

EAST CLINTON FIRE DISTRICT

February 12, 2020

COMMISSIONERS MEETING – FINAL

Regular Meeting 7:00

COMMISSIONERS IN ATTENDANCE:

Stephen Forschler, Chairman
Russell Tompkins
Robert Trzcinski

COMMISSIONERS ABSENT:

Michael DiGiacomio

ALSO IN ATTENDANCE:

Robert Simon, Treasurer
Rod MacLeod, Attorney, arrived at 7:30 p.m.

Chairman Forschler called the meeting to order at 7:00 p.m. and explained to the public the process of reviewing the Vouchers and Financials.

CORRESPONDENCE:

- Special offer from Orkin – to Mr. Simon
- ShelterPoint Benefit Posting Notices – to Commissioner Trzcinski
- Booklets on the new insurance were given to Chief Estes

MINUTES:

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to accept the January 15, 2020 re-organizational meeting minutes as written.

Commissioner Tompkins	Aye
Commissioner Trzcinski	Aye
Chairman Forschler	Aye

Motion carried 3-0.

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to accept the January 15, 2020 regular meeting minutes as amended.

Commissioner Tompkins	Aye
Commissioner Trzcinski	Aye
Chairman Forschler	Aye

Motion carried 3-0.

FINANCIALS:

Having reviewed the vouchers, a motion to pay the bills per the two abstracts dated as of January 31, 2020 was made by Chairman Forschler and seconded by Commissioner Trzcinski.

Commissioner Tompkins	Aye
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Commissioner Trzcinski Aye
Chairman Forschler Aye
Motion carried 3-0.

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to accept the bank statement for the period ending on January 31, 2020 and in agreement with that noted on the balance sheet as put forward by Mr. Passikoff with no exceptions. It was noted that a transfer of \$60,000 will be made from the general fund savings to the general fund checking.

Commissioner Tompkins Aye
Commissioner Trzcinski Aye
Chairman Forschler Aye
Motion carried 3-0.

AUD update – Mr. Simon said he took what information he could out of the 2018 audit for the 2019 audit but he is still missing some information. He has an appointment with Mr. Passikoff next week. The AUD should be done and submitted next week. Chairman Forschler reminded him that the AUD needs to be filed or an extension requested by February 28th.

Independent audit – Mr. Simon asked the person who did the audit last year for a checklist of everything we need to do so we can get the audit done by June 30th. She gave him a time line which he will forward to Chairman Forschler tonight.

RBC Wealth Management – A new Certificate of Investment Powers form needs to be signed by the new LOSAP liaison and the chair. This is to allow RBC to communicate to Commissioner Trzcinski now since Barney Calame resigned and is the standard form that gets signed every year giving RBC authority to conduct business.

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to grant Chairman Forschler and Commissioner Trzcinski the authority to sign this form.

Commissioner Tompkins Aye
Commissioner Trzcinski Aye
Chairman Forschler Aye
Motion carried 3-0.

Sample Investment Policy – Commissioner Trzcinski said the changes are primarily a 5% direction to the investment firm where it was previously 6%. It is a conservative investment portfolio so we are not overly extended in equities but do have presence there. He has talked with RBC on it. Everyone seems to be comfortable with the content of this document. It spells out types and percentages of investments.

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to adopt the investment policy and to authorize Chairman Forschler to sign it on behalf of the board.

Commissioner Tompkins Aye
Commissioner Trzcinski Aye
Chairman Forschler Aye
Motion carried 3-0.

Vacant seat – Chairman Forschler read the resignation letter dated January 13, 2020 submitted by Barney Calame. A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to accept the resignation letter from Barney Calame dated 1/13/2020. Commissioner Trzcinski thanked Mr. Calame for his service.

Commissioner Tompkins	Aye
Commissioner Trzcinski	Aye
Chairman Forschler	Aye

Motion carried 3-0.

Chairman Forschler noted that Mr. Calame greatly increased everyone’s understanding of LOSAP and how it functions. Due to his hard work , we are in a much better situation now in our understanding of LOSAP and the financial strength of the fund. We are at 100% funding. Mr. Calame also did a great deal of work to maintain the membership roster in a fashion that is financially advantageous to the citizens of the district. We thank him for his two years of service.

As far as the vacant seat, Chairman Forschler recommends the opening be posted on the website. The requirements are the applicants have to be a resident of the district and a registered voter. Interested residents should submit a letter of interest on or before the March 11th meeting. We can set a special meeting date to do the interviews which will be done in executive session. Mr. Tompkins will forward the notice to Raymon Oberly, Supervisor of the Town of Clinton, to put in the Clinton news. The board can appoint anyone they choose. If the person desires to finish out Mr. Calame’s open seat, they would have to run on the ballot in the December election where he/she would be elected to complete the term. Commissioner Trzcinski said after the Town of Clinton’s Town Board March meeting, he will announce the opening on the video. The notice will be posted on the district and town website and be forwarded to Mr. Oberly for posting in the town news.

Dutchess EMS – A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to authorize Mr. Simon to put the Dutchess EMS Workforce Shortage document on the website.

Commissioner Tompkins	Aye
Commissioner Trzcinski	Aye
Chairman Forschler	Aye

Motion carried 3-0.

ISO ratings of residences: Commissioner Trzcinski said his first understanding was that mutual aid would cover the ISO ratings for residents but that is not true. Commissioner Trzcinski spoke with Dave Alfonso and an intermunicipal agreement is required. Mr. Alfonso has been in contact and is meeting with ISO folks and also with their legal team at 911 to update the mutual aid agreement which is local between fire districts and 911. The agreement will have to go up to the legislature for approval. This is in process and solidifies in a trustworthy, reliable way for mutual aid for fire. Mr. Alfonso said this definitely should and can affect the ISO ratings to the better and reduce the 10 rating for our northern residents. Insurance companies do not have

to reduce it. It is between the resident and the insurance company. If your insurance company does not want to reduce your rating, you would have to live with it or change insurance companies. It has the potential to work in favor of the people in the northern section of the district and has the potential to work for Town of Washington residents. It is for mutual aid for fire, not EMS. The county legislature still needs to pass this.

Financials – Mr. Simon said he can handle the GASB and will confer with Mr. Passikoff.

FIRE POLICE: Tim Odell – Not present.

DEPARTMENT:

Car 1 – Don Estes – Monthly Calls: 6 Year to Date: 6

The drill will be Tuesday, February 18th and is the second drill of the year. We will do two modules and a lot of instant command review and extrication with a twist.

There are 24 drills scheduled for each year. There is an EMS drill every month and that includes not just EMS people but people assisting at scenes. We have a solid turnout now of firefighters and other folks helping with the ambulance. EMS drills also cover OSHA safety standards. With 24 drills scheduled for the year, there should be no reason why everyone does not make their required 6 drills.

There is an EVOC class in Stanford on March 14 and 15. One member is attending and we are looking for other members, potential drivers, who will attend.

The district gear inventory is underway.

The flow test for SCBA is in April. We are checking the number of Scott Packs we need.

Forestry gear will be ordered in March and should arrive in April. The gear will be issued to interior and exterior firefighters – people who will actually be doing that type of activity.

Apparatus cleaning – The date for the annual dinner has not been set yet. The elections are the 9th. He suggested setting the date for the inspection for April 4th. Every Friday during the fish fry, people who are not working the fish fry are working the bays and doing apparatus. This starts the end of February so every Friday there will be work detail cleaning apparatus and bays.

Car 2 – Jim Bathrick – not here.

Car 3 – Kevin Russell

It is time for NYS inspections on the rigs. Some are due next month. 38 tanker and 38 63 need oil changes this year. 12 was done last year.

We are in the process of doing driver pump recertification.

Commissioner Trzcinski said he needs to talk with Kevin regarding the rehab unit. He said it's not the building, it's the truck that is making the GFI blow out. Mr. Russell said he doesn't see a problem. Everything that is plugged in is GFI.

Kevin bought three radios.

SUPPORT: Not present.

EMS - Mr. Simon for Ms. deHaan who is at a triage class.

Monthly Calls: 14 with two ems fire assists for total 16 Year to Date: 16

The EMS drill on February 27th will be CPR related scenarios.

Mr. Simon and Ms. deHaan will teach a CPR class for the company on February 22 from 9 to 1. It will be BLS level rather than heart saver.

We should be up and running with ESO by mid-March. We still need to get CADS which is another \$2,000.

MEMBERSHIP: Ed Olson – Not present. No new membership. Going forward, the board would like to meet new members at a board meeting.

SAFETY: Chairman Forschler will line up the quarterly meeting for later this month.

LOSAP – Commissioner Trzcinski updated the board on the filing for the defined contribution plan. He has spoken to Ed Holihan who is on board in a positive mode. He has presented the package to NYS and does not expect kick back. Mr. Holihan has asked Commissioner Trzcinski to send him the post card and documents we left with Carol Mackin and the supporting documents that include the NYS requirements. Mr. Holihan said if he gets challenged on it, he will use this information. Mr. MacLeod said what OSC is deciding is whether or not they will administer the program, not if its legal or enforceable. If they decide not to administer the program, there are other choices. The Tier Two LOSAP is in effect as of January 1st. Commissioner Trzcinski said any member that came in in 2019 that did not meet the qualifications of the old LOSAP plan defaults to the new LOSAP plan. If they didn't meet the

qualifications, they were not a member or participant in the old plan. According to Mr. Holihan, they needed to make one year of the 50 points which gets them started in the plan. If they did not do that in 2019, they don't go into the old plan, they go into the new plan. That is a Penflex decision. Penflex will start them in the new plan. Mr. MacLeod said he believes that is correct. If there are members who did not make their 50 points in 2017, 2018, or 2019, they need to get a notification letter that they are Tier Two participants.

The 2019 listing was posted on the board on January 16 and has to be posted for 30 days. The board will hold a special meeting on Monday, February 17 at 7:00 p.m. to vote on certifying the 2019 LOSAP points. The notice will be posted on the district website, sent to the town clerk for posting on the town's website, and posted on the bulletin boards at the firehouse and post office.

A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski that the board retire to executive session at 7:47 p.m. to discuss the specifics of the disability LOSAP situation.

Commissioner Tompkins	Aye
Commissioner Trzcinski	Aye
Chairman Forschler	Aye

Motion carried 3-0.

A motion was made by Commissioner Trzcinski and seconded by Chairman Forschler that the board return to public session at 8:10 p.m.

Commissioner Tompkins	Aye
Commissioner Trzcinski	Aye
Chairman Forschler	Aye

Motion carried 3-0.

Insurance – Commissioner Trzcinski said values were assigned to the vehicles and he read them.

Cancer Insurance - Commissioner Trzcinski said his feeling is we should not rush into this. He is not comfortable recommending anything to board at this time. When this first came up, we voted to self-insure because no one was eligible. Under number 7, if a firefighter does not have a total disability as defined in GML, they would have to be totally incapacitated from the cancer for insurance to pay out. Mr. MacLeod looked at number 2 regarding the physical examination. Linda says you can use a physical from any time. It is the insurance company that makes the determination as to whether the firefighter is eligible. If the department says someone is entitled to be covered and the insurance company looks at all the criteria and says no, will we get the premium back for covering him? That's a problem. Chairman Forschler said right now, we have qualified interior firefighters who have passed the physical. Will a firefighter be covered 10 years down the road? Mr. MacLeod said you enroll the people you have now. It is documentation for this person so that in 10 years when you make a claim on his

behalf, he's covered. If they meet the five years and leave, they have to be covered for five years after they left so the district has to pay the premium. Commissioner Trzcinski said the way this is written, the district can say this is what we want to do, and the insurance company can say no. If we self-insure, in a worst case scenario, someone dies and the most exposure you have is \$152,000 if you pay 100% of all the benefits. There are three different sections of coverage: death, sickness, treatment. The cumulative maximum is \$152,000. Each section has its own value. The insurance is \$140 a year. Linda said they would not extend coverage to exterior firefighters. The law states as long as you were an interior for a cumulative five years. We have five people at five years. Chairman Forschler said to meet the letter of the law, to spend as little as \$700 a year to preclude a potential \$152,000 a year claim, is a cheap insurance. Commissioner Trzcinski said if this is for any firefighters who meet the 5 years requirement and were active through 2019, it could be another four people which is 9 x \$137 with two additional people right around the corner. The law became effective on January 1, 2019. Commissioner Trzcinski will continue to work on this and the board will revisit in a month or two. Mr. MacLeod suggested looking at the Association of Fire Districts of the State of New York for additional covering insurance companies.

Accident and Sickness Insurance – Mr. MacLeod said this is a benefit the district can offer. Linda said it's part of the package. It covers death in the line of duty. Everyone in the company should complete a beneficiary form. If they don't have a form on file, the state will decide where the money goes. The forms went to Chairman Forschler to distribute.

District policies – The board is looking to Mr. MacLeod to come in once a month with an updated policy. Mr. MacLeod said he has three coming to the board and then he will start regularly updating policies. He will have one policy out to the board before next month's meeting.

Board of Elections use of facility – The district does not want the Board of Elections to use the firehouse as a polling place. Mr. MacLeod said at some point in March, the Board of Elections will make public a list of election polling places in the county. They use the list from last year. If you are on the list, you have 30 days to object at which time someone will contact you and ask why you are objecting and they may agree to drop you as a polling place or not. Mr. MacLeod's suggestion is to send a letter to both the republican and democratic commissioners of the Board of Elections now before the list comes out and make your case which includes staffing, this is a volunteer organization, inadequate facilities, the bays, the rest rooms and meeting room are not handicapped accessible, fumes, and the safety issues of getting out onto Salt Point Turnpike and if there is a call, the responders will have to maneuver around traffic. You can add that the purpose of the building is a fire house and to allow elections would compromise the building's purpose. Chairman Forschler will draft a letter.

Communications from Town of Clinton Planning Board – SEQRA review of 600 Clinton Hollow Road – Chief Estes reviewed and said the Fire District has no comment.

Emergency one – Chairman Forschler did not get a contract from TEK. This will be on next month's agenda.

Active member reinstatement policy – Chairman Forschler said we have defined what it means to be active and have had long discussions on what it means to maintain active membership as a firefighter. We have not, with one exception, defined what it means if a person does not meet those qualifications and if there is any means for that person to re-attain active membership. We did state if you fall short of two drills or modules, you can make them up in the two months of the next year and that those two modules do not count towards the current year. You have to pass a physical to be an active member. If you fail a physical, you have an opportunity to get with your personal doctor then go get another physical from the district physician with a letter from your personal physician to the district physician. A district physician does the reinstatement physical. If an incident occurred at the fire house, that person would need a return to duty physical. We did not address if someone fails to make 5% of the responses so have not provided a remedy for that. This person has met their criteria to respond so is covered with their physical and OSHA. The ones who didn't make their drills are not covered with OSHA so they can't respond. This is someone who did not make the minimum calls but they can respond by the chief's standards with regard to OSHA. Chairman Forschler suggested keeping this on the two month time span – you need to improve your call response during those two months, the same time frame allowed for the correction on drills and modules. This includes fire and EMS calls. EMS drills have been added each month so members can learn how to help at EMS calls. A person would have to maintain a 10% response level over those two months. If someone misses more than two drills or modules, then they would have to re-apply or at the board's discretion, could be granted a leave of absence. Mr. MacLeod said in his district, if someone does not meet the requirements, you become social or you leave. They would then have to re-apply as a new member. You can only re-apply three times.

Chairman Forschler said to reiterate, if you miss 2 drills or modules, you have 2 months to make them up in the following year. If you miss making 5% of calls and you've met the other requirements, you have 2 months to make 10% of the calls. If you are more than 2 drills short, you have to re-apply. If you can't be an active member because you didn't pass the physical, you need to get into the situation where you can pass the fire department physical. Mr. MacLeod added if you don't get your physical within two months of the end of October, then you are terminated, not a member anymore. If there are extenuating circumstances, talk to the chief. If you don't have your physical by October 31st, you can't respond and are not an active member. Get the physical by the end of December or you are terminated. It is the chief's discretion to control the scene and drivers.

Camera System – Mr. Simon said they are putting a camera in the meeting room. It is for sexual harassment/workplace violence mitigation. Only one camera is needed – it will see everyone in the room and anyone entering is covered by the outside camera.

Bill Baldwin and Arthur Weiland are the resident members of the facilities committee. We have tasked Commissioner DiGiacomo with setting up those meetings. Chairman Forschler will follow up with him.

Commissioner Trzcinski handed the new insurance cards, effective March 1, 2020, for all the vehicles to the secretary who will copy each card and then get them to the chief.

Public comment - None

Adjourn

A motion was made by Chairman Forschler and seconded by Commissioner Tompkins to adjourn the meeting at 9:03 p.m.

Commissioner Tompkins Aye

Commissioner Trzcinski Aye

Chairman Forschler Aye

Motion carried 3-0.

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

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District