

Port Ewen Fire Commissioners Meeting

Date: January 3rd, 2023

Location: Port Ewen Fire Department Headquarters

Roll Call (X = Present)

<u>X</u> 5yr Scott Sammons	<u>X</u> Chief Clark R. Mains	Floor:
<u>X</u> 4yr Roger Boughton	<u>X</u> Asst. Roger Brandt	<u>R. Naccarato</u>
_____	<u>X</u> Asst. Mike Lange	<u>A.E. Stokes</u>
<u>X</u> 2yr William McNamara	<u>X</u> Asst. Joseph Mains	<u>T. Halpin</u>
<u>X</u> 1yr David Brechter		<u>F. Banks</u>
<u>X</u> Sec'y Mike Dauner		<u>J. Lamb</u>
<u>X</u> Treas. Wendy Trojak		_____

Meeting was called to order by: Secretary Dauner at 19:30 hours.

A motion was made by Commissioner Brechter, 2nd Commissioner McNamara to appoint Commissioner Sammons Chairman. 40k motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner McNamara to appoint Mike Dauner District Secretary /Deputy Treasurer, 40k motion carried.

A motion was made by Commissioner McNamara, 2nd Commissioner Brechter to appoint Wendy Trojak District Treasurer /Deputy Secretary. 40k motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner McNamara for District meetings to be held the first and third Tuesday of each month 7:30pm at Headquarters with no meeting to be held on July 4th and option to cancel second meeting if not needed. 40k Motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner McNamara to have Daily and Sunday Freeman be the official district newspaper. 40k motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner Boughton for Bank of Greene County to be the district bank. 40k motion carried.

A motion was made by Commissioner Boughton, 2nd Commissioner Brechter to appoint Frank Banks of FB Property & Facility Maintenance as custodian. 40k motion carried.

A motion was made by Commissioner Boughton, 2nd Commissioner McNamara to appoint Hannigan Law Firm PLLC as the Fire District Attorney. 40k motion carried.

A motion was made by Commissioner McNamara, 2nd Commissioner Brechter to renew membership in AFDSNY, UC Assoc. of Fire Chiefs and NYS Assoc. of Fire Chiefs. 40k motion carried.

A resolution was adopted for the Treasurer to be authorized to pay in advance of audited claims for water and electric utilities, telephone payment, gas /diesel account, postage, and office supplies. Moved Commissioner Brechter, 2nd Commissioner McNamara. 4ok resolution adopted.

A motion was made by Commissioner Brechter, 2nd Commissioner McNamara to approve yearly contracts for MES SCBA /Compressor Service, Liberty Security Services(alarm system), GenPlus (generator Sta #1 & #2), and State Line (JAWS). 4ok motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner Boughton to set Headquarters as location of District elections. 4ok motion carried.

A motion was made by Commissioner McNamara, 2nd Commissioner Brechter to appoint the District Chief Officers' as follows:

Chief: Clark R. Mains

1st Assistant Chief: Roger Brandt

2nd Assistant Chief: Mike Lange

3rd Assistant Chief: Joseph Mains

4ok motion carried.

A motion was made by Commissioner Boughton, 2nd Commissioner Brechter to approve mileage rate of \$0.65 ½ per mile for 2023. 4ok motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner McNamara to appoint Ron Naccarato LOSAP Administrator and Clark R. Mains Tabulator for 2023. 4ok motion carried.

A motion was made by Commissioner Brechter, 2nd Commissioner Boughton to readopt the following District Policies for 2023: Personnel, Procurement, Harassment, Sexual Harassment, Workplace Violence, Whistleblower, Chiefs Vehicle, Gear & Equipment, Investment, Capitalization, Code of Ethics, Voucher, Data Recovery, Document Retention, Credit Card, Medical Clearance, Drug & Alcohol Abuse. Investment Policy will be updated to reflect Bank of Greene County as district's bank. 4ok motion carried.

The following are the appointments for Committees for 2023 made by Chairman Sammons:

- **Buildings /Grounds:**
 - Sta #1 – Commissioner Boughton
 - Sta #2 – Commissioner McNamara
 - Headquarters & Headquarters Rental Liaison – Commissioner Brechter & Commissioner to be appointed (Allen E. Stokes appointed)
- **New Firehouse – Commissioner Sammons, Secretary Dauner, Chief Mains**
- **Liaison to Chiefs for Apparatus – Commissioner McNamara**
- **Government Agency Liaison – Commissioner Sammons**
- **Secretary /Treasurer Liaison – Commissioner Sammons**

- **Physicals – Secretary Dauner**
- **Insurance – Commissioner Brechter /Commissioner Sammons**

Minutes: Additions/Corrections to the previous month’s meeting(s): Commissioner Sammons 2nd the motion to allocate year end funds. Motion to accept minutes as amended was made by Commissioner Brechter 2nd by Commissioner McNamara. 4ok motion carried.

Treasurer’s Report – Treasurer’s report read by Treasurer Trojak. Motion to accept Treasurer’s report was made by Commissioner Boughton 2nd by Commissioner McNamara. 4ok motion carried.

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

1. Central Hudson sent a letter stating the district will be seeing a refund in the future.
2. Treasurer and Secretary will be setting up a meeting in January with the accountant to discuss the upcoming audit. If a Commissioner would like to attend she will let them know the date, Commissioner Sammons stated he would go if he was available.
3. Treasurer Trojak requested the board consider raising the limit of checks requiring a second signature from \$500 to \$1,000. The auditor was asked if the change was allowed and Gagnon’s office stated the board could raise it as it deems fit with a simple motion required as it was internal controls. After discussion, **a motion was made by Commissioner Brechter, 2nd Commissioner McNamara authorizing the threshold of checks requiring a second signature be raised from \$500.00 to \$1,000.00. 4ok motion carried.**

Correspondence/Communications:

Secretary Dauner:

1. 2022 LOSAP Tabulation report was received from Chief Mains
2. Demolition paperwork for 288 Broadway house demolition is on file.
3. Letter of resignation from Commissioner elect Mains for 3-year term of Commissioner
4. 2023 Chief Nominations letter received from the Department
5. Letter of interest in appointment for Commissioner term was received from Allen E. Stokes and Jack Spinnenweber II
6. Christmas cards received from Hannigan Law and Fire Districts of New York Insurance
7. AFDSNY Dec 2022 - Jan 2023 Fire District Affairs newsletter
8. VFIS newsletter – provided to Commissioners’
9. Sutphen change order was received and after review with Chief Mains was signed and returned.

Unfinished Business:

Commissioner Sammons:

1. Assistant Chief Lange provided an estimate from Rycor for approx. \$6,000 for new heat /air in Sta #1 upstairs hall. Lowe Plumbing did not provide an estimate however completed a repair of the heat in Sta #1 hall and Assistant Chief Mains stated a bill should follow. Commissioner Sammons will follow up with Lowe on whether the heat is working and obtain a quote for replacement. It was addressed that two written quotes are required for the work.

Secretary Dauner:

1. Commissioner Election was held on December 13th, 2022. Scott Sammons was elected to the 5 year term and Joseph Mains was elected to the 3 year term however has since resigned. Secretary Dauner recognized Bob Emberson for his faithful service on the Board of Elections since the mid 1990's and stated that Bob advised at the recent election he will be retiring. The Secretary stated his professionalism and calm approach will be missed.
2. The roof repair was completed to Headquarters.
3. There are several individuals who have not provided proof of taking the sexual harassment training in 2022 including the two individuals suspended for not completing in 2021. Secretary spoke with the district's attorney who stated all members who may be present at district buildings should complete the training annually including ladies auxiliary. The attorney stated that members living out of state and only member through life membership can be exempted and he further stated the two members who did not provide training in 2021 should stay as standing suspensions until they provide proof of training.
4. House on new firehouse property has been taken down.
5. Secretary is working with Assistant Chief Lange on Spectrum issue and hopefully will be addressed soon.

A.E. Stokes advised the board that the old SCBA cylinders which are expiring have not found a home thru donation. MES advised they may be able to find a buyer for them if the district wishes to pursue. The cylinders will be expiring and will be purchased with a liability waiver and have been put in storage for now. The board had no objections in Firefighter Stokes pursuing and coordinating sale as long as a liability waiver is completed.

New Business:

Commissioner Sammons:

1. There were two letters of interest in the vacant Commissioner position was received. Commissioner Sammons stated that Allen E. Stokes is a past Commissioner and is willing to take the one-year appointment. **A motion was made by Commissioner Sammons, 2nd Commissioner Brechter to appoint Allen E. Stokes to the 1 year term of Commissioner for 2023. 4ok motion carried.**

Secretary Dauner:

1. Provided the department with liability and workers comp proof of insurance for their health department operating permit. He is awaiting the disability exemption from the state and will forward to the department when he receives it.
2. NYS Cancer coverage annual claims report and personnel roster info was filled out and sent in.

Treasurer Trojak:

1. Treasurer and Secretary are working with Fiscal Advisors finalizing matters to complete the \$6.5 million bond for the new firehouse. When the bond is received the BAN will be paid off. The final amount for annual payments will be known once the bond is awarded however it is looking around \$380,000 per year in interest and principal over thirty years. It is anticipated that the sale of the three current properties will assist with offsetting this however the Treasurer and Secretary need to look into how this can be applied.

Chief's Report:

1. Chief Mains gave an update on the firehouse project. The committee will be meeting tomorrow.
2. DEC awarded the district a \$1,500 grant which will be used towards hose.

Secretary Dauner stated the Town Planning Board is requesting a \$5,000 payment into the escrow for the project before the planning board. Secretary requested of the Planning Board Secretary a copy of all invoices which were paid with the current escrow and the town provided. Bills were for Stormwater Engineer and the Planning Board's attorney. **A motion was made by Commissioner Brechter, 2nd Commissioner Boughton authorizing payment of a \$5,000 to the escrow for the Town Planning Board. 4ok motion carried.** Secretary will write a letter accompanying the check requesting a break down of all charges towards the escrow.

From the Floor:

Joseph Mains:

- Thanked the Board for the opportunity to serve over the past five years. The Board in turn thanked Joe for his service.

Ron Naccarato:

1. Addressed a lawsuit a department out west is facing over a senior member who was involved in a vehicle accident. Ron addressed aged members driving and the point that there is a time when all should know it is time to not do so.
2. Ron addressed recent legislation drafted by the NYS Senate for volunteers to be part of the state pension system. In the past the Comptroller has offered to run district LOSAP programs as a state pension fund. Ron stated that if the district's LOSAP plan were to stop today, all members enrolled in the plan would receive 70% of their benefits. The state pension fund if it were to stop would only receive 40-50%. The district's advisors

recommended the district not get involved with the proposed legislation. Ron gave an overview of the program over the past year. The district is losing members and mandatory training, etc. is affecting it. 44 members started the year and 37 members ended the year and there is a potential addition of one member and loss of two members. Ron is recommending the board consider having members enroll in the program after second qualifying year instead of first year as the mandatory training requirement is factoring into points. Assistant Chief Lange asked whether dropping the age of eligibility to receive benefits from 62 to 60 years could be looked at. Ron Naccarato stated that it has been looked into however not feasible. After discussion Ron said he would revisit and bring to board.

Tim Halpin:

1. Mr. Halpin read into record a letter of complaint regarding George Banks and his alleged conduct at the recent fire department meeting when Mr. Banks was nominated for Assistant Chief. Mr. Halpin recapped the matters occurring in the meeting and Mr. Banks' alleged conduct towards then Assistant Chief Stokes. Mr. Halpin continued in his letter to address matters occurring at the Commissioner Election occurring on December 13th both involving an interaction between Mr. Halpin and Mr. Banks and matters of the election itself. Mr. Halpin then read a letter of complaint from Mr. Halpin's wife Tammy Halpin regarding the matters occurring on the night of the Commissioner Election December 13th, 2023. Mr. Halpin is asking the board to invalidate the write in ballot for in the Commissioner Election.

Roger Brandt:

1. Inquired whether the computer in the Chief's office is owned by the Department or District. By consensus it is owned by the Department.

Jim Lamb:

1. Inquired on billing of services by Delaware Engineering. Treasurer Trojak stated that monthly bills are received. The original cost of the design services for the firehouse project is \$585,000 and was approved and authorized by the Board of Fire Commissioners. This covers from the referendum to award of the bids.

Commissioner Boughton stated he received an anonymous letter regarding a complaint involving the recent department nominations of Assistant Chief. At this time the Board stated they would entertain a motion to go into executive session. **A motion was made by Commissioner Boughton, 2nd Commissioner Brechter to enter into executive session to discuss letters of complaints received on a personnel matter concerning alleged harassment. Secretary Dauner and Allen E. Stokes are requested to attend the executive session. 4ok motion carried.**

A motion was made by Commissioner Boughton, 2nd Commissioner McNamara to return from executive session. 4ok motion carried. No action was taken at this time. *Secretary Note: The board did request letters of complaint be forwarded to the district's attorney for review and comment.*

Motion to adjourn made at 20:58 by Commissioner Brechter, 2nd by Commissioner Sammons.
4ok Motion Carried.

Respectfully Submitted,

Mike Dauner
District Secretary

Attachments:

1. Treasurer Report
2. District Chief Nominations letter from Department
3. 2022 LOSAP Tabulation Report
4. Letter of resignation from Joseph Mains
5. Letters of interest in Commissioner 1 yr. term – Allen E. Stokes & Jack Spinnenweber II
6. 2022 LOSAP Yearly report from Ron Naccarato
7. Sutphen Change Order for Engine 1 8/30/2022
8. Demolition related paperwork for house demo 288 Broadway
9. NYS Cancer Coverage Annual Audit of Claims and Member Roster
10. Liability and Workers Compensation paperwork for Department
11. Letters of Complaint from Tim and Tammy Halpin as well as anonymous individual regarding fire department nominations and commissioner election