

Coldenham Fire District  
Board of Fire Commissioners  
January 11, 2016

**Call to Order**

The regular meeting of the Board of Fire Commissioners of the Coldenham Fire District was held on January 11, 2016 at the Coldenham Fire House. As the pledge to the flag was said at the beginning of the Reorganization Meeting, Commissioner Keenan called the meeting to order.

**Roll Call**

Commissioners present: Keenan, Anita Grecco, Warren Decker, Wayne Jacobowitz and Rickey Cameron.

Also present: Mary Keenan, Secretary  
Linda Miller, Treasurer  
Matt Hunt, Chief  
Barbara Gasperetti, 1<sup>st</sup> Assistant Chief

**Acceptance of Minutes**

A motion was made by Commissioner Grecco and seconded by Commissioner Decker to dispense with the reading of the monthly meeting minutes of December 7, 2015 and accept them as written. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

**Communications**

- We received from the Association of Fire Districts of the State of New York a flyer for the new Commissioner Training for either in person or online. Paperwork given to Commissioner Cameron.
- We also received from the Association of Fire Districts of the State of New York a flyer about the Saratoga Fall Vendor Expo and Workshops to be held from October 13<sup>th</sup> through the 16<sup>th</sup> in downtown Saratoga Springs at the Saratoga Hilton which is attached to the Saratoga City Center hosting the Vendor Expo. Also noted on flyer were the 2016 Annual Meeting and Workshops to be held from April 28<sup>th</sup> through May 1<sup>st</sup> at the Desmond Hotel and Conference Center in Albany.
- We received a letter from President Aigner with the outcome of the January elections.
- Commissioner Keenan stated that we also received our monthly LOSAP investment statements, auto pay and payouts etc. The monthly balance as of the end of December was \$985,457.39. We also received correspondence asking if there are any new commissioners or changes with regard to the secretary or treasurer. There was also included an information booklet. The secretary will make copies for each commissioner and the chief.
- We received correspondence from the County Department of Human Resources to update our information with them. It will be completed after the meeting and the treasurer will mail it out.
- Commissioner Keenan advised the board that Walt Halder named the Coldenham Fire Company as beneficiary of his service award program. He did not collect the full 10 years so there will be a lump sum payment amount of \$7472.09 which will be for

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the Fire Company but it will be received through the Fire District.

**Hall Requests**

- Walt Schneider for the Annual Benevolent Meeting on January 25, 2016 from 6:00 PM to 10:00 PM. A motion was made by Commissioner Decker and seconded by Commissioner Jacobowitz to approve this request. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Rev. Brian Randazzo would like to request the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays of each month from 7 PM to 8 PM beginning in February for EMS Bible Study. A motion was made by Commissioner Cameron and seconded by Commissioner Jacobowitz to approve this request. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Rev. Brian Randazzo would like April 18 from 6pm to 10pm to host the NYS fire Chaplain's Association. Rev. Van Houten is the president. A motion was made by Commissioner Jacobowitz and seconded by Commissioner Cameron to approve this request. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Frank Sangricoli on May 14 for a Raffle Drawing from 6PM to 10PM.
- Frank Sangricoli on March 19 for St Joseph's Dinner from 6PM to 10PM.

A motion was made by Commissioner Decker and seconded by Commissioner Jacobowitz to table Frank Sangricoli's request for use of the hall on May 14 pending more information. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

A motion was made by Commissioner Decker and seconded by Commissioner Jacobowitz to table Frank Sangricoli's request for use of the hall on March 19 pending more information. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

**Public Discussion**

None.

**Committee Reports**

**Space Committee and Surplus List:** Commissioner Keenan advised the board that this committee will be changed to be incorporated into the new committees from the reorganization meeting. He suggested that a white board be hung in the office so all projects can be seen at all times. He suggested that the Chief's take care of the surplus list as they are the ones that use it. If it's not used, make a list and we'll either donate it or put it out to bid.

**Safety Committee:** This committee will consist of Commissioner Cameron with Commissioner Keenan as his back-up in conjunction with the Chief and his safety officer. Chief Hunt advised the board that Pete Cunningham will be the company's safety officer. There was nothing to report on safety at this time.

**Mack Restoration Committee:** Commissioner Keenan still needs to get another price for

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tires.

**Building Repair Committee:** Commissioner Keenan stated that there was nothing new to report at this time. It was discussed under Space Committee and Surplus List.

**Truck Committee:** Commissioner Keenan advised the board that he will schedule visits from Seagraves and KME. He stated that Glenham has a new Sutphen and Commissioner Keenan will try to schedule a visit to see it.

**Old Business**

**Physicals:** Commissioner Keenan stated that it is a new year and a schedule needs to be made with a few nights and weekends. Commissioner Cameron will work with Chief Hunt to get some dates scheduled.

**OSHA:** Commissioner Decker advised the board that he attended an OSHA seminar in Kentucky. He said that fines have not been raised since 1998 and they have gone up 80%. If we fail to adequately train our firefighters, we can be fined \$12,500. There will be a meeting at the 911 center about OSHA compliance on January 28 from 7pm to 9pm. If anyone wants to attend, please let Chief Hunt know because you have to register to go.

**Driver Qualification/Active Duty Criteria:** Commissioner Keenan would like to schedule a work session for January 31 at 10 AM to finalize the Rules and Regulations.

**LOSAP/Service Awards:** Commissioner Keenan advised the board that he received the information from Chief Hunt to prepare the package and he will have it completed for the next meeting.

**Fuel Audit:** Commissioner Keenan will meet with Commissioner Jacobowitz and Chief Hunt to complete this project.

**Kaba Keys and Locks:** Commissioner Jacobowitz advised the board that he wasn't sure which direction the district wanted to go. There was some discussion to just put the locks from the hall and hallway doors on the North side of the building on the doors that the locks don't work and get more use. This would just be a quick fix. We need to know the options and the price on each. Commissioner Jacobowitz will work on this.

**Life insurance for Active Members:** Commissioner Keenan advised the board that state law says that we can only buy insurance for active members. It cannot be purchased for social members or exempt members. It can be purchased for life members as long as they are still active. Money has already been budgeted for this. We have to finish the criteria and come up with the list of active members so we can send it to our insurance company and get a quote.

**Letters from NYS DOT and Fire District:** Commissioner Grecco has not been able to get an appointment with Senator Larkin. Commissioner Cameron suggested that

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Commissioner Grecco contact the town police to see if we can get a count of how many times they go. She said that she would check with them.

**Replacement of Assistant Chief's Car:** Commissioner Decker stated that we recently purchased a new Chief's car. He asked the Chief if he was satisfied with it. The Chief responded that he loves it, it is set up perfect and it is extremely functional. Commissioner Decker would like to recommend we purchase another on just like it. Commissioner Keenan advised the board that there is a current standing contract that we can piggyback and we can go right back to the same vendor and get the same vehicle. Commissioner Decker made a motion seconded by Commissioner Cameron subject to permissive referendum to expend up to \$60,000 from the Capital Reserve for Firefighting Equipment which has a current balance of \$740,714.75 for the purchase a white Chevy Tahoe as a command vehicle with an existing state contract bid through Proliner on Long Island. Commissioner Jacobowitz asked if there was anything that did not come with the vehicle that Chief Hunt would like to have in it. He replied that he would like it to have a remote start. Commissioner Keenan stated that the dealer could install one. The secretary polled the board: Commissioner Jacobowitz – yes, Commissioner Decker – yes, Commissioner Cameron – yes, Commissioner Grecco – yes and Commissioner Keenan – yes. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried. The secretary will publish the notice in the Wallkill Valley Times.

**New Business**

**Fire company election results:** A letter was received from President Aigner with the results of the election held at their January meeting.

2 <sup>nd</sup> Assistant Chief	Mike Kenny
1 <sup>st</sup> Captain	Mike Keenan Jr
2 <sup>nd</sup> Captain	Rob Cable
1 <sup>st</sup> Lieutenant Senior Grade	Mike Wirth

Commissioner Decker made a motion seconded by Commissioner Keenan to poll the board individually starting with Mike Wirth. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

Mike Wirth for 1<sup>st</sup> Lieutenant Senior Grade

Secretary polled the board: Commissioner Jacobowitz – yes, Commissioner Decker – yes, Commissioner Cameron – yes, Commissioner Grecco – yes and Commissioner Keenan – yes. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

Rob Cable for 2<sup>nd</sup> Captain

Secretary polled the board: Commissioner Jacobowitz – yes, Commissioner Decker – yes, Commissioner Cameron – yes, Commissioner Grecco – yes and Commissioner Keenan – yes. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

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Mike Keenan for 1<sup>st</sup> Captain

Secretary polled the board: Commissioner Jacobowitz – yes, Commissioner Decker – yes, Commissioner Cameron – yes, Commissioner Grecco – yes and Commissioner Keenan – yes. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

Mike Kenny for 2<sup>nd</sup> Assistant Chief

Commissioner Keenan would not entertain a vote. He wanted to clarify the state law which the fire company failed to do at their meeting. He further advised that there has already been an opinion through the state comptroller's office and through the Appellate Division of the State of New York. The district sent a letter to the fire company last month that the officers were not approved and under the town law it reads: "if a nomination is not approved...another meeting of the members of the fire department shall submit a new nomination shall be made to take the place of any nomination not approved...which procedure shall continue until a full set of officers is approved. Commissioner Keenan stated that some discussion ensued at the fire company meeting that a new nomination is not a new name or new nominee, which is incorrect. He continued to read from the office of the state comptroller opinion and there has been no new opinions since this was for fire chiefs and villages and towns under Town Law 176 [11-a] "if a nomination is not approved...shall reconvene which shall submit a new nomination to take the place of any nomination not approved (emphasis added; see also Town Law, 176[11-a], [11-b]; Leap v Finnen) This procedure is then required to continue until a full set of officers is approved. The section requires the submission of a new nomination in the event the initial was not approved by the board. We have expressed the opinion that the fire department may not re-nominate the same individual who previously was not approved by the board. Rather, it requires the continuous submission of new names by the fire department until all offices are approved." Commissioner Keenan went on to say that the referenced case of Leap v Finnen went to the Appellate Division of the Supreme Court had to do with the Board of Fire Commissioners given a reason why they voted no. "Based on the plain language of this statute, the Board of Fire Commissioners is not required to give a reason for its rejection of the plaintiff's nomination..." Both of these issues already went to the Appellate Division of the State. Commissioner Keenan continued that some people wanted to know why the board voted no. There are five members of this board and in order to be approved, one must have at least three votes. So the reason someone did not get voted in was because they did not get three yes votes. Commissioner Keenan further stated that if anyone wanted to know anyone's individual opinion, they must be asked outside that door, because this board will not render an opinion. Therefore a new letter will be sent to the fire company asking for a new name for the position of 2<sup>nd</sup> Assistant Chief. Dan Dempsey commented that in the next letter sent to the fire company it should be pointed out that a new name needs to be submitted. Commissioner Keenan responded that he was at that meeting and tried to put that point across, but they didn't want to hear that. President Aigner commented that it was confusing to him. If he would have this prior to that, we could have had a different direction that night. Further discussion ensued.

Executive Session: At 8:29 PM a motion was made by Commissioner Decker and seconded

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by Commissioner Jacobowitz to go into executive session to discuss a personnel issue. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.

The meeting reconvened at 8:40 PM. No action was taken.

A letter will be sent to the Fire Company saying that we did not entertain the nomination because it is not a new nominee.

**Chief's Report**

**Membership**

- New members: 0
- Qualified drivers: 0
- New Drivers Requested: 0
- Drivers dropped: 0
- Physicals: On going
- Members passing probation: 0
- Members reinstated: 0
- Members dropped: 0
- Social Members dropped: 0
- Status switch: 0
- Members suspended: 0
- Members resigned: 0

**Further Information from the Chief**

- Chief Hunt advised the board that the Paratech equipment was ordered and we should get it by the end of this month or the beginning of February.
- Chief Hunt advised the board that the master intake electronic valve for the truck was ordered.
- Chief Hunt advised the board that the Fire Police gear was ordered and most of it is in.
- Chief Hunt advised the board that the replacement pulse ox meter was ordered. That's been placed in service on 201.
- Chief Hunt stated that Rickey Cameron will need a new uniform. Chief Hunt will need alterations and stripes added to his.
- The company would like to have beer and wine at their awards night on Friday night. A motion was made by Commissioner Jacobowitz and seconded by Commissioner Grecco to allow the company to have beer and wine at their awards night, keeping it all inside and have supervision. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Chief Hunt advised the board that the lock on the Vegas closet is broken.
- Chief Hunt stated that the company would like the binder updated for the Commissioner's Rules and Regulations. Commissioner Keenan stated that we have been working on this for the last year and a half and any changes are in the back of the binder.

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- Chief Hunt would like to purchase 14 emergency response guide books that we have to have in each apparatus. They are \$6.29 each for a total of \$88.06. A motion was made by Commissioner Decker and seconded by Commissioner Jacobowitz to approve the purchase of 14 emergency response guide books at a cost of \$88.06. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Chief Hunt advised the board that he will need medical supplies. Commissioner Keenan asked if he had a list yet. He said no.
- Chief Hunt said that the 6 wheeler needs new tires. (This was approved in October 2015.) A motion was made by Commissioner Decker and seconded by Commissioner Cameron to approve up to \$800 for Chief Hunt to purchase tires for the six wheeler. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Chief Hunt advised the board that we need to have bail out training. Everyone needs to recertify and the newer interior members have to do the original certification. He thinks re-certifications are about \$20 and the original certifications were about \$100. He will bring prices to next month’s meeting.
- Chief Hunt advised the board that 1<sup>st</sup> Assistant Chief Gasperetti’s car was inspected and it was recommended to get new tires. Commissioner Keenan suggested that she bring the vehicle to Rapid Tire and see what they recommend. A motion was made by Commissioner Decker and seconded by Commissioner Cameron to allow 1<sup>st</sup> Asst Chief Gasperetti to get tires for her vehicle. Unanimous approval (5 ayes, 0 nays) was received by those in attendance. Motion carried.
- Chief Hunt advised the board that Pete Cunningham will be the acting Safety Officer, Fred Stipak will be the EMS Officer (an administrative position), Mike Keenan will be the Engineer and Mike Kenny will be the Training Office.

**Further Information from the Commissioners**

None.

**Information from the Treasurer/Secretary**

- Treasurer Miller advised the board that \$30,000 was transferred from end of the year funds to the Capital Reserve for Property and Acquisition.
- Treasurer Miller received the \$40 check from Tom Kaiser for the purchase of the surplus tires.
- Treasurer Miller mailed in the 2% fire tax form to the state.
- Treasurer Miller submitted the end of year transfers which are attached.

**Approved Expenditures**

Emergency Response Guide Books	\$	88.06
Tires for 6 wheeler		800.00
Tires for 1 <sup>st</sup> Asst Chief Gasperetti		?

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**Public Discussion**

None.

**Bills Signed**

Commissioner Decker made a motion to pay bills if found correct, seconded by Commissioner Jacobowitz. Unanimous approval (5 ayes, 0 nays) by those in attendance was received. Motion carried.

**Budget to Actual Report**

Commissioner Keenan advised the board that we received the budget to actual report from the Treasurer and it was reviewed. Commissioner Keenan acknowledged receipt and review of the Budget to Actual Report.

**Adjournment**

Since all regular business was completed, Commissioner Decker moved to adjourn the meeting seconded by Commissioner Jacobowitz. Unanimous approval (5 ayes, 0 nays) by those in attendance was received. Motion carried.

Respectfully submitted,

Mary E. Keenan  
Secretary