

**ENDWELL FIRE DISTRICT
BOARD OF FIRE COMMISSIONERS
MONTHLY MEETING
April 24, 2024**

Members:

Donald Battaglini, Vice Chairman
Michael Hamzik
Michael Lewis
Richard Wrobleski

Others Present:

Erika Pereira, District Secretary
Michael Battaglini, Fire Chief
Robert Brady, President of Fire Company
Michele Pandich, 1st Vice President of Fire Company
Julie Spisak
Dennis Sullivan
Davey Cortes
Gregg Cook
Patrick Spisak

Vice Chairman Battaglini called the Board of Fire Commissioners' Work session to order at 6:30 pm.

The Board went over the agenda.

The work session was closed at 7:00 pm.

Erika Pereira was given a small token of appreciation for Administrative Professionals Day.

The Board of Fire Commissioners meeting was called to order at 7:02 pm.

Motion by Commissioner Lewis, second by Commissioner Wrobleski, to approve the March 27, 2024 meeting minutes with no corrections. All in favor; motion carried.

TREASURER'S REPORT: Motion by Commissioner Lewis, seconded by Commissioner Wrobleski, to approve the treasurer's report and Capital Reserve Summary. All were in favor; aye, the motion carried.

Honorable Board Members,

I regret that I cannot attend the board meeting this evening due yet another death in the family. Below are my comments;

At the Capital Planning meeting on March 6, 2024, we discussed transferring to the NYCLASS Apparatus Reserve the proceeds from the sale of equipment in 2023, equal to \$159,967 plus an additional \$55,000, totaling \$214,967. At the time we thought we had missed approving this in December of 2023 and were going to ensure it got approved this December 2024. I went back to the minutes from the December 20, 2023, board meeting and found the board had indeed approved making that transfer in December. The transfer was made on 4/6/24 and is reflected in the Treasurer's Report for April 24, 2024. The Capital Planning spreadsheet will be updated and distributed to the board within the week.

In February 2023, a resolution was passed to purchase a chief vehicle not to exceed \$200,000.

A purchase order was issued to Joe Basil Chevrolet for \$52,056 for a 2024 Chevy Silverado Chassi on 3/23/23. \$52,056 was transferred from the NYCLASS Apparatus Reserve to the CY Fund to cover that payment which was made in March of 2024.

An additional \$37,319 will to be transferred from the NYCLASS Apparatus Reserve to pay Binghamton Truck Body Inc for the body work. This purchase order was issued 5/26/23 and is on the list of bills for approval.

Bond principal payment = \$140,000 and Interest payment = \$22,059 were paid to Depository Trust on 4/11/24 and 4/15/24, respectively. These payments are for the QUINT/SCBA/ENGINE RESCUE / CV Bond. Principal balance remaining on that bond according to the bond schedule is \$1,440,000.

\$63,452 was transferred from the Current Year Fund account at M&T Bank to the NYCLASS PY Fund Savings account. This

amount represents the balance of prior year funds that remained in the current year fund as of March 27, 2027. The ending balance in the NYCLASS PY Savings account is \$581,443.43 as of 4/24/24.

Again, I apologize for not being there in person. Please submit any questions via e-mail and I will respond as soon as I am able.

Unfinished Business:

1. Station 3: Commissioner Hamzik and Commissioner Wroblewski met to walk through the station and review the facility condition reports received.
2. New Apparatus – 2024 Chevrolet Silverado: The new Utility 31-1 had the body installed and a winch at Binghamton Truck Body. Fire Chief Battaglini delivered the vehicle to Bush Electronics in Syracuse on Friday, April 19.

Chief Battaglini discussed which of the old utilities should be put up for sale once the new utility is put into service (U31-1, a 2009 Ford F550, or Utility 31-2, a 1998 Chevrolet CK30903). Chief Battaglini would like to see Utility 31-1 sold at auction.

3. New Apparatus – Engine: There is a two-year turnaround time for the truck to be built and delivered.
4. Updates to the Board Room: The cabinets are slowly being cleaned. Hammer's Woodworking did all they could to level the tabletop. The new chairs were ordered and are waiting to be delivered.
5. Partial Real Property Tax Exemption for Volunteer Firefighters: Commissioner Hamzik and Commissioner Wroblewski wrote a letter and sent it via email to Joseph Cook, Town of Union Assessor, and Cheryl D. Sullivan, Broome County Attorney, for clarification on 20-year members. Also copied on the email were all of the Fire Commissioner, Aaron Lesch, Central Region CRM, NYS Department of Taxation and Finance, Robert Mack, Supervisor, Town of Union, and Dennis Sullivan, Trustee of the O.L. Davis Fire Company. We are currently waiting for a response.

Commissioner Battaglini asked if anyone would like to voice their concerns on this topic, as he did not want to wait until the Hearing of Visitors.

Rob Brady stated that at the last meeting, Mike would get with him and Denny and go down to the town to try and work this out. He stated that didn't happen and knew Denny attempted to work that out.

Commissioner Hamzik stated he did not state that.

Commissioner Lewis proceeded to state yes, you did.

Rob Brady stated yes, you did he heard it very clearly.

Commissioner Hamzik stated he would talk to Denny about this and keep him informed.

Rob Brady stated that Marty Szymanski from Union Center and himself have been working with the Town of Union on this issue for over a year. Marty put together some recommendations for changes in the Town rules. He stated he spoke with three different attorneys, and everyone agrees that 20-year members are covered. However, there is a glitch about whether you had to be active when the law was passed or not. That is the only part that needs to be written more clearly. The recommendations for change were submitted to the Town of Union Board and are being reviewed. Rob Brady stated he was waiting to hear back if the Town of Union Board would make the changes.

The Board of Fire Commissioners agreed and stated they were trying to get clarification. The letter that was sent to the names listed above asked for clarification.

Rob Brady stated that it is not the Fire District, Fire Company, or Fire Department's obligation to decide who gets it or who doesn't. That is Joe Cook's responsibility. He said you submit your list of eligible people, and the Town will get the form from members.

Commissioner Wrobleski stated that this was not correct under his interruption. It is the District's job to develop a list of eligible members. We then submit that list to the Town. The only job that the Town Assessor has is to match the name to the list when the individual submits their form to the Town.

Commissioner Hamzik stated he went to tax lookup to look up every person in our department since the requirements to be eligible are "The enrolled active member must reside in the territory served by the Fire District, the property must be the primary residence of the enrolled member, and the enrolled active member must own the property." Commissioner Hamzik stated he made sure the list was of everyone eligible per the laws and our policy.

A discussion was held again on who has the authority to submit the list of eligible members. Rob Brady once again stated that it is an incorporated volunteer fire company. Commissioner Wrobleski noted that this is not correct. Town Law says Section E. - The volunteer firefighter or volunteer ambulance worker is certified by the organization, entity, or individual responsible for promulgating and enforcing the rules of conduct and defining active service of such volunteer firefighter or ambulance worker (the "Authority Having Jurisdiction") for the incorporated volunteer fire company, fire department, or voluntary ambulance service as an enrolled member who has served such incorporated volunteer fire company, fire department, or voluntary ambulance service for at least two (2) years. Each eligible member must own the property and live in the District, and it must be your primary residence.

In this case, the Authority Having Jurisdiction for the incorporated volunteer fire company or fire department is the Endwell Fire District.

Commissioner Wrobleski stated that when the District provides the list for the twenty-year members, are we just providing that list with every 20-year member that still resides in the area, or is the District providing a list of 20-year members that were active at the time when the law was passed. That is where the catch is. If the Town changes the law to match the County Law, then the District can give every 20-year member who still lives and owns their property in the district the exemption and provide their name to the Town.

Denny Sullivan stated he was at that same Town meeting last week. He does not get the impression that this is moving forward at all. He feels everyone is dragging their feet on this, and he would like the district to submit a list with all of the 20-year members to the Town and let the Town decide if those members should receive the tax exemption or not.

Commissioner Wrobleski stated that one of the issues we have right now is that it has not been challenged in court, so we do not have a judicial ruling on the matter. So, that is where these questions get answered in the court of law. The judge will say this is how I interpret the law; this is how it will be. At this moment, we do not have that.

Denny Sullivan stated that other department 20-year members are receiving a benefit that our 20-year members are not. Everyone is supposed to be under the same guidelines and jurisdiction. He stated that you should submit the list of 20-year members to the Town, and if it is not approved, then it is not approved.

Commissioner Wrobleski stated that when the end of the year approaches and nothing has changed, the District will consider submitting a list with all of the 20-year members for the next tax year. At this time, the deadline to submit the tax forms and list has passed. The forms had to be submitted by March 1 to the Town of Union by the eligible member. According to County and State law, the list of eligible members had to be submitted by January 31 to the Town of Union Assessor.

Commissioner Wrobleski will work on creating a list of the eligible 20-year members to be submitted for next year.

Patrick Spisak stated that all this is covered under Real Property Tax Law Chapter 670. The local taxing authority can exercise the option to give life members the exemption. The Town of Union did not exercise the option when it created its local law. New York State cannot tell a local jurisdiction how it manages its jurisdiction.

Commissioner Wrobleski stated that the Town Law has a section specific for 20-year members, and so does the County. So, all three levels of government have a section for 20-year members.

Patrick Spisak stated that according to the Town Law, it is an active member. Commissioner Wrobleski stated that is where the confusion is on granting the lifetime exemption for 20-year members.

Chief Battaglini stated a Fire Commissioner should be present at a Fire Company meeting to discuss this further.

6. **Photographer:** Kimberly Hill picked up the physical packet to complete her physical. She will complete the photographer orientation once we receive clearance from Southern Tier Occupational.

Commissioner Lewis asked if she would have to take BEFO.

Chief Battaglini stated that he found out through our insurance company that BEFO is not a requirement for a Photographer. They need a run-down of what they can and cannot do and who the chain of command is.

Commissioner Hamzik stated she did not have to. She will be completing an in-house orientation that John Hussar created.

Commissioner Lewis wanted to know when he was going to see that orientation. He wants to review it and see what it entails and involves.

Commissioner Hamzik will send out a copy of the orientation.

7. **SCBA Bottle Replacement:** Chief Battaglini is waiting for the State Contract pricing. He stated he is leaning more towards replacing the 110 cylinders.

There is currently \$266,652.20 in the Equipment Capital Reserve Funds.

8. **Station 3 Keyless System Panel:** Sentry Alarm has completed the work.

Commissioner Lewis stated Jason Stupski asked if the Board could get a key box to place on the outside of the building so that if the panels were ever to fail again, they could gain access to the building with a physical key.

Erika Pereira will look into a key box to be purchased for each station.

9. **Scanners for Stations:** Scanners have arrived, and Commissioner Wrobleski will take them to work to have one programmed.

10. **Roof PMs:** Penn-York Construction Company LLC. Submitted a preventative maintenance quote for the roofs at all three stations. Commissioner Battaglini stated we need two other quotes for a price comparison. Commissioner Battaglini asked if Commissioner Lewis could complete the task, and he said it might be a while since he is going on vacation.

Commissioner Hamzik will take on the task.

Erika Pereira will put together a work scope to send to vendors.

11. **Move the deceased members' board to the Community Room:** Commissioner Lewis is waiting for a price quote from Pen York Construction Company to complete the task.

Denny Sullivan asked if the 50-year plaque should be moved, too. Rob Brady stated that it was fine where it was.

12. Commissioner Lewis had a question regarding the auxiliary physicals and what they entail. Commissioner Hamzik admitted that he made a mistake and forgot that he was supposed to attend the last Auxiliary meeting to answer any questions regarding the physicals.

Michelle Pandich stated that the Auxiliary is seeking clarification on who has to get a physical and what that physical will entail. She noted that the Rules and Regulations state, "All existing Auxiliary shall be annually certified by the Fire District's Medical Services Provider. & "New Auxiliary members shall be certified by the Fire District's Medical Services Provider prior to being released for participation in the Auxiliary. "Then the Membership Requirement Policy states, "Auxiliary members responding to the scene must have a physical indicating Auxiliary yearly."

Commissioner Hamzik stated the physical requirement is only for Auxiliary members responding to the scene. He said he would write a letter outlining this and what the physical will include. There is a change coming to the Rules and Regulations.

13. On Saturday, May 11, 2024, Southern Tier Medical Care Occupational Health will be on-site at Station 1 to provide members with their physicals. If you are expired, coming up due, or need to complete your first yearly physical, we encourage you to take advantage of this opportunity.

There are 18 slots to fill, and we need a minimum of 10 people to hold this clinic. The start time will be 8:00 a.m.

New Business:

1. Approve bills and supplement for payment: Motion by Commissioner Hamzik, second by Commissioner Wroblewski, to pay the bills and supplement for payment:

Vouchers # 24_04-001 to 24_4-080, including payroll and Debt Service interest payments totaling \$270,240.87.

Supplemental List: Vouchers # 24_5-001 to 24_5-014 totaling \$22,052.41.

All in favor; motion carried.

2. Buildings & Grounds: Commissioner Hamzik stated he contacted Ziegler Property Maintenance to complete the cleanup of the back parking lot.
 - Commissioner Lewis stated the back door by the training room does not seem to be working correctly. Erika Pereira to contact Sentry Alarm and have them check the sensor above the door.
3. Community Room Reservation Request(s): Motion by Commissioner Lewis, second by Commissioner Wroblewski, to approve the request to use the community room. All in favor; motion

carried.

Date	Times	Requested by	Use	Cost	Comments
06-01-2024	All Day	Cheryl Fedorchak	Baby Shower	\$200 Security Deposit \$200 Room Rental Fee \$100 Kitchen Rental Fee	Member: Request to waive room & kitchen rental fee
06-15-2024	All Day	Sheronda Patnode	Birthday Party	\$200 Security Deposit \$200 Room Rental Fee \$100 Kitchen Rental Fee	Member: Request to waive room & kitchen rental fee

4. Chief's Report: Commissioner Hamzik made a motion, seconded by Commissioner Lewis, to accept the Chief's Report. All in favor; Aye; motion carried.

Honorable Board Members,

- *We sent seven firefighters to the services for the Onondaga County Sheriff's Deputy killed in the Line of Duty. That is an excellent turnout for our people to pay respects.*
- *New Utility 31-1 had the body installed and a winch at Binghamton Truck Body. I delivered it to Bush Electronics in Syracuse this past Friday. (Sale of U31-1 or Utility 31-2?)*
- *I am still awaiting the official SCBA and Cylinder replacement quote. Our salesman had a death in the family and is dealing with that. I told him that we understood and that he should get me the quotes when he was able.*
- *Still waiting to hear from the Board of Fire Commissioners on the replacement of Car 31-C. Just a reminder that we put \$11,000 into repair on that car last year.*
- *Endwell Fire, Endicott Fire, Vestal Fire, and Campville Fire have been meeting frequently to try to start a joint water rescue team.*
- *I continue to be in contact with Sutphen on the new Engine. The communication continues to be great. We are still on track for a 2025 delivery.*
- *Due to school obligations, Ryan and Tyler Derkowski cannot attend the swift water rescue tech class we are putting on next month. They are looking into attending the NYS Swift Water class in Oriskany, NY. The class is free to us; however, they would need lodging and a meal per diem.*
- *In June, we will send 5-6 firefighters to the Bomb Tech class in New Mexico. The federal government pays for this at no cost to Endwell Fire.*
- *I have requested the Auxiliary to prepare bag lunches for our firefighters taking the Swiftwater class at the beginning of May. We have six people taking the class for three days.*

5. Support Services Report: Commissioner Hamzik made a motion, seconded by Commissioner Lewis, to accept the Support Services Report. All aye; the motion carried.

6. Maintenance Division Report: Commissioner Hamzik made a motion, seconded by Commissioner Lewis, to accept the Maintenance Report. All aye; the motion carried.

The following maintenance was completed since the last board meeting:

- *Quint 31* *Paint/rust issue in process / Replacement of aerial in process*
- *SCBA* *Looking into replacements / All but one past annual flow testing out for repair*
- *SCBA Compressor* *Repaired / Leaking whips*

7. Training Division Report: Motion by Commissioner Hamzik, second by Commissioner Lewis, to accept the Training Report. All aye; motion carried.

Trainings held in the month of April:

- April 01st – Live Burn Training Vestal
- April 8th – Brush Fire Scenarios
- April 15th – HAZMAT DECON Training in East Maine with Broome County HAZMAT
- April 22nd – Water Rescue Awareness

Special Operations Trainings:

- April 14th – Water Rescue Training – Equipment Familiarization
- April 28th – Water Rescue Training – Dry Suit and Swimming Operations

Outside Trainings Offered:

- McNeil Trainings Online- Multiple Training Available
- NYSEG Trainings Online
- National Grid Safety Training – 3 Hours
- FEMA – Online Training Courses and In-person Classes

Currently in NYS Training:

- 4 Personnel are In the Broome County EMT-B Course
- 6 Personnel are taking the Rescue 3 Swift Water Rescue Technician

Upcoming Fire Trainings in April:

- April 29th – Motor Vehicle Extrication – Cutting
- May 6th – Live Burn Vestal – Live Fire
- May 13th – Business Walk Through – Town of Union Buildings
- May 20th – Pumping, Hoses and Handlines
- May 27th – Memorial Day – TBD

The Training Schedule will be posted to IAMRESPONDING Application.

8. Fire Company Report(s):

- a. Commissioner Hamzik made a motion, seconded by Commissioner Lewis, to accept Cassidy Mc Knight (Badge# 490) as a new member of the fire company pending the successful completion of her physical. All aye; the motion carried.
- b. Motion by Commissioner Hamzik, seconded by Commissioner Lewis, to accept the Fire Company's request to hold the following event at Fire Station 1.
 - Nov. 16 and Nov. 17, 2024 - Antique Show with set up on Friday, November 15 - Community Room
 - May 13 through May 18 to have Firehouse Coffee and Donuts trailer in front of Fire Station 1 on the apron.

All aye; motion carried.

9. O.L. Davis Fire Company Newsletter: Commissioner Battaglini reminded everyone that Alice Fiacco, Company Secretary, is working on the monthly newsletter and asked them to think of ideas for it.
10. AFDSNY Mini Summit – South Line Fire District #10: Motion to approve Erika Pereira to attend the AFDSNY Mini Summit in Cheektowaga, NY. The summit is Friday, May 3 – Saturday, May 4, 2024, at South Line Fire Department #10 (74 Gary Lane Cheektowaga, NY 14277). The breakdown is as

follows:

- Course Fees: \$45.00
- Lodging: \$184.55 per night for nights (Hampton Inn Buffalo – Airport/Galleria Mall)
- Transportation: Carpool with Sue Bowen (Vestal Fire District Secretary)
- All meals are included for Friday. Meals for Thursday and Saturday are at the per diem rate of \$51.75 for the First and last day of travel.
- For 1-person total cost would be estimated at \$500.00
- The covered courses are Common Audit Pitfalls, A Year in the Life of a Fire District Secretary, Professionalism, Passion & Pride in our Volunteer Fire Service, Ask the Experts Insurance Panel, and Fit for Duty.

Motion by Commissioner Hamzik, second by Commissioner Wroblewski, to allow Erika Pereira to attend with a not to exceed the amount of \$600.00. All aye; motion carried

11. Amendment to the Fire District Rules and Regulations: Since Commissioner Anderson is not present again, this will have to wait until the next board meeting.

Hearing of Visitor(s): None

Correspondence(s): Starr Uniform Center sent out letters to their customers.

Dear Valued Customer,

As most of you know, we lost our founder and industry titan, Sam Starr, on December 19, 2023. Sam's life of service to his community and dedication to the uniform industry was unparalleled. His passing was and continues to be mourned by family, friends, employees, and customers alike, and we thank you sincerely to those of you who have reached out with condolences.

We write to you today to clearly state that, contrary to categorically false and frankly disgraceful rumors being spread by a few competitors, Starr Uniform Center has been, is, and will continue to remain open for business, guided by the Starr Estate and our team of 20 experienced uniform professionals, embroiderers and seamstresses that take pride in providing the best customer service in the uniform industry.

We thank you for years of loyalty and look forward to continuing the meaningful relationships that we have built and maintained with our customers over the past four decades, just as Sam intended.

Copies of the Association of Fire Districts of The State of New York Fire District Affairs for April 2024 – May 2024 were handed out.

Motion by Commissioner Battaglini, second by Commissioner Hamzik, to ENTER INTO EXECUTIVE SESSION at 7:29 pm to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or persons. All in favor; motion carried.

We exited the executive session at 7:54 pm with no action taken.

Commissioner Lewis made a motion, seconded by Commissioner Hamzik, to adjourn the meeting at 7:56 p.m. All aye; the motion carried.

All motions were unanimously carried unless otherwise noted.

Respectfully Submitted,



Erika Pereira

Fire District Secretary