

EAST CLINTON FIRE DISTRICT
June 13, 2018

COMMISSIONERS MEETING – FINAL
Regular Meeting 7:30 PM

COMMISSIONERS IN ATTENDANCE:

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

ALSO IN ATTENDANCE:

Robert MacLeod, Attorney for the District
Robert Simon, Treasurer
James Passikoff, Accountant (Left at 8:30 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. Shelter Point Benefit Reminder dated May 11, 2018 – to Commissioner Trzcinski

MINUTES:

Motion to accept the May 16, 2018 regular meeting minutes as corrected by Commissioner Trzcinski and seconded by Commissioner Russell.

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

Motion carried 5-0

FINANCIALS:

Having reviewed the vouchers, a motion to pay the bills per the abstract dated as of June 30, 2018 with addition of checks 2403 for \$79.05, 2404 for \$187.06 and 2405 for \$366.75 made by Commissioner Trzcinski and seconded by Commissioner Calame.

Check no. 2401 is now \$15,277.21 because the Board opted to pay Utica National Insurance one time instead of monthly. Is there a charge to pay 12 times a year as opposed to once? Commissioner Trzcinski will find out. Commissioner Trzcinski referred to check number 2399

for \$625. He has no issue with the check but the policy needs to be addressed. Per page 22 of the policy book, if one of the members conducts business, it's fine until we hit \$750 in one year then it comes up against prohibition of financial interest. Commissioner Trzcinski said that amount needs to be increased. There was some discussion.

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

Motion carried 4-0-1. Commissioner Weiland abstained because he did not have a chance to review the vouchers.

Motion to accept the bank statement for the period ending on May 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 Calame.

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

Motion carried 4-0-1. Commissioner Weiland abstained because he did not have a chance to review the vouchers

A motion was made by Commissioner Trzcinski and seconded by Commissioner Russell to modify the policy on page 22 of the current policy book, Prohibition of financial interest, from \$750 to \$3,000.

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

Motion carried 5-0.

Audit – Commissioner Weiland said the letters were ready to go out May 24 but he has not heard from Mr. Eglit. Mr. Passikoff said he gave Mr. Eglit the confirmation letters on May 24 which included one to each of the five commissioners. The commissioners should receive their letters by June 30th. Mr. Passikoff thinks we can file without the LOSAP information if we are able to file on June 30th but Chairman Forschler thought it would be better to file late with the LOSAP and Mr. Passikoff and Commissioner Calame agreed that makes more sense. There was some discussion regarding the footnote. Mr. Passikoff said the state looks at the footnote to make sure the programs are funded. The statement from Penflex is submitted to the auditor but Penflex does not audit. It would cost \$25,000 to \$30,000 to audit the LOSAP program so they want the auditors to guarantee they will have the money. The auditor would agree the balance in the Penflex account is the same as RBC. Mr. Passikoff said as soon as the report is received from Penflex, the push should be on to get the audit filed.

Generator – Mr. Passikoff said the resolution for the permissive referendum for the generator was for \$40,000 and the cost is at less than \$25,000. Some of this was paid last year and money was moved from building to reserve to pay another \$4,000. Stephanie Bonk, in the audience and a former commissioner, said the \$40,000 was supposed to include the electric and propane. After discussion, it was decided the Crown bill needs to be examined to see if there is a breakdown for the charges for the generator.

LOSAP – Mr. Simon informed the Board that Paychex is charging \$110 to cut a check to pay the Secretary for the LOSAP administration which is sometimes more than the actual amount submitted. After some discussion, the consensus of the Board and agreed to by the Secretary was the total hours for the remainder of 2018 will be submitted at the December meeting for a one-time payment. Commissioner Trzcinski said we still need to see a line item for the cost of LOSAP administration. Mr. Passikoff will split it out in the salary section. Commissioner Calame questioned why the Penflex payment is separate and not included in the cost of running the LOSAP program and Mr. Passikoff said investment costs are part of the investment account. Other fire districts pay administration fees separately as well.

FIRE POLICE: Tim Odell n/a

DEPARTMENT: Monthly calls: 13 Year to Date: 55

Car 1 - Don Estes

- There was a structure fire on Tobin Drive – Four companies provided mutual aid and the structure was saved. It was a good job by the whole team.
- 2018 ECFD District Requirements to Respond document was distributed to the Board. Chief Estes suggested all members understand what this indicates. The basis of active membership is an annual physical and OSHA – OSHA and drills are put together. A member cannot be on a fire scene who has not completed OSHA or who has not had a physical. Chief Estes highly encourages the Board to reach an agreement on how to go forward to all members with this information. Chairman Forschler suggested sending a letter. Chief Estes said it has to be clear to members that they need the physical and OSHA no matter what level member they are. It is a liability to the district if a member does not have the physical and OSHA.
- 18 members are certified on Narcan as a result of a class held here.
- Chief Estes has contacted the chief and deputy chief of West Clinton and will be reviewing mutual aid plans and doing training together.
- Chief Estes has contacted the county three times about getting CAD reports and three times has not received CAD reports. He called the county coordinator and still has not received them. He will meet with West Clinton and discuss the concerns.

- Drill is tomorrow night (Thursday, June 14) – OSHA will include SCBA and rehab. Radio procedures will be covered and the EMS team will help firefighters who assist on EMS calls with ambulance familiarization including the different equipment.
- Bailout is almost completed. We will be making first jump as of July 1st.
- The guys are doing a lot of work on inventory and re-organizing. There has been a good turnout for all work details.
- Chief Estes asked for permission to take the tanker to the training center as part of Firefighter 2 on June 26th. They will have a live burn and need the apparatus. The tanker will be out of service for a couple of hours. There were no objections.
- OSHA training – they are doing the three modules that must be completed – sexual harassment, blood borne pathogens, and workplace violence. Chief Estes secured the workplace violence video on eBay. He can purchase the two modules for blood borne pathogens and sexual harassment for \$125 each, a total of \$250. He said we are savings hundreds of dollars by doing OSHA in house.

A motion was made by Commissioner Calame and seconded by Commissioner Weiland to approve up to \$300 for the purchase of training videos for sexual harassment and blood borne pathogens.

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

Motion carried 5-0.

There was some discussion about tracking OSHA hours. Chief Estes said he encourages members to continue OSHA even when they have met the requirement, but the hours are tracked with run sheets which document what and how much time is covered for OSHA. Members who are going out on calls now have met the 2018 requirements. 2018 training is qualifying people for 2019. If someone is unable to make the drills, Chief Estes offers the same training on a Saturday or whenever they have to to make it work. There are the DVD's that members can watch and same practices at work are accepted .

- Commissioner Weiland asked if there has been any coordination with West Clinton and Pleasant Valley as far as insurance companies wanting a written statement or coordination.
- Status of obsolete equipment – the jaws were sold. Chairman Forschler will contact Jim Ruffell about the other items.
- Commissioner Trzcinski said the fire police need to file with the town in proper form once in their career.
- No one knows how to get into the security system – Bob Simon should look through some old bills to see who to contact.

Car 2 - Jim Bathrick

- The trailer is at Matt's Auto Body and is almost done – they will put black paint over the stickers. Should be back the end of this week or next week. We will need tires for that trailer but may be able to take from another trailer.
- CO2 is on order.
- Drivers list – We have CPR cards.
- Inventory – Quick call sheets need to be turned into Bob Simon who is making progress on the inventory. A quick call is when someone comes in on a Monday night and verifies equipment – there is an inventory list as part of that.

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Car 3 – Jim Ruffell Sr. - n/a

SUPPORT: Lynn Estes

- The generator on the support vehicle is still cutting out. Hopewell came in and looked at it. It cannot be put on a sliding tray to bring it out for cooling purposes. At the structure fire, it cut out and they could not get it going. This has been sent to Schreck and Camper's World for repair and they think it's a problem with the sensor. Chief Estes will make the arrangements to have this taken back since it is not fixed. He will need to see both invoices to see what was done

RESCUE: Chairman Forschler Monthly Calls: 10 Year to Date: 52

- There were 10 dispatches within the district and 10 ambulance responses so 100% response. We did not get out on two mutual aid calls to Stanford.
- We are considering doing a stop the bleed program teaching people to direct pressure and how to pack wounds and how to apply tourniquets. Chairman Forschler displayed a simulator donated by Simulades in Saugerties which is a wound pack trainer. Training places and times should be posted on the website.
- Safety – We need to get the meeting organized in June. Chairman Forschler needs to contact Perma who will come down.

MEMBERSHIP: n/a

OLD BUSINESS:

Town of Washington Contact - Chairman Forschler sent a letter to Gary Ciferri stating the contract TOW returned will not be signed and the Board wants TOW to sign the contact sent last year. If the terms of the contract sent by the District in late 2017 are not acceptable to the town, the District will return the \$2500 payment for 2018 and instruct the District officers to make the necessary changes with Dutchess 911 dispatch resulting from the termination of the fire protection agreement.

Bean store – Chairman Forschler called Theron Tompkins who is not willing to make any decisions near a county road so this issue has been referred to a county representative who will look at it within the next few weeks understanding that parking in front of the building is a problem and getting apparatus through the parked vehicles is a problem. He suggested making a no thoroughfare fire zone. Chairman Forschler has not heard back yet.

Copier update – Commissioner Trzcinski has no update – this will be put on the July agenda. There was some discussion about the need for such a big copier. Commissioner Trzcinski said before we change the copier, we need to know what it is being used for so a code will be assigned to everyone who uses the copier and then we can review solutions.

Cancer insurance – Commissioner Trzcinski attended a Perma conference. If a member was an interior firefighter years ago and satisfied the five-year requirement and is still an active firefighter, the district is mandated to cover them. They are still working on how to prove this. After a member leaves fire service, districts have to cover them for five additional years after which the individual can take up the expense of the cancer gap insurance. The insurance companies are still in flux with the rules and regulations. Mr. MacLeod said the law says what the District need to provide as a minimum. Practically speaking, an exterior firefighter could breathe in the same or more than the interior guy. If the exterior guy gets cancer, he wants to know where his coverage is and says the District discriminated against him. Commissioner Trzcinski said the Board as well as the Company can pay for members who are not interior. Mr. MacLeod said the Board may want to consider covering all members. Commissioner Trzcinski said it is the insurance carriers who are doing the exclusion – they won't cover all members under the normal rate – it would be at a higher rate. This is a cancer gap insurance and is a complex coverage.

Furnace – is coming in August.

NEW BUSINESS:

District website – Commissioner Trzcinski said it is difficult to find information and offered his help to Bob Simon to develop a map of the website. Mr. Simon would like to keep it simple.

Maintenance of Systems – Commissioner Trzcinski said the treasurer's and secretary's computers are set up for auto back up on Sundays. The Chief's computer needs to be kept up also. This will be on the agenda for July.

Architect – A motion was made by Commissioner Calame and seconded by Commissioner Weiland that the Board send a letter to Michael McCormack of Liscum McCormack and

VanVoorhis and authorize Chairman Forschler to sign as follows: "Sent on behalf of the Board of the East Clinton Fire District, this letter is to remind your firm that no work is to be done on a new firehouse without the Board's advance written authorization".

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

Motion carried 5-0.

Excels easy systems ID card and fingerprinting system needs to be declared obsolete. A motion was made by Chairman Forschler and seconded by Commissioner Trzcinski to declare this piece of equipment in excess and obsolete and surplus with the intention of selling.

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

Motion carried 5-0.

The pit – Theron Tompkins was going to get a back hoe here and get some fill. Chief Estes said if Theron would leave the vehicle here, we have two certified operators that could take care of this. As far as the question of whether they would be covered under the insurance, Mr. MacLeod suggested making this a work detail.

A motion was made by Chairman Forschler and seconded by Commissioner Calame to adjourn to executive session at 8:51 p.m. to discuss a personnel issue.

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

Motion carried 5-0.

A motion was made by Chairman Forschler and seconded by Commissioner Calame to return to regular session at 9:05 p.m.

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

Motion carried 5-0.

Follow up letters will be sent to three members who are no longer participating asking them what their intent is and telling them how to turn in their equipment.

LOSAP – Mr. MacLeod gave a brief overview of the LOSAP plan document and what needs to be done to affirm continuation of the \$20 benefit. The governing document is the Plan Document, not the summary plan and not the resolutions passed in 2008. The document is clear – the

Board's plan is \$20 per year per month with no increase. To keep it at \$20 a month, the Board does not have to do anything. If there is any discrepancy between the summary plan and the Plan, the Plan Document controls. The summary plan has \$30 language, the Plan does not. The Plan Document controls. If the board wants to increase to \$30, the board passes a resolution and the public ratifies it. To maintain at \$20, the Board does nothing. If the Board wants to do something, the Board could reaffirm the Plan Document as it currently exists. Commissioner Calame said it is significant that Plan Document goes out of its way to state it is the supreme authority. When that is right at the top of the Plan Document, he said his feeling is to leave it alone. Commissioner Trzcinski said he has consternation on this because Penflex was saying it automatically goes to \$30 because that is what the Board designed into it. Mr. MacLeod said he believes Penflex walked back that decision. Commissioner Calame doesn't think they have walked it back but got a feeling from Ed Holihan that he understood it. Chairman Forschler said to change the entitlement age, which is defined in the Plan, we would need a resolution and a referendum. We could align that with regular district elections. There is no difference in timing if we do it now or in December. Mr. MacLeod said you would have to add another paragraph to the notice for elections for a referendum for the entitlement age. The change in entitlement age would not impact people in the program now, only new employees.

2017 LOSAP points – The thirty-day posting period is over on June 15th. The board agreed to hold a special meeting to certify the points rather than wait for the July Board meeting on Tuesday, June 19th at 7:00 p.m. for the purpose of reviewing the 2017 LOSAP tabulations. The secretary was instructed to put a notice on the firehouse bulletin board and at the post office and to post on the district and town websites.

Annual dinner – Commissioner Trzcinski read the proposed administrative policy change for the yearly inspection dinner. The alcohol policy now states if the alcohol is combined in a per person package it can be paid for since it is included with the dinner but shall not be paid for separately. There is also a limit of up to \$50 per invitee for the dinner. Chairman Forschler said we do have a policy regarding alcohol and it is important to stay within the budgeted amount. His perspective is to tell the department here is your budget, it does not cover alcohol, and if it goes over that amount, the department is on the hook. The problem this year was the amount expended was considerably more than what was approved and there was a line item on the bill for refreshments which was an open bar. What are problems we need to solve by going beyond the current policy? We need to hand a check to the company before the dinner with the understanding that no checks are to be expected on the night of the dinner or after. Chairman Forschler said the defect is in enforcing the policy. Commissioner Weiland said the budgetary line for \$8,000 is ambiguous in its use – it is for the dinner and travel for district activities and should be separated but that can be dealt with at budget time. There needs to be a specific amount for the dinner. Chairman Forschler said we need to improve labeling budget line items, enforce the policy at hand, and be more forthright to the company. Mr. MacLeod said the policy could be a lot simpler by setting a price and not giving them anymore. The

district will fund up to the dollar amount in the budget for the annual inspection dinner. The district will never pay for alcohol, pay for some alcohol, pay for all the alcohol. Those are the only two things you need in the policy. Chairman Forschler said we need to maintain the cost of the budgeted amount and to decide how and when we will pay for any alcohol. Mr. MacLeod said if you tell your insurance company there is an inspection dinner with alcohol, they will give you a rider. Talk to the insurance company. It is an exposure. The Board controls the cost within the budget.

Brush truck – Commissioner Russell went back to Northeast and they added the price is government pricing – it won't get any cheaper. We need a permissive referendum to spend money out of the equipment fund. Chassis \$29,446, flatbed \$3,245, lettering \$2,500, pump auxiliary equipment \$19,860. A motion was made by Chairman Forschler and seconded by Commissioner Weiland to authorize a permissive referendum be published in the district newspaper to request \$65,000 be spent from the equipment purchase fund to purchase a brush truck.

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

Motion carried 5-0.

Mr. MacLeod will provide the appropriate language.

PUBLIC COMMENT:

Don Estes said as far as the dinner, it is a district dinner and, in the past, any items on the table that said East Clinton was always paid for by the district. Therefore, the company went ahead on a verbal and bought awards or favors that said East Clinton assuming they would be paid for. There was poor communication which needs to be improved. The company was not prepared to spend this money given the district paid for those items in the past.

Stephanie Bonk– As far as the dinner, you will not find a venue if you start in January for a dinner in April. Most venues will break the bill down like they do for weddings. That bill has to be paid the night of. As far as rescue, we have to start looking and planning for electronic PCR's within the next year. She will contact ESO to try to get an idea of how much it will cost. There are grants that can be applied for. She said we were advised by Hudson Valley Regional that CME's for rescue will be dropped in half. She asked how do we get back minutes and financials. The audit has an error – was it rectified. Bob Simon will ask Jim Passikoff. Ms. Bonk requested a copy of Quickbooks. Chairman Forschler will release the printed detail.

Russ Bonk – Concerning Chief Este's accurate description of the installation dinner and how it's always worked, will the company be reimbursed for that money they put out? Chairman Forschler said the decision of the Board at the May meeting was no. Mr. Bonk said regarding

LOSAP, the IRS decision to go to \$30 was built into that contract when we enabled it. Mr. MacLeod said the Plan Document, the governing document for the LOSAP program, does not have the \$30 provision in it. The summary plan does have that language in it, but it also says if there is any difference between the summary plan and the Plan Document, the language in the Plan Document governs. The Plan Document has no mention of \$30 per month in it. The Plan Document was signed by each of you.

Stephanie Bonk said regarding LOSAP, it is amusing and appalling that on the 19th of June you are still trying to reconcile 2017 numbers. The numbers were sent to the Board by March 31st. Commissioner Calame said there were questions raised by people in the company referencing points that were awarded which affected a significant number of people. The Board reviewed and corrected points that were awarded. This escalated into a diatribe by Mrs. Bonk as she approached the Board.

ADJOURN

A motion was made to adjourn the meeting by Commissioner Trzcinski and seconded by Commissioner Weiland at 10:25 p.m.

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

Motion carried 4-0-1.

The next meeting of the Board of Commissioners will be held on Wednesday, July 11, 2018.

Commissioner Weiland and Treasurer Simon remained after the meeting. Commissioner Weiland reviewed the Vouchers and signed those deemed appropriate.

Respectfully submitted,

Karen Buechele, Secretary
East Clinton Fire District

