trying to control costs. The motions for the capital improvement reserve fund, equipment reserve fund, and the maintenance of the defined benefit at \$20 will be done in October when Mr. MacLeod is here. Commissioner Calame asked how do we deal with the defined contribution plan and the defined benefit plan? We have to make some changes in the resolution we have already approved. There was no coordination with Penflex before we voted on a resolution. Mr. MacLeod said previously he agrees something must be done to make sure the defined benefit plan doesn't stay open so new members can join. The language is in the defined benefit plan right now to allow that. Mr. MacLeod has pointed out the dangers of having two referendums – one closing the defined benefit plan and one opening up the defined contribution plan. Ed Holihan said it needs to be done in one resolution so the public doesn't vote two ways. There is the question on whether you need a referendum. Mr. MacLeod has said he thinks it can be done with a vote. Commissioner Calame said this was approved by the public so any changes should require public approval and Ed Holihan said it absolutely must be done via referendum. We want Mr. MacLeod or Mr. Holihan to tinker with the existing resolution and present it so it takes care of the defined benefit plan and closes it down so it doesn't leave us open to arguments with new people. Chairman Forschler said Commissioner Calame should contact Mr. Holihan so he can prepare the proper verbiage and then work with Mr. MacLeod. Chairman Forschler will contact Mr. MacLeod on the referendums. Commissioner DiGiacomio asked if having too many referendums on the ballot in December overwhelming to the public and should we just take the high points? Chairman Forschler said his opinion is they are all high points. That's why the education process is so important. This information has to be to the board by the October meeting. Commissioner Calame said Mr. MacLeod needs to be informed that the board needs the motions at least 48 hours in advance of the meeting. He said the defined contribution plan will not be approved by the state unless Ed Holihan approves it. Mr. Holihan quoted us a fee of \$2,000 to do everything. We went with Mr. MacLeod to do the drafting so Commissioner Calame thinks \$500 or \$750 should be sufficient for Mr. Holihan to work with the existing motion. A motion was made by Commissioner Calame and seconded by Chairman Forschler to authorize up to \$1,000 for Ed Holihan to work with the existing motion and Mr. MacLeod to get the verbiage correct.

Commissioner Calame Aye
Commissioner DiGiacomio Aye
Commissioner Weiland Aye
Chairman Forschler Aye
Motion carried 4-0.

Public Comment:

- Samantha Smith, who has been a member for about a year, requested an educational leave of absence for one year to consider a medic program. A motion was made by Chairman Forschler and seconded by Commissioner DiGiacomio to grant an educational leave of absence for one year to Samantha Smith. She would come back in without having to be re-vetted.

Commissioner Weiland Aye
Commissioner DiGiacomio Aye
Commissioner Calame Aye
Chairman Forschler Aye
Motion carried 4-0.

- Tony Irkliewskij asked how the board will inform people about the referendums. Chairman Forschler said by mailings, a sheet here for the vote, and education for the department. Mr. Irkliewskij suggested having informational brochures available the night of the vote and an explanation of the ballot. He also suggested posting information about the vote on the website.
- Chief Estes said he totally agrees with the board's revamping of LOSAP awards to remove the social aspect of awarding of points. Our standard is to have people make the requirements necessary to go to calls and training and drills. There is one aspect that was removed which he disagrees with and that is the awarding of points to members who take line officer positions, not social positions, but the positions of chief, captain, lieutenant. They should be pointable aspects and should be reinstated for points for positions held. If anyone in any of those positions actually needed those points to make their 50 points, they should be kicked out of office anyway but it is an incentive. He asked the board to please reinstate points for line officer, captain, chief, deputy chief, lieutenant, a position in EMS, a captain in support. These are the people who do the work, and arrange training and drills. At the end of the year, he determines whether the officers have earned those points and he has been known to not give the points because they did not do their job as expected. Commissioner DiGiacomio asked if the points were incentive to take the position. Chief Estes said you are looking at the responsibility and liability of taking a position. It's a lot like joining the district. You don't join for the points but it's incentive to join. He thinks it's incentive to take those

positions of responsibility. Ninety percent of who does those jobs will get their points on calls. Chairman Forschler said he has added this to the October agenda.

- Mr. Simon asked if someone going out on an education leave of absence should be required to turn in their gear. Chief Estes said yes, all gear will have to be returned. She is rescue squad and fire. Chairman Forschler directed Susan deHaan to make that contact.

A motion was made by Commissioner DiGiacomio and seconded by Commissioner Weiland to adjourn at 9:20 p.m.

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

Motion carried 4-0.

The next regular meeting of the Board of Commissioners will be held on Wednesday, October 16, 2019 at 7:30 p.m.

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District