

LAGRANGE FIRE DISTRICT
MINUTES
SPECIAL /WORKSHOP MEETING
JULY 28, 2009
7:30 PM Firehouse 2

The 906th meeting of the Board of Fire Commissioners of the LaGrange Fire District was held on July 28, 2009 at 7:30 PM at FH2. Present were Commissioners Hines, Lantzky, Canero, Ziedan, Smith; Chief Brian Odendahl; Deputy Chief Barry Ward; Assistant Chief Greg Heneka; Legal Counsel Rod MacLeod; Secretary Holzberger and firefighters.

Hines called the meeting to order and led the salute to the flag. Hines stated that this is a meeting of the Board of Fire Commissioners in public and not a public meeting; there will be at least one opportunity for public comment during the meeting and if time permits, a second opportunity. This enables the Board to accomplish the business at hand.

Public Comment-Hines asked if there were any comments from the floor. Frank Daniberg, member Co, 1, addressed the Board regarding a draft of the letter for the Annual Department Raffle and requested the Board's approval so that the letter may be sent out. Secretary Holzberger read the letter. Smith moved to approve the letter for the Annual LaGrange Fire Department Letter, seconded by Ziedan and carried unan. Frank Daniberg stated that costs that will be incurred would be \$3000 for printing and \$500 for labeling. Hines stated he wished him luck on behalf of the Board.

Audit 2008- Hines stated that Linda Hannigan from Sedore and Company, CPA's is here to present the 2008 Audit and turned the meeting over to her. Hines stated that there is a handout and would like this document to be treated as confidential and when the presentation is done it be returned to remain on file in the fire district office. Linda Hannigan stated that this is a brief summary, an overview of the financial report and findings. She stated that it has been filed with the New York State Comptroller's office by June 30, 2009. Linda Hannigan stated that pages five through eight are the management discussion and analysis. Net Assets increased by \$635,971 for the year. Funding for capital reserves was \$550,000. The General Fund totaled \$1.6 million and capital reserves totaled \$1.4 million as of December 31, 2008. The District does not have any debt. The district does have a Service Award Program which has total assets of \$1.1 million. Linda Hannigan stated that in 2009 to comply with GASBY, a calculation of post-employment benefits will have to be calculated. An Actuary is required for this and this is good for planning and budgeting. At this time, the law does not permit a reserve fund for this; however this could change for the future. The management letter recommends a physical inventory be performed, enhancement of the procurement policy, credit card policy and travel policy. It is recommended that there be improvement of segregation of duties and a countersignature for amounts over \$5000. Deputy Chief Barry Ward asked regarding the capitalization policy. Linda Hannigan stated that this policy involves a perpetual inventory and setting a dollar limit for assets to be recorded.

Linda Hannigan thanked the Board for engaging them to perform the audit. Hines thanked her for the audit and presentation. Hines asked if the Board had any questions. Smith moved that legal counsel, Rod MacLeod keep a copy of the audit, and all other copies be turned in to the District Secretary to be kept in the District office, and any viewing of the document is to be done there during business hours, seconded by Lantzky and carried unan.

Secretary Holzberger stated that we need to prepare a response. Linda Hannigan stated that the response must be filed by mid-September. Secretary Holzberger stated that the initial audit has been sent to the NYS Comptroller's office prior to June 30, 2009 and now we need to put together a response. Therefore, we need to pass these policies. Hines stated that we need to evaluate what needs to be done and would follow up. Hines thanked Linda for her time.

Correspondence-Secretary Holzberger reported the following was received:

Checks received in memory of Cleve Hill-

\$25.00 donation from Fritz and Anna Meyer

\$25.00 donation from Vivian and James Quinn

\$50.00 donation from Patrick and Janet Twamley

\$20.00 donation from Nancy Michaelis

\$30.00 donation from Nellie Briggs

Smith moved to allocate to the 2009 Equipment Budget, seconded by Lantzky and carried unan.

\$66.06 from S.W. Lagrange Co.3 for refund of expenses: cablevision

Lantzky moved to allocate to the 2009 Telephone Budget, seconded by Smith and carried unan.

\$169.05 and \$141.35 from NYS for fuel tax refund. Lantzky moved to allocate to the 2009 Fuel budget, seconded by Smith and carried unan.

\$100.00 from Bernard and Margot Slade thanking us for EMS services.

\$50.00 donation from Walter Horton in memory of Herbert Cole. Lantzky moved to allocate to the 2009 Equipment Budget, seconded by Smith and carried unan.

Reminder-Association of Fire Districts-Annual Mid-Year Workshop November 5-8 2009

Poll Site Agreements- from the Dutchess County Board of Elections received for ST.1 and St.2.

Primary Election to be held on September 15, 2009 and General Election November 3, 2009.

Fuel Oil Bid-Dutchess County Fuel Oil Bid for the 2009-2010 season; information sent to Dutchess County.

Rose & Kiernan Service Agreement-Chairman's signature needed.

Knights of Columbus-Thank you letter received.

NYS Public Safety Group 497-loss runs through June 30, 2009 received.

Town of Lagrange-letter received regarding Sprout Creek Villas.

Minutes-Lantzky moved to approve the minutes of the July 14, 2009 minutes as submitted by the Secretary, seconded by Smith and carried unan.

Bills-The following bills were presented for payment, **page 4667**. Smith moved to approve payment of the bills, seconded by Lantzky and carried unan.

Chiefs Report-Chief Brian Odendahl stated that the EMS Attendant Policy is under review; no action needed by the Board at this time. Chief Brian Odendahl stated that the hose bid will be reviewed by the Deputy Chief.

New Membership-Chief Brian Odendahl stated that Jeremy Davis has been voted in by Company 1 and he has taken his physical and background check has been completed. Smith moved to approve Jeremy Davis's membership, seconded by Ziedan and carried unan.

Accidents & Injuries-Chief Brian Odendahl reported that there was a head injury sustained by a member while reviewing an ambulance demo; this was first aid only and no further treatment was needed. It was noted that the cabinet door style is problematic and there have been problems with our ambulance door style and changes are being reviewed.

47-71- Chief Brian Odendahl stated that there was a minor fender bender. Smith asked if the Chairman was notified. Chief Brian Odendahl stated that this occurred only a short time ago.

VCOS Conference-Chief Brian Odendahl stated that this is conference for combination departments and asked if any Board members would like to attend. It is held at Clearwater Beach Florida November 5-8, 2009. Smith asked if Ziedan would like to go to the conference. Ziedan stated he would have to check his calendar. Smith stated that he would like to see all the Board members attend and if no one is interested, he (Smith) would like to attend. Hines asked if Canero would like to go. Canero stated no.

Purchasing Authorization-Chief Brian Odendahl requested authorization to make purchases up to \$2500. Hines asked for a motion to grant that authorization. Ziedan moved to authorize the Chief to make purchases up to \$2500, seconded by Lantzky and carried unan.

EMS Captain-Chief Brian Odendahl stated that he would like to appoint an EMS Captain on the volunteer side as there is no structure on the volunteer side. Smith stated that no Captain is needed at this time and several years ago Ed Mulford re-structured and eliminated the Captain position. Smith stated that ED Mulford has experience in this area and recommends that he review that with the Chief. Hines asked for a motion to review. Canero moved to review the process, Seconded by Smith and carried unan. Hines asked who will review this process. Smith moved to have Ed Mulford review the Chief's proposal, seconded by Ziedan and carried unan.

Deputy Chief's Report-

47-71, 72-Deputy Chief Barry Ward stated that as mentioned by the Chief earlier, head injuries have occurred due to the doors inside the ambulance and changing the doors would eliminate this. We are having Accent Cabinetry review this for us; they have done work for us in the past in EMS vehicles.

Generator Service-Deputy Chief Barry Ward stated that we are in need of maintenance contract for the generators and we are having HO Penn review this for us.

2009 Hose Bid-Deputy Chief Barry Ward reported that upon review of the bid some information was missing and Rich Berger of MES is getting that for us. Deputy Chief Barry Ward stated that having a preferred vendor list would be a great idea as there are many manufacturers who will only market their product with a certain vendor in a geographic region so it makes the bidding process moot as only one vendor will respond. Deputy Chief Barry Ward stated that this is the case with the hose and he recommends MES as a preferred vendor. Hines asked for comments from the Board and legal counsel. Legal Counsel Rod MacLeod stated that this is a policy that the Board can adopt on an annual basis; it saves time and cuts cost as it pertains to the bidding process. Currently, the procurement process states that anything below \$7500 requires only three written quotes. Hines asked if there were any questions. Smith moved that we adopt that policy. Ziedan stated we need to go out to bid for anything over \$7500.

Legal Counsel Rod MacLeod stated that NYS law requires that anything over \$10,000 requires formal bid; the Fire District has a stricter policy that requires anything \$7500 or over be formally bid.

Preferred Vendor Policy-

Ziedan stated that if we had a preferred vendor, then we would not have to go to bid. Legal Counsel Rod MacLeod explained that the preferred vendor policy would still require a formal bid process for anything over \$7500 and the Board would still have to approve the purchase. The preferred vendor policy would permit purchases below \$7500 to be purchased without quotes or bids. Smith moved to adopt the preferred vendor policy, seconded by Ziedan and carried unan.

Attendance at Fundraisers-Deputy Chief Barry Ward stated that fire department presence is often requested at outside fundraisers; a request has been made for a truck and personnel to be present at an upcoming fundraiser to be held at Gold' Gym. This event is to raise money for a local child who has been injured by a dog attack. We have no ability to determine whether or not it is a legitimate charity. Deputy Chief Barry Ward stated that he is looking for the Board's direction as to if and how we should participate in these events as far as our liability is concerned. Hines stated that is a very real concern and we need to weigh the merits regarding our participation. An example is the recent Knights of Columbus event. Deputy Chief Barry Ward stated that was a fundraiser also. Hines suggested that we consider each request individually and determine if we should participate or not and asked for a motion. Smith moved to review requests for District participation at outside fundraising events on an individual basis as they are presented to the Board, seconded by Lantzky and carried unan.

Deputy Chief Barry Ward stated that this request does not possess a 501c. Hines asked what is required as far as personnel and impact as far as overtime. Deputy Chief Barry Ward stated that if the Board wishes us to participate, then apparatus would be sent with volunteers. Hines asked if the Board does approve then it would be manned by volunteers so as not to impact the taxpayer. Smith moved to approve the participation provided that volunteers take apparatus, seconded by Ziedan and carried unan.

Workers Comp Reporting-Deputy Chief Barry Ward stated that he spoke with Mr., Richard Danzig of our Safety Group 497 and he will be generating an injury form for us to use; the C-3 form is to be used by employee only for his/her reporting of an injury.

Hose Lays-Deputy Chief Barry Ward stated that we are in the process of modifying the hose lays on our trucks to accommodate the new requirements.

Ladder Testing-Deputy Chief Barry Ward stated that all ladders have been tested and passed.

Paramedic Agreement- Deputy Chief Barry Ward stated that we need to review the agreement and memorandum of understanding as we have a Firefighter, Davyd Bullock, who will be attending school in this fall.

NYS Inspection-Deputy Chief Barry Ward stated that NYS will be inspected our EMS program on August 11, 2009.

New Ambulances-Deputy Chief Barry Ward reported that the committee continues to meet.

Hines asked if the hose bed modifications have been cleared with the Chief. Deputy Chief Barry Ward stated that yes and that it is an ongoing work in progress. Hines also stated that that the Deputy Chief was going to remind the Board of a meeting regarding the Town Center. Deputy Chief Barry Ward stated that meeting is scheduled for 8/6/09 at 10 AM and encourages the Board to stay involved in this. Deputy Chief Barry Ward will send an email to remind the Board of this meeting.

Resumes-Deputy Chief Barry Ward stated that letters have been sent to those who have sent resumes to us; letter states that we will keep the resume on file. Hines stated that he and Smith are the personnel liaison and should be kept informed of any inquiries.

Temporary Lieutenant-Deputy Chief Barry Ward stated that Lt. Ed Murray will be out to attend FLIP School and Lt. Jeff Kaiser is out on medical. This absence of a lieutenant creates a gap and different firefighters filling in each day does not facilitate work flow. To alleviate this, as per Civil Service, a temporary lieutenant may be appointed if there is an urgent and important need for 90 days. This would give us consistency and fill this gap until the Lieutenants return. Smith moved that we do not follow through with this until the contract is signed. There was no second to his motion. Hines asked if there was a motion to approve. There was none.

PETZEL-Deputy Chief Barry ward stated that the cost of the PETZEL EXO System is approximately \$28,000. Lantzky moved to approve, seconded by Canero. Ziedan stated that at the last meeting it was voted down. Canero stated that it was not voted down, the issue was tabled. Ziedan asked regarding the training. Deputy Chief Barry Ward stated that it was originally planned for 10 to be trained-5 career staff and 5 volunteer. If there was no volunteer interest that would bring the number down. If we do not train ourselves then we would have to bring the vendor back at a much higher cost every time we need to train someone. Deputy Chief Barry Ward stated that this system has a braking system that prevents freefalling if a firefighter should pass out in the process of escaping. This system is a top-notch system for survival. Ziedan stated that he needs more information. Smith stated that he needs more information before going forward with the purchase. Deputy Chief Barry Ward stated that we have the harnesses and they were intended for a bail out system. Ziedan stated that he needs to analyze this further. Hines stated that the Deputy Chief has spent considerable time on this. Chief Brian Odendahl stated that this is a small price to pay for the necessary safety of a member.

Hines stated that Board members should ask questions. Smith stated that he requires more information on this system. Hines asked for a motion to purchase this system. Lantzky moved to approve the purchase, seconded by Canero and when the Board was polled the vote was as follows:
Canero Aye Lantzky Aye Ziedan Nay Smith Abstain
Hines stated that the motion is carried.

Uniforms-Deputy Chief Barry Ward stated that Rainbow was low bid for the golf and job shirts. Total cost is \$3366.66. Smith stated that this is required as per the Collective bargaining agreement. Hines stated that yes this is contractual. Deputy Chief Barry Ward stated that the Haix boots are in process. Smith moved that we purchase this all from one vendor. Hines stated that we are forced to use separate vendors as there is no single vendor that can provide all everything we need. Hines stated that in order to get the uniforms in sooner in the year, we need to simply begin the process earlier in the year. Hines asked Firefighter Tom Martell if April 1, 2009 is timely enough. Firefighter Tom Martell stated yes. Smith moved that we have a target date for receipt of uniforms by April 1, seconded by Lantzky and carried unan.

Buildings & Grounds-Deputy Chief Barry Ward stated that the cable has been installed on the generator as well as the enunciator panel. Remaining repair is to be done by HO Penn and then UL inspected. Hines asked if we have complied with the Town Fire Inspector's requests for each firehouse. Smith stated that he asked for a list for Station 3. Deputy Chief Barry Ward stated that we are complying.

St.3 Concrete/Drainage-Smith stated that the grate needs to be replaced in the concrete floor at St.3. Estimate of cost is over \$7500. Smith moved to put this repair project out to bid, seconded by Canero. Lantzky asked if we can combine any concrete repairs for Station 1 with Station 3's repair. Ed Mulford stated that the drain needs to be improved. Hines stated that he would like to avoid having to involve an engineer. Secretary Holzberger asked who would provide the specifications as prospective bidders will ask for spec's when they respond to the ad for bid. Legal Counsel Rod MacLeod stated that a generic bid for repair will be advertised and bidders will respond and ask what the Board would like done and does the Board have that expertise to define the specifications.

It was suggested that specifications from a previous project regarding drainage at Station 3 be pulled and reviewed. All agreed to that first.

File Cabinet Request-Secretary Holzberger requested authorization to purchase a file cabinet for district records. Three quotes were obtained and the lowest was Staples at \$250.49. Lantzky moved to authorize the purchase of a file cabinet, seconded by Smith and carried unan.

Confidentiality-Smith moved that to ensure confidentiality all paperwork distributed to Board members at meetings be returned to the District Secretary at the end of the meeting, seconded by Lantzky and carried unan.

Hines stated that tape recorders should not be used during executive session and referred to legal counsel for clarification. Legal Counsel Rod MacLeod stated that tape recordings at public sessions are permissible as long as they are not obtrusive, however, tape recorders should not be used during executive session. Smith moved that no tape recordings are to be permitted during executive sessions, seconded by Lantzky and carried unan.

St.3 Insulation-Smith reported that the insulation project is complete.

Legal Counsel Report-Rod MacLeod reported that the matter of Fraser v. Lagrange fire District has been dismissed by Judge Dolan as the plaintiff had not shown any evidence that the District was at fault.

Blinds St2-Hines stated that an estimate to replace the vanes was \$250 and the replacement cost is \$3000. Replacement is needed as hardware needs to be replaced as well.

Canero moved to replace the blinds at a cost of up to \$2500, seconded by Lantzky and carried unan.

Labor Agreement (CBA)-Smith stated that we are nearing the end of contract negotiations with the Local and would like to have a confidential meeting to review the proposed contract with the Board. Once reviewed, we should be able to vote on this by the last meeting of this month (August 25). Canero stated he would not be available as he would be out of town. Hines suggested August 25, at 1 PM, stating the purpose of the meeting would be to review and be prepared to vote on it August 25, 2009. Smith moved to hold a confidential meeting at 1 PM on August 25, 2009, seconded by Lantzky.

Ziedan stated that we are still in negotiations; will we be ready by the 25th? Smith stated that we would cancel if we are not ready. Hines stated that he thinks we will be ready to go. Ziedan asked if there is a discrepancy. Hines stated that we will meet at 1 PM and the intent of that meeting is to review the proposed contract; we will have until 7-7:30 to review make sure each member understands it; there is no need for each commissioner to state his position at that point. Hines asked if he (Ziedan) is available at 1 PM on the 25th. Ziedan stated he does not know at this time. Hines stated that he needs three affirmative votes to approve the contract; the purpose of this meeting is to permit all

Commissioners to review it and ask questions. Hines asked if Ziedan he understood. Ziedan stated no. Smith stated that we will have plenty of time to review it; there will not be time to review it with someone else. Hines stated that is exactly the point. Canero stated that there will not be time to go to Town Hall. Smith stated that he moves that the meeting be held at 1 PM on August 25, 2009, seconded by Lantzky and carried unan. Hines stated that this is not funny and that Mr. Ziedan has been publicly sanctioned. Ziedan stated that it is not in the minutes. Smith and Hines stated yes it is in the minutes and he (Ziedan) approved them. Ziedan stated that we need to move on. Hines stated that he will decide that.

Hines stated that the meeting has been set for August 25, 2009 and reminded the Board that this is a confidential meeting; the content of which is confidential and if breached, the appropriate action will be taken. Hines asked Canero if he understood. Canero stated yes. Hines asked Ziedan if he understood and Ziedan stated no comprendo. Smith asked what that meant. Hines stated that he knows what it means. Hines asked Lantzky if he understood. Lantzky stated yes. Hines asked Smith if he understood. Smith stated yes.

Public Comment-Tom Martell, fellow commissioner (UVFD) stated that regarding the Audit and recent legislation to increase transparency in government, the audit must be filed with the Town Clerk along with an action plan and therefore it is a public document. Hines thanked Tom Martell, and understands, however, we have had an on-going problem of confidentiality breaching and as stated by Smith earlier, all documents will be returned to the District Secretary. Hines stated that we will comply with the law and the District will provide the Town Clerk with the Audit as opposed to a commissioner. Lantzky stated that he agrees with Tom Martell, and we need to prepare the response. Tom Martell explained that there is no information in there that is confidential; and he knows that it can be painful. Hines stated that we will comply.

Hines asked that the Secretary to confirm Mr. Ziedan's response to the confidentiality of the meeting of August 25, 2009 is "no Comprendo". Secretary Holzberger stated yes.

Hines asked for a five minute break prior to going to executive session. Ed Mulford stated that he was appointed to review the "Captain" for EMS, and will meet with the Chief and EMS Administrator. Ziedan stated to the Secretary that he was leaving. Hines asked that it be recorded that Mr. Ziedan left at 9:15 PM without notifying the Chairman.

At 9:15 pm, Smith moved to go to executive session, to discuss personnel issues seconded by Lantzky and carried unan.

At 10 PM, Hines called the meeting back to order and the Board returned to regular session.

Fair Tickets-Secretary Holzberger reported that tickets could be made available at a reduced rate to our members, if we wished to manage the cash and tickets. Smith move to not participate in this program seconded by Canero and carried unan.

Credit Card-Smith moved that Chief Brian Odendahl be authorized to have a District Credit Card, seconded by Lantzky and carried unan.

Paramedic Tuition-Lantzky moved to approve the tuition payment for paramedic classes for Davyd Bullock seconded by Smith and carried unan.

There being no further business, Smith moved to adjourn at 10:05 PM, seconded by Lantzky and carried unan.

Respectfully submitted,
Denise A. Holzberger, Secretary/Treasurer

