

**Claryville Fire District  
Minutes from December 11, 2014**

The regular meeting of the Board of Fire Commissioners was called to order at 6:40 PM, Thursday, December 11, 2014, in the Claryville Fire Department Community Hall.

**Present:** Chairman/Commissioner Charles Breiner, Commissioners Andrew Ford, Daniel Forget and Morgan Wynkoop.

**Absent:** Commissioner Anthony Carminati.

**Representing the Fire Department:** Glenn VanDenBerg , Tom Matthews, Chris McGrath, Jennifer Pisaniello, Bonnie VanDenBerg, Terry McNamara, Gary Frear, Desiree Jimenez-Frear and Virginia Frear.

**Member of the Public:** Peter Donnolo, and Carol Lasco.

Minutes of the November meeting were not available and would be read and approved at the next meeting.

In the absence of Jim Tisch, Commissioner Ford acted as secretary.

**Treasurer's Report.** Treasurer Jim Tisch submitted the Treasurer's Report for November 2014 to Chairman Breiner prior to the meeting. Chairman Breiner read the report. UPON MOTION by Commissioner Forger, Seconded by Commissioner Wynkoop to approve the report, motioned carried 4 to 0.

**Communications and Bills:** Chairman Breiner read the only communication received for the month, which was certificates relating to NFPA air quality tests on air tanks.

**Chiefs' Report:**

1. Four calls since last meeting. First, November 11, Jackknifed tractor-trailer near Winnisook, seven members responded. Second, on November 15, house fire across the street, 10 members responded. Third, auto accident on County Road 19, 10 members responded. Fourth, on November 24, broken insulator on telephone pole on County Road 19, 12 members responded.
2. Total Calls through December 11, 2014 is 30. Good drill attendance. Tires being replaced on trucks - two bad tires on one truck and one on second truck. Because of the type of tires, a total of four tires need to be purchased to replace these three.
3. Turnout gears to be replaced, measurements will be down on the following Monday.

### **Old Business:**

1. Cabinets for Truck. Chief Matthews stated cannot do anything about cabinets on trucks tonight.
2. Truck House Lease. Lease for truck house needs to be signed. Commissioner Forger highlighted a couple items from the lease for the public. UPON MOTION by Commissioner Forger, Seconded by Commissioner Wynkoop, to adopt the lease for the truck house, motioned carried 4 to 0. Two originals of the lease were signed by Chairman Breiner and returned to the Company for its signature.
3. Fuel Purchase. Chief Matthews reported on purchase fuel discussed in the prior meeting. He expressed concern with respect to how the fuel was to be paid for. Desire for clarification from Treasurer on process.
4. Turnout Gear Reserve Fund. Commissioner Ford discussed the Turnout Gear reserve fund that was created a few months back to help even out (from a budgeting standpoint) when turnout gear replacement annually. In order to create a new reserve fund, however, a referendum appears to be needed. Technically, therefore, the Turnout Gear reserve fund has NOT been created. In January we will have to rebudget that amount – any amount above will need to be allocated for next year’s budget. Commissioner Ford spoke with the Board’s outside counsel and confirmed that turnout gear probably would qualify for equipment repair reserve fund. So, we could handle the same concern through increasing the amount to that reserve fund. Any budget adjustments relating to this should be handled in January’s meeting.
5. Tire Replacement. Commissioner Ford also spoke with lawyer re: tire replacement. The process for this involves an advance public hearing prior to payment.

### **New Business:**

1. Fire Department Election: Approval of election of officers by the Fire Department. Chairman Breiner read the results of the election: Glen VanDeBerg, Chief; Tom Matthews, Assistant Chief; Jeff Williams, 2<sup>nd</sup> Assistant Chief; and Chris McGrath, 3<sup>rd</sup> Assistant Chief. UPON MOTION by Commissioner Forger, Seconded by Commissioner Wynkoop, to approve the officers, motioned carried 4 to 0.
2. New Member: Transfer from Neversink, Johannes Peter. Background check done by virtue of the fact that he is transfer from Neversink. UPON MOTION by Commissioner Forger, Seconded by Commissioner Wynkoop, to approve transfer of Mr. Peter, motion carried 4 to 0.
3. Election Result for Board of Fire Commissioner. Chairman Breiner read the elections results from the December 9<sup>th</sup> election.

**Committee Reports:** None.

## Comments from the Public:

1. Appointment of Commissioner Wynkoop: In regard to the appointment of Commissioner Wynkoop, a member of the public asked a question regarding to qualification for being a commissioner and expressed concern that a member of the Fire Department was also a commissioner.
2. Notice of Fire District Election: With respect to the election, Peter Donnolo asked who is responsible for providing notice of the election. Commissioner Ford indicated that the notice was published in the Townsman in November and that there was no requirement for the notice to be published weekly until the election. Mr. Donnolo mentioned that the Townsman has a summary box [Note: this is separate from official notices] that discusses all upcoming meetings. He noted that the election was not in that box in the paper. Commissioner Ford indicated that he did not know if this is something the Townsman aggregates on their own or if a request needs to be made to get election date in that box. Commissioner Ford indicated that if we have any ability to get this included, it should be. Commissioner Ford also wondered whether the message board outside could be used. Chief Matthews mentioned that this sign belonged to the Company and is limited to Fire Company functions and information. Chief Matthews said he could not speak for the Company as to whether to use notice board for this purpose. He suggested a letter be written to the Company requesting this. Also with respect to the election, a question was asked about what could be done about changing the date of the election given it seems to fall on a day with bad weather. Mr. Donnolo indicated that his research into this indicated that a District can petition the State of New York to change the date of election for a specific Fire District. Commissioner Ford mentioned that Commissioner Carminati called him on Election Day to see what, if anything, could be done regarding postponing the election because of that day's bad weather. Commissioner Ford reached out to outside counsel, who was unavailable, but spoke with his assistant and that nothing can be done in such circumstances.
3. Mr. Donnolo asked whether the building was insured given it is an emergency shelter.
4. Electioneer Signs at Fire District Polling Place: Mr. Donnolo mentioned that he did not see any signs posted on election night regarding no electioneering with specified distance from the voting place. Mr. Donnolo specifically stated he was not disputing the results. Commissioner Ford asked Mr. Donnolo if he witnessed any electioneering on Tuesday's evening. Mr. Donnolo said he did not. Commissioner Forger stated that he thought the comment was worthwhile and should be in the minutes to remind us next year to have such signs posted by the appropriate persons.
5. Cabinets for Truck: Mr. Donnolo addressed the Chiefs and indicated that there is another place that could make and install the cabinets locally for a much lower price that previously quoted. Chief Matthews indicated the Company received a quote from the same company that had done other work on the truck because they know the quality of the work. Commissioner Ford indicated that the District does have a Procurement Policy

and that, if applicable to this purchase, the policy would have to be followed before purchasing the cabinets from any vendor. Mr. Donnolo also mentioned that there were alternatives to storing the cones in a cabinet – *i.e.*, collapsible cones. Chief Matthews indicated that collapsible cones are easily blown away – *e.g.*, when used as a landing zone

6. Mr. Donnolo asked how the Board can approve a firefighter as a member without a background check. Commissioner Ford indicated that the Chiefs said a check was done. Chief Matthews indicated that background check was not done by us. Chairman Breiner indicated that the member was ALREADY a county firefighter and was just transferring from Neversink to Claryville. Additional discussion was had as to how the process worked, including how calls are handled given the Fire District straddles both Sullivan and Ulster counties.
7. Mr. Donnolo asked whether absentee ballots were permitted. Commissioner Ford and Chief Matthews indicated that absentee ballots were not provided for in the procedures for fire district elections. Commissioner Ford indicated that it would be a double-check.

At this point, the Board went into Executive Session.

The Board returned from Executive Session.

UPON MOTION by Commissioner Forger, Seconded by Commissioner Wynkoop, to pay the bills, motion carried 4 to 0.

UPON MOTION by Commissioner Forger, Seconded by Commissioner Wynkoop, to give special recognition to Chairman Breiner for his service to the Board and the Department, a round of applause was given to Chairman Breiner.

Discussion was had as to the date of the Organizational Meeting in January. No set date announced.

There being no other business before the Board, UPON MOTION by Commissioner Wynkoop, seconded by Dan Forger, to adjourn the meeting, motion carried 4 to 0.

Meeting was adjourned.