

Port Ewen Fire Commissioners Meeting

Date: April 2nd, 2024

Location: Port Ewen Fire Department Headquarters

Roll Call (X = Present)

X 5yr Michelle Spinnenweber

X 4yr Scott Sammons

X 3yr Roger Boughton

X 2yr Shannon Harris

 1yr William McNamara

X Sec'y Mike Dauner

X Treas. Wendy Trojak

X Chief Clark R. Mains

X Asst. Mike Lange

X Asst. Joseph Mains

X Asst. Frank White Jr.

Pledge to the Flag

Meeting was called to order by: Commissioner Sammons at 20:02 hours.

Minutes: Additions/Corrections to the previous month's meeting(s): None. Motion to accept minutes was made by Commissioner Harris 2nd by Commissioner Spinnenweber. 3ok motion carried.

Treasurer's Report – Treasurer's report read by Treasurer Trojak. Motion to accept Treasurer's report was made by Commissioner Spinnenweber 2nd by Commissioner Sammons. 3ok motion carried.

District Vouchers were presented and were audited by the Commissioners in attendance.

1. Treasurer is having issues with her laptop and the hard drive. Roger Brandt is going to look at it and he is requesting permission to purchase a new hard drive if necessary. If this does not fix the problem, Treasurer Trojak is requesting a new laptop to be purchased. **A motion was made by Commissioner Spinnenweber, 2nd Commissioner Harris authorizing repair and /or replacement of Treasurer laptop computer. 3ok motion carried.**
2. 2023 Audit is still in process. The auditor was on site on April 9th and met with Treasurer, Secretary, and LOSAP Administrator and Tabulator. The auditor has stated that the district needs to have all contractor's complete sole proprietor forms if they are the only employee working on a job. If there is more than one employee certified payroll must be submitted with prevailing wage. Current vendors have been advised and sole proprietor letters are now on file.
3. No word on Spectrum, they have not been responsive to equipment switch out. Billing has been updated
4. Two Delaware Engineering bills are still being held for payment until they have three commissioners' signatures. Commissioner Sammons resubmitted them tonight for approval.

5. Treasurer Trojak spoke with Commissioner Spinnenweber regarding County Waste regarding switchover of garbage accounts, a bill has not been received from LaMela as of yet.
6. Treasurer Trojak returned paperwork to NYS Retirement and is awaiting word back from them.
7. Treasurer Trojak submitted a bill for payment from December 2023 which was missed. She will ask the company to waive the late fee.
8. Treasurer Trojak spoke with the district auditor regarding switching over to online QuickBooks and they are recommending if we are not doing payroll and quarterly reports etc., to hold off on switching to online. This would save the district money and the Treasurer will continue to use the current version of QuickBooks.
9. AFDSNY Conference will be held at the end of this month and she will be attending.

Correspondence/Communications:

Commissioner Spinnenweber:

1. Marshall & Sterling paperwork was received on proposed changes and will be addressed under unfinished business.
2. Information was provided by Niteman Design regarding social media design monitoring if the board is interested.

Secretary Dauner:

1. Letter received from Allen E. Stokes requesting permission to use Headquarter Hall on July 6th, 2024.
2. Correspondence received from Marshall & Sterling on insurance to be addressed under unfinished business.
3. Three members were put forth from Department to District for appointment and will be addressed under new business. They are Rajay Parchment, Justin Rearick, and Skyler Harper.
4. LOSAP Correspondence received one being investment portfolio total and one regarding recent LOSAP bills.
5. FOIL request received from Sean Foran requesting documents on new firehouse design. FOIL request was complied with.
6. 2024 Sutphen Aerial annual contract was received and was signed off on and returned.
7. Bi annual Headquarters hood fire suppression system inspection report was received.
8. Marshall & Sterling Annual Disclosure Statement was received.
9. Workers Compensation paperwork was received and placed in personnel file for a past claim.
10. Capital District Fire District Association Spring Conference information was received and forwarded to board.
11. Liability Insurance was received for MES.

Unfinished Business:

Commissioner Spinnenweber:

1. Commissioner Spinnenweber stated she felt hall rental applications should be filled out for each rental and that owner insurance policy should be requested for those having alcohol while renting the hall. Marshall & Sterling is making this recommendation. She will have applications available next to the calendar. Additionally, Commissioner Spinnenweber and Secretary Dauner met with the insurance company and it was recommended to raise the agreed values of the ladder to \$1,500,000, Rescue 1 to \$300,000, and Engine 2 to \$700,000. Total premium increase would be \$2,224. Chief Mains stated prices of apparatus is increasing and a new engine now goes for \$1,000,000. After discussion, **a motion was made by Commissioner Spinnenweber, 2nd Commissioner Sammons to increase agreed upon value of Ladder to \$1,500,000, Engine 2 to \$1,000,000, and Rescue 1 to \$300,000. 3ok motion carried. A motion was made by Commissioner Harris, 2nd Commissioner Spinnenweber that Homeowners /Liability Insurance be required for all hall reservations when alcohol to be served. 3ok motion carried.**

Commissioner Sammons:

1. Inquired when dumpster will be emptied, Commissioner Spinnenweber stated every Wednesday.

Commissioner Harris:

1. Preliminary application has been submitted with Senator Hinchey for grant. Main application submittal to be determined. The next step is for the state finance committee to review.

Chief Mains gave a report on Firehouse Committee. The Firehouse Committee met with Chris Marta on his plans with some revisions. They also met with Sean Foran of Hueber Breuer about his recommendation for moving forward on the project. The committee recommends to the board that the Commissioners create an RFP to hire a company to oversee the project from where the district is current to when construction begins. A plan for the firehouse has yet to be determined by the committee and the company hired will work with coordinating resolutions and referendums, community involvement, etc. The RFP would need to be reviewed by an attorney. After further discussion, **a motion was made by Commissioner Sammons, 2nd Commissioner Spinnenweber to ask the district's attorney, Hannigan Law, with input from board and firehouse committee to draft a Request for Proposal for a company to act as a consultant on the firehouse project. 3ok motion carried.**

Commissioner Spinnenweber

1. Waiting for Freighlander to submit liability insurance for work previously performed.
2. Commissioner Spinnenweber is working on handicap ramp issues at Headquarters.
3. Commissioner Spinnenweber addressed the need to meet with Chief Mains and Commissioner Sammons on installing exhaust systems in the fire stations. Secretary

Dauner addressed that the firehouse committee is asking for direction from the board on what buildings they want to sell as it was counterintuitive to spend money to install exhaust systems in buildings which may be sold and then need to tear the system out. Commissioner Spinnenweber stated she had several companies ready to work on grants for an exhaust system as it is needed and everyone should stop procrastinating. It was agreed by all this is a long-standing issue discussed for several years and there was a need for exhaust system. Chief Mains stated he felt that if we were not building a new station then yes it should be installed now however until a decision is made, grant or no grant it should wait. Commissioner Sammons stated he felt the same way as the Secretary and Chief did and he stated that he personally had cancer. Commissioner Spinnenweber stated "then stop bitching about it". Commissioner Sammons stated he never did once and Secretary stated no one was however there needed to be a dialogue about the issue. Commissioner Spinnenweber stated everyone is stating they are getting cancer but don't want to do anything about it No further discussion.

Commissioner Boughton entered the meeting at this time. Motions reflect 4 commissioners in attendance moving forward.

Secretary Dauner:

1. Commissioner Badges are between \$100-\$110 reflecting recent purchase price of Chief badges. They will be to the current standard. Two Commissioners were fitted for uniforms this evening however two sets of shoes need to be purchased. A department member may need to have a uniform purchased as his uniform no longer fits and the uniform committee is trying to fit out of closet. After discussion, **A motion was made by Commissioner Boughton, 2nd Commissioner Spinnenweber authorizing Commissioners to purchase a badge and keep at the end of their term if they so desire one. 40k motion carried. A motion was made by Commissioner Spinnenweber, 2nd Commissioner Harris to purchase two pairs of uniform shoes for Commissioner uniforms and a uniform if needed for Jack Spinnenweber. 40k motion carried.** It was noted that there was a standing motion authorizing uniform purchases for department members as long as it was in the budget.

A LOSAP update was presented to the board by LOSAP Administrator Ron Naccarato. Currently the plan is 97% funded and it is estimated that it will be at 100% by the end of the year. Ron stated he intends to retire by the end of the year as his goal was to fund the plan to 100%. His greatest disappointment is taking members out of the plan who do not qualify. He discussed a proposal from the Governor for a stipend for firefighter training. VFIS has not been updating the Administrator on actuary reports, he explained that services are not as they should be. He noted that other departments have full time staff to address issues. Administrator Naccarato stated he will be removing two members by the end of the year and new members have not been added in some time. Nine members have been removed in ten years for failure to meet the vestment requirement, the LOSAP plan is not working. Secretary Dauner addressed the recent bill for LOSAP which had a \$15,000 payment attached towards the investment portfolio done by VFIS without the fire district being aware. It was addressed that VFIS "assumed" that the district wished to continue making deposits in investment account as was done the previous year and did so this year. Secretary Dauner noted that at this time there should be no adjustment

bill as in past years and he stated there was two options to address the issue. The first was to send a letter to VFIS stating we did not authorize the payment and require its refund or to send a letter to VFIS strongly worded that we did not authorize the \$15,000 payment to the investment account however we will allow the payment to remain but VFIS is to never make payment in future without district authorization. This was suggested as the payment made would get the plan to 100% funded which is the district's goal and most likely the recommendation would be to the board to make the same payment at the end of year with any carryover funds. Discussion on the matter followed. It was noted that when the plan first started it was budgeted at \$150,000 per year however regardless the board should place VFIS on notice due to the billing which was not authorized. After discussion on the matter, **a motion was made by Commissioner Harris, 2nd Commissioner Sammons to write a letter from the Board of Fire Commissioners to VFIS leaving it open as to whether a refund will be pursued or it will be applied to end of year allocation. 4ok motion carried.** Ron suggested setting a meeting with Frank Gusmano of Lincoln Financial and the board to discuss the investment portfolio.

New Business:

Commissioner Spinnenweber:

1. Commissioner Spinnenweber inquired the policy for apparatus leaving the district including for mutual aid. Commissioner Sammons and Boughton explained that the district participates in the County mutual aid plan which requires the district to provide apparatus when asked. Commissioner Spinnenweber asked the policy for other than a call specifically a pancake breakfast at Wallkill. Chief Mains advised he authorized the members to attend using the pickup which the Chief is authorized by the Board to give permission for when the pick up is to be used.
2. The insurance company is requesting a copy of the apparatus equipment inventories that were performed in January. She asked that a copy be given to her. Chief Mains stated that the NYS Auditor has the originals currently.
3. Commissioner Spinnenweber wished to discuss the mileage books and the need to review monthly. She stated that a personal vehicle and a company vehicle used should be separated and the company reimbursed for mileage received on the company vehicle. Commissioner Boughton stated that each Officer swears an oath and if they lie it is perjury. He did not see the need for the extra work; however, he could agree with quarterly review however not monthly. Chief Mains stated whether quarterly or annually it would not change. He in past did not write down mileage and at times forgot. Discussion continued. Chief Mains stated he thought the board would whack a hornet's nest; some don't put down everything. Commissioner Spinnenweber stated the board had a right to compare the mileage, the Chief said it sends a message that the board is micromanaging and the board is not trusting the people out there doing the job. Commissioner Harris stated that everyone should come to the middle, she agreed that it is not a trust issue but that at least twice a year it should be reviewed for records management purposes so you did not have to remember what you did in January, February, March. Assistant Chief Lange stated that the board can not tell Chiefs what to respond in whether, personal or company vehicle as they do not pay for the vehicle, if they buy a Chiefs' vehicle then the board has a say. He stated that if the board is going to review quarterly the Chiefs should be paid quarterly. A motion was made by

Commissioner Boughton, 2nd Commissioner Harris to have Chief mileage books reviewed twice a year. Discussion followed and Secretary Dauner inquired who would perform the review as the Treasurer and Secretary were not qualified to review and it would be difficult to verify mileage as it varies where the Chiefs respond from. Commissioner Spinnenweber offered to review mileage books and Commissioner Harris stated all commissioners have to sign them and review. Commissioner Boughton stated the board has no way to confirm except the calls, he stated he is withdrawing his motion and mentioned the Secretary /Treasurer are overwhelmed. The Secretary stated speaking for himself and feeling he could speak for Treasurer Trojak the same, they are not overwhelmed and are happy with current compensation. The concern is time management and he would like others to realize that to which Treasurer Trojak agreed with his statement. To return to statement , he felt they did not have the tools to review mileage. Chief Mains and Commissioner Boughton stated it goes back to the sworn oath. Commissioner Harris stated she was only asking that it be reviewed at a six-month period, she did not expect someone to remember in December what they did in January February or March. Commissioner Boughton stated the mileage books are kept as they go; the board just receives the book at the end of the year. Commissioner Harris stated the board gets them at the end and they are all in the exact same handwriting at almost the exact same time written in the same pen at the same time it seems. She felt it would be helpful to have half yearly. Discussion continued at which **a motion was made by Commissioner Spinnenweber, 2nd Commissioner Harris for Commissioners to perform a twice a year review of mileage log books with separation of personal and company vehicles driven by them. Vote: Commissioners' Spinnenweber and Harris – yes. Commissioners' Sammons and Boughton – No. Vote did not pass.**

Commissioner Sammons:

1. Reviewed Delaware Engineering bills and they did the work in question. Commissioner Boughton stated they needed to itemize and until they did, he was not signing the voucher. Secretary Dauner stated the one bill was itemized.

Commissioner Boughton:

1. Inquired on current phone /cable /internet services and Treasurer Trojak gave a brief overview.

Secretary Dauner:

1. Three persons were elected by the Department for membership and now are before the Commissioners for appointment. They are Rajay Parchment, Justin Rearick, and Skyler Harper. **A motion was made by Commissioner Sammons, 2nd Commissioner Boughton that Rajay Parchment, Justin Rearick, and Skyler Harper be appointed as an active Firefighter. Vote: Commissioners' Sammons, Boughton, and Harris – Yes. Commissioner Spinnenweber – No. Motion passed.** Secretary Dauner noted that since December there has been seven persons appointed to the Department.
2. Secretary Dauner advised that the insurance company has recommended that liability insurance for vendors be increased to \$1,000,000 and workers compensation insurance be required. **A motion was made by Commissioner Sammons, 2nd Commissioner Boughton to increase the requirement for liability insurance to \$1,000,000 for**

vendors and require worker's compensation insurance under the district procurement policy. 4 ok motions carried.

- 3. A motion was made by Commissioner Sammons, 2nd Commissioner Spinnenweber to renew contract with Auctions International for selling District Apparatus /Equipment. 4ok motion carried.**

Commissioner Sammons stated Allen E. Stokes would like to use the hall on July 6th. Board ok'd and asked that he write the date on the calendar. He was asked to fill out a hall rental application.

Chief's Report:

- Floating dock and hose have been delivered and Chief will provide paperwork to the ranger.
- New pump has been put on chassis of Engine 1 and body has been built. Chief would like permission for Chief vehicle and /or 48-12 be authorized to be used when members go to Sutphen in Pennsylvania to inspect Engine 1 construction. **A motion was made by Commissioner Boughton, 2nd Commissioner Harris authorizing Chief vehicle and 48-12 to go to Sutphen in Pennsylvania for Engine 1 inspection. 4ok motion carried.**
- Chief stated he is having difficulties with his computer and he is requesting a computer he can do his reports on. Secretary Dauner stated there is a spare computer in office if needed which may work. After discussion, **a motion was made by Commissioner Harris, 2nd Commissioner Boughton to repair Chief computer or purchase a new computer if needed. 4ok motion carried.**

Public Comment:

Jule Dauner:

- She wanted to make a comment as a taxpayer that it is truly distasteful to make comments about cancer or about people bitching about cancer. Everyone in room is mainly a member of the department but this is a public meeting and there are members of the public present or could walk in and how does it look. The Fire Department has been made a joke and presented as liars and cheaters and we don't need to make this image worse. As a taxpayer she does not want to see this, it is not worth it to mudsling.

Mike Lange:

- Purchased totes and Chiefs are working on closet. Mold was found on some boots and some gear is over twenty years old, does board want gear brought to them to be inspected for disposal or how would they want to proceed. Commissioner Sammons asked Chief Lange to make an inventory for the board of what he wished to dispose of.

Joe Mains:

- Inquired the vote of the three members for appointment. Secretary Dauner repeated the vote poll previously stated.

Chris Marta:

- Looked forward to the RFP for the new firehouse.

A motion was made by Commissioner Boughton, 2nd Commissioner Harris to enter into executive session discuss matters pertaining to sale and acquisition of property and potential litigation involving the firehouse project. 4ok motion carried.

A motion was made by Commissioner Boughton, 2nd Commissioner Spinnenweber to exit executive session. 4ok motion carried.

A motion was made by Commissioner Harris, 2nd Commissioner Boughton to award the lowest bidder Roehrs Construction, Inc in amount of \$174,944.00 for roadway construction at firehouse site contingent on Planning Board site plan approval. Vote: Commissioners' Sammons, Boughton, Harris – Yes. Commissioner Spinnenweber – No. Motion passed.

Motion to adjourn made at 22:07 by Commissioner Harris, 2nd Commissioner Boughton. 4ok Motion Carried.

Respectfully Submitted,

Mike Dauner
District Secretary

Attachments:

1. Treasurer Report
2. Marshall & Sterling Insurance Documents and proposed changes in insurance
3. Correspondence to Delaware Engineering regarding Planning Board letter received March 5th, 2024
4. FOIL Request from Sean Foran
5. 2024 Sutphen Aerial Service Contract – Signed
6. Fire Suppression Inspection Report for Headquarters Hood System 02272024
7. Marshall & Sterling 2024 Annual Disclosure Statement
8. MES Liability Insurance Paperwork 12/29/2023 -12/29/2024
9. LOSAP Heros Plus Statement and Account Value /LOSAP Billing Correspondence
10. Allen E. Stokes Hall Rental Request 07062024
11. Auctions International signed contract
12. District's Attorney Correspondence
13. Niteman Design Social Media Design & Monitoring Package
14. LOSAP Actuary Reports and Values April 1st, 2021 thru March 31st 2024