

LAGRANGE FIRE DISTRICT
Special/Workshop Meeting
June 24, 2008
FH3 7:30 PM

4681

The 877th meeting of the Board of Fire Commissioners of the LaGrange Fire District was held on June 24, 2008 at 7:30 PM at Firehouse #3. Present were Commissioners Mulford, Smith, Hines, Lantzky; Chief Jim Dawson; EMS Administrator Michael Benenati; Legal Counsel Rod MacLeod; Linda Hannigan, Sedore & Co. CPA's; Secretary Holzberger and firefighters. Commissioner Zeidan was absent due to a family death.

Mulford called the meeting to order and led the salute to the flag. Mulford opened the meeting up for public comment.

Public Comment:

Rudy Macak, Treasurer of Co. 2 stated that he received a letter regarding the 2% funds. He stated that the resolution regarding the 2% funds was passed on May 12, 2008 and the letter was dated June 12, 2008 and postmarked June 14. We submitted a list previously and were not informed that it was not acceptable and respectfully asked for an extension to submit names due to the fact that the letter was received late. Mulford stated we will discuss an extension; he cannot say why the mail was delayed. He stated that he has already checked with the company 3's president and he has not received the letter. Mulford asked the Local if they received a letter; Lt. Jason Lopes responded that he just received the letter. Rudy Macak asked if it could be extended 30 days. Mulford stated that would be July 30 2008 and the Board would not take any action until the August meeting. Smith stated that 30 days would be okay.

Lantzky moved that the deadline for submission of eligible members for 2% funds be extended 30 days, seconded by Smith and when the Board was polled the vote was as follows: Lantzky Aye Smith Aye Hines Aye Mulford Aye Zeidan Absent
The motion was carried. Rudy Macak thanked the Board.

Jason Lopes, President Local 3813 stated that he had a question regarding 2% Funds, he stated that he sent a letter to the District and copied the Company Presidents. Jason Lopes asked if that letter was sufficient (regarding Local members who are also life members of a company). Mulford stated that yes it was acceptable.

Jason Lopes stated that based on meetings we are getting the feeling that when we talk about staffing, the Board may be missing some information. The Union will present a report once a month describing response delays, and or staffing issues that affect patient care. Jason stated that, just the other night, he was on the scene and waited 17 minutes by himself for the ambulance to arrive, and although he had arrived on scene in 3 minutes, heI was alone with an ALS patient for 17 minutes. We would like to give the Board information that gives you a bigger picture of what goes on at the scene and what is going on in the district.

Mulford asked if the report would be submitted in writing. Jason stated that yes it would be. Mulford stated that it (the report) should probably go through the Chiefs and then

reported to us. Jason Lopes stated that he will submit a copy to the Board as there has not been the best representation from the chiefs as they (Chiefs) may not even been aware of what is happening if they are not at the call; there were no chiefs on that call where he was alone. Jason stated these things are happening in the district; unless you (the Board) do not want to know; Mulford stated that information is wealth.

Jason Lopes, Fire Lieutenant, stated that based on the recent things related to staffing, that have gone on in the District, he read a letter prepared by the officers regarding staffing concerns and presented to the Board. Letter page 4683. Mulford thanked Jason Lopes.

Mulford asked for any other public comment.

Knights of Columbus-Deo Reed stated that the Knights of Columbus have requested use of the carnival grounds for July 14 –July 19; Chairman Mulford stated it is a little late as it is being advertised and requested that it be in writing along with a Certificate of Liability naming the fire district as additional insured. Mulford asked if he (Deo) is representing the Knights of Columbus; Deo replied that yes as no one else is present. At that time Steve O'Hare arrived and requested use of District property by the Knights of Columbus to cross over to the highway garage for electricity. Chairman Mulford requested a certificate of insurance naming the District as additional insured, and hold harmless agreement, as well as a formal request in writing. Mulford stated that it is a problem as permission has not been obtained, yet it is being advertised and this happens every year. Smith moved to permit the Knights of Columbus to access the fire district property on Stringham Road for gaining electricity from the highway department pending receipt of certificate of liability insurance, seconded by Lantzky and carried unan.

Hines asked Mulford if the report from the career staff should go to the Chief as it is operational. Mulford stated that they can address the letter to who they want; we can present it to the Chief. Jason Lopes, Lieutenant, stated that the opinion of the Chief Officers is that staffing decisions are made by you (the Board) and when we discuss it with you (the Board), we are told that it is the decision of the chief. Jason Lopes stated that he is not really sure who is making the decisions, and that is why the letter is being addressed to both. Mulford stated that we need to look at your concerns; the confusion is due to the meeting of last year regarding the mechanic's facility the idea was not to move forward with the mechanic's facility unless the it could be done with our current staffing. Mulford stated that is his recollection of the meeting. Jason Lopes stated that is true based on the decision we made together. Mulford stated that he just wanted to be sure and that if it turns out to be problematic we will address. Jason Lopes stated that he was not sure if the rest of the Board was aware of the meeting with you (Mulford). Mulford stated that the Board is aware of that as well as Barry (Ward) and Mike (Benenati). Mulford thanked Jason for the letter. Mulford stated that if there was no further public comment, we would proceed with a report from our auditor regarding the Audit of 2007.

Audit 2007- Mulford stated that the Board has been presented with a draft of the report of our Audit for 2007; this needs to be approved so that it is done by June 30. Mulford stated that we will have to review and approve by our first meeting in July. Linda Hannigan, of Sedore and Co. presented a draft of findings of the Audit of 2007 to the Board. Mulford asked for a review of the findings and recommendations. Linda Hannigan stated that an Equipment Inventory is necessary; Mulford stated that we are currently instituting new IT and it will take time to gather and enter data. Linda Hannigan stated that the Procurement policy for the purchase of fuel oil should be exercised; solution would be to use county fuel oil bid. Linda Hannigan stated that as far as payroll, there was one W-4 and two I-9's missing. Secretary Holzberger stated that they are in process of obtaining those documents. Linda Hannigan stated that the Modified accrual basis of tracking of accounts payable should be utilized. Mulford asked if we should go out earlier as far as retaining a CPA for the Audit 2008; as it takes approximately four months to complete. Linda Hannigan stated that the earlier the better. Mulford asked Secretary Holzberger if she knew what needed to be done. Secretary Holzberger asked if she could spend some time with Linda or a member of her staff to review the processes. Linda Hannigan stated that would be fine. Secretary Holzberger asked if this should be filed as it is to meet the June 30 2008 deadline. Rod MacLeod stated that the audit report should be approved by the Board and finalized before sending to the State Comptroller's office. Mulford stated that we could acknowledge receipt of the report and approve it as of our July 2008 meeting. Rod MacLeod stated that the report should be filed by June 30 with the State Comptroller, however, the State will not fine you if you do not file by that date, just as long as it is filed as soon as possible. Mulford asked if it is okay with Linda if Denise (Secretary) contacts her to arrange meeting with her or her staff to assist with questions or instructions for the modified accrual. Linda Hannigan stated that would be fine. Mulford thanked Linda for the report and her attendance. Mulford acknowledged the receipt of the draft, to be approved at the July meeting.

Jason Lopes, Union President, asked if it is necessary to submit a list of names of members to the District. Secretary Holzberger stated that the Local should have a letter regarding the policy for the 2% funds. Rod MacLeod stated that the District has the names of all employees on payroll. Mulford stated that funds arrive in July 2008 and will be distributed in August.

Minutes: June 10, 2008 -Hines moved to approve the minutes as amended: Mulford stated that he did not want three separate boot drives (page 4674), seconded by Smith and carried unan.

Correspondence-

\$300 check from NYS-for EMS training. Hines moved to allocate to the 2008 Training Budget, seconded by Smith and carried unan.

Letter to Companies from Local 3813 regarding life members that wished to be counted as local members for the 2% Fund calculation. Secretary Holzberger read the letter. Page 4687.

Sale of Bike Helmets- \$430 and \$185. Hines moved to allocate to the 2008 Fire Prevention Budget, seconded by Smith and carried unan.

Minutes of the Assoc. of Fire Districts April 22 2008 meeting received.

Rose & Kiernan-letter regarding the fee agreement; chairman's signature required.

State Insurance Fund-letter from Mr. Kintner regarding review of firehouses; safety issues noted. Copy to Chief and Lieutenants.

Opinion 03-08-Board of Ethics- Secretary Holzberger read the letter; Hines stated that he has met with the Company Presidents regarding revising the Code of Ethics. Mulford asked if Hines had met with the company presidents. Hines stated that they have met; a finished draft is not available at this time and additional meetings should not be necessary. Mulford stated that a violation has been identified and currently as per the opinion, there is a violation. Hines stated that he has received numerous complaints regarding the use of the kitchen and this has been an ongoing problem and given the response, a letter should be drafted to the individuals and company president to cease and desist. Mulford asked if that is a motion.

Hines moved to draft a letter to the individuals and company president to cease the practice, and Mulford asked for a second. There was no second. Mulford stated that we have a policy that we choose not to act on. Lantzky stated that we should discuss it further. Mulford stated that we enacted a policy last year and we have a Board of Ethics that we have gone to regarding issues and we are not following the policy; Hines stated that at a previous meeting, a gentlemen from ST.1 asked regarding birthday parties being held in the firehouse, and counsel stated that it would be okay as long it was a member, although it would be personal gain, it would not be a cash gain. Hines stated that we discussed food being prepared at the firehouse and transported out and there would be liability to the District. Hines stated that if the Board is choosing not to act on it, so be it. Mulford stated that we will table it until next month.

Mulford asked the chief regarding defensive driving classes; Lt Schroeder requested some dates; a place needs to be found to hold the class. Mulford stated that he needs a 30 day advance and we need to find a firehouse that is available. Mulford stated that he is contracted with the District; it was cheaper the other way.

Chiefs Report-

Accidents/Injuries-Chief Jim Dawson reported two injuries sustained at the Noxon Road Fire on 6/14/08 and one injury at traffic control at an MVA.

Carnival 7/16-7/19-Chief Jim Dawson asked if we can provide a utility and ambulance for the Knights of Columbus Carnival to be held on these dates. Mulford stated that it is operational, and asked what you would do if it's committed and a call comes in. Chief Jim Dawson stated that it would respond. Mulford stated that if you do it for one organization then will you have to do it for all; Mulford stated that if the Lions or Rotary approaches us will we provide to them as well; this can grow into a nightmare. Chief Jim Dawson stated that he understood, however this is a rare occurrence. Hines asked if there would be an additional cost for personnel; chief stated that there would be no additional costs.

Rail Trail Hydrant Usage SOG-Chief Jim Dawson stated that we provide an SOG in writing to the Dutchess County Water Authority that defines when and how we will use the hydrants; and asked the Board how much detail you would like put into it. Mulford stated that the agreement was signed last year. Chief Jim Dawson asked if it should state that use will be for firefighting only. Mulford stated that we should revisit the agreement. Chief Jim Dawson stated that they are asking us to provide an SOG otherwise they will not authorize use; Mulford stated that they have already authorized our use in an agreement; our agreement states that we can use the hydrants at a cost. Chief Jim Dawson stated that we are only going to use them for firefighting. Mulford stated that we should have legal counsel review. Mulford stated that it sounds like they want to modify that agreement.

Accidents/Injuries-Mulford asked if the safety committee has reviewed yet. Chief Jim Dawson stated no. Mulford stated that as soon as you are notified then the safety committee should be notified. Lt. Lopes and Chief Jim Dawson will get together

Hose Test-Chief Jim Dawson reported that hose testing began today.

Letter-Chief Jim Dawson reported that a letter from Bill Steinhaus thanking us for our efforts at the LOOP Bus Garage fire.

Staffing ST.2-Chief Jim Dawson stated that it has been difficult to manage; He stated that he does not prefer to operate with only 2 at St.2; Response scenarios become difficult to manage with only 2 at ST.2; many times 47-89 may divert to a second call in the district which will not be possible now, as for AFA 47-89 must be out of service, or 47-12 has a delayed response; with only two in the building; the Lt is taken out of the building. There is more than a 2-3 minutes to respond from mechanics facility. More and more multiple calls in the district are impacting response. It becomes difficult for the mechanic to keep appointments. With multiple calls in the district becoming more and more frequent there is higher potential for impact. Chief Jim Dawson stated that these are little things that are adding up and making him uncomfortable as it impacts response. Smith asked for a recommendation. Chief stated a mechanic's helper would help. Mulford stated that he doesn't see how a mechanic's helper would solve the problem. Chief Jim Dawson stated

that it would place two people at the mechanic's facility but keep three at ST.2; it sounds like the mechanic's facility is not working. Mulford asked for a separate meeting.

47-55-Hines asked for status. Chief Jim Dawson reported some outstanding issues. Legal Counsel reported that we were waiting for the truck to come back and review what is still outstanding. Mulford stated that they took care of the paint. Hines asked how long it would take to address these issues; Rod MacLeod stated that it would be about two days to get the information and two weeks or more for them to respond. Mulford stated that there are still some mechanical problems.

Hines moved that a letter be drafted by legal counsel and by our first meeting in August he provide us with an update, seconded by Smith and carried unan. Mulford stated that we should report this to the better business bureau.

Hines asked if there is a line of duty injury procedure; Chief Jim Dawson stated that an injury is to be immediately reported to the Chief. It was clarified that the Lieutenant was not informed. Chief Jim Dawson stated that we need to clean up our paperwork. Hines asked who the duty officer was at the Noxon Road fire. Lt. Lopes stated he was and the individual did not wish to fill out the report. Lt. Lopes stated that is very difficult to get an individual to comply with filling out reports; Mulford stated that the duty lieutenant should be notified. Lt. Lopes stated that it is difficult to get individuals to comply; the incident in question involved damage to an individual's car. Lt Lopes recommended the police be notified and the individual would not. Mulford stated that we need to get the individual to sign off. On the whole, Lt Lopes stated, things are being reported; he believes that the career staff understands better the importance of filling out reports in a timely manner. Hines stated that he fails to understand how an individual from a mutual aid company is hurt and we do not know anything about. Lt. Lopes stated he was aware of it; it was a mutual aid firefighter and the injury gets reported to his own fire department. EMS Administrator stated that we have flow charts as far as the procedure for reporting an incident; we can share and post on boards and our website.

PESH-Lt Lopes stated that the PESH consultant was down here.

Tanker committee-Chief Jim Dawson stated that it is progressing.

Ambulance- July 9 2008 meeting

Generator-in final testing stage; Mulford stated that a shakedown will be done. June 30 is the deadline for grant and 90 days to submit for reimbursement. Smith moved that pending successful completion of the testing of the generators, EMS Administrator Michael Benenati will contact DHS regarding the completion of the grant, seconded by Hines and carried unan.

Grant writer-contract revision. Mulford explained that legal counsel reviewed and recommended that Mulford sign the revision to our original contract.

Friday conference –Mulford, Assistant Chief, EMS Administrator to confer regarding the grant.

Uniform Policy needs to be posted down at ST.3 again.

Contract Negotiator-Hines stated that Mr. Koontz would not be available until July for interviewing. Mulford stated that we should move forward; Smith moved to appoint Dave Wise, of Gellert & Klein, as negotiator for the collective Bargaining agreement, seconded by Hines and carried unan.

Mitchell Associates-Mulford explained that he and Hines contacted them and recommends a planner, Dr. Charles Jennings, to help review assess our needs.

Smith moved to bring Dr. Charles Jennings in to discuss what he can do, seconded by Hines and carried unan. Lantzky stated that Clark Patterson rendered two options for the proposed renovations of station 2 and emailed to the Board; Mulford asked Lantzky to present to the Board. Mulford stated that we can eliminate a bathroom to create a kitchen.

Old Business- Hines stated that he has completed the letters of recognition and they just need to be printed on District letterhead. Hines moved to invite the individuals to the next Board meeting, seconded by Smith and carried unan.

Hines moved that a letter be sent to the Town regarding update of District information on the website, seconded by Smith and carried unan.

Letter-from Hines regarding his interest in the position of business manager. Mulford read the letter. Hines stated that he and Lantzky prepared a job description for the mechanic's helper. Mulford stated that we will not move on this until we have a full board.

Station Floors-Lantzky reported that he is waiting for a response from Camp Beacon. Mechanic's helper-non-competitive position. Smith asked if we can move on this. Lt. Lopes stated that when we met that we agreed that we would not jeopardize the manning at St.1 and ST. 2. Mulford stated that he is not sure if the mechanic's helper would solve this problem. Mulford stated that it was do-able last year; we may have to close the facility according to the Chief. Smith stated that the Chief did not state that he wanted to close the mechanics facility. Smith stated that we need to look at the options. Mulford would like to hear from the mechanic. Mulford stated that he does not want to entertain hiring a mechanic's helper if we need to close the facility. Lt. Lopes stated that he would like to offer his input at this meeting. Mulford stated that we are all interested in safety; we found a safer facility for the mechanic. Mulford stated that we cannot hire additional staff at this time.

Part-time Secretary-job description- Mulford explained that we should be prepared to advertise for this position next meeting.

Workshop Meeting June 30, 2008-to discuss the mechanic's facility at 4 PM. Mulford asked the Secretary to send a reminder. Board, Jason Lopes, Mechanic, Chiefs, EMS Administrator will attend. Smith moved to hold a workshop on June 30, 2008 at 4 PM, Seconded by Lantzky and carried unan.

Reminder: July 8-meet with Lee Adler (Local) at Gellert & Klein 10 AM

Drug & Alcohol Policy-in progress

Travel Policy-Mulford stated that he has the policy from NYS

Job description for Maintenance Position- Lantzky stated that it is prepared.

There being no further business, Smith moved to adjourn at 9:15 PM, seconded by Hines and carried unan.

Respectfully submitted,
Denise A. Holzberger, Secretary/Treasurer