

Board of Fire Commissioners

Greenfield Fire District
P.O. Box 103
Greenfield Center, NY 12833
(518) 893-0723

The August 2009 Meeting of the Greenfield Fire District Board of Fire Commissioners was called to order at Co #1 by Chairman Don Kugler at 7:03 pm on August 12, 2009. The flag salute and a moment of silence were recognized for the departed.

Present were:

Commissioners: B. Bishop, Kugler, Robarge, Spackmann, Waite; Secretary Petkus, Treasurer J. Bishop, P/A J. Chouinard, Deputy Treasurer V. Perkins; A/C's: Davis, Ellsworth; 2nd A/C's: Middlebrook. Please see attached sheet for others in attendance.

Chairman Kugler asked for any additions/deletions/corrections to the July 2009 Commissioner meeting minutes.

RESOLUTION #304 TO ACCEPT THE JULY 8, 2009 MEETING MINUTES AS WRITTEN.

MOTION: B. Bishop

SECOND: Waite

RESOLVED to accept the July 8, 2009 Meeting Minutes as written.

VOTE: All in favor, motion carried.

Chairman Kugler asked for questions/comments regarding the abstract.

Commissioner B. Bishop noted it was brought to the Board's attention that A/C King had once again left his mileage in the LOSAP box; unfortunately A/C King is not here this evening, but felt that he is trying to press the envelope, it is inappropriate and as an officer he should be more responsible. Commissioner Robarge agreed with Commissioner Bishop's sentiments and Commissioner Spackmann noted he spoke with A/C King and will not support payment of mileage if this happens again in the future.

RESOLUTION #305 TO PAY CLAIM #9431 THROUGH CLAIM #9499, TOTALING \$42,572.06.

A3410.1	\$ 4,678.67
A3410.2	1,464.37
A3410.4	35,778.63
A9030.8	334.24
<u>A9050.8</u>	<u>316.15</u>
Total:	\$ 42,572.06

MOTION: Waite

SECOND: Spackmann

RESOLVED to pay claim #9431 through claim #9499, totaling \$42,572.06.

VOTE: All in favor, motion carried.

RESOLUTION #306 TO PAY CLAIM #ER902 THROUGH CLAIM #ER908 FROM THE EQUIPMENT RESERVE FUND PER PREVIOUS REFERENDUMS, TOTALING \$39,226.49.

R3400.0	\$39,226.49
Total:	\$39,226.49

MOTION: B. Bishop

SECOND: Waite

RESOLVED to pay claim #ER902 through claim #ER908 from the Equipment Reserve Fund per previous referendums, totaling \$39,226.49.

VOTE: All in favor, motion carried.

Commissioner Waite asked why we are buying picture frames when we are worried about the floor in Porters. Commissioner Spackmann noted \$200.00 was not going to deplete the reserve fund, and this money was already previously allocated for the renovations at the Maple Avenue firehouse. Brief discussion.

RESOLUTION #307 TO PAY CLAIM #BR914 FROM THE BUILDING RESERVE FUND PER PREVIOUS REFERENDUM, TOTALING \$179.82.

R3400.0	\$179.82
Total:	\$179.82

MOTION: Spackmann

SECOND: Robarge

RESOLVED to pay claim #BR914 from the Building Reserve Fund per previous referendum, totaling \$179.82.

VOTE: All in favor, motion carried.

Correspondence:

- Secretary Petkus read a letter (attached) written by her once again noting her concern regarding possible violation of FOIL and Open Meeting laws.
- Received and read a letter (attached) from Company #1 president Karen Gibbins asking the Board to reconsider some of their votes with regard to some of the by-law committee recommendations.
- Received and read a letter from the Department of State regarding the 2009 NYS Fallen Firefighter's Memorial Ceremony October 6th, during Fire Prevention Week.
- Association of Fire District's of the Capital Area is holding a workshop on Saturday October 3, 2009 at the Middle Grove Firehouse from 8 am to 3:30 pm. Please RSVP to Joyce no later than the September Commissioners meeting.

Purchasing:

- Diamond plate was picked up yesterday.

Applications for membership:

Greenfield Center Company #1: None.

Porter Corners Company #2: None.

Middle Grove Company #3: None.

Maple Avenue Company #4: None.

Joyce noted that Co #3 new applicant should be accepted at the September meeting, and to get his tag # and picture over to her for the access and gear tags, She also asked about Toby Middlebrook as she still has his application from February; A/C Davis noted he scheduled an appointment for his physical today. Joyce asked for his picture and tag number as well.

Changes in membership:

Greenfield Center Company #1: None.

Porter Corners Company #2: None.

Middle Grove Company #3: None.

Maple Avenue Company #4: None.

Grants:

- Nothing.

Report of the Chief: Report given by Captain Jason Gibbins in the Chief's absence:

Handed out report (attached) and noted the following:

- Hose testing is starting on August 17th.
- Paul from Nichols will be starting pump testing at Co #2. Discussion continued regarding which pumps to start with, amount of money put aside to do pump and hose testing. Treasurer J. Bishop noted there was \$8690.00 carry over money allotted to pump testing and an additional line item for pump testing of \$2500.00; P/A Chouinard also reviewed previous minutes regarding pump testing; decision made to do 2 pump tests per station and then go from there.
- Would like to purchase the tools that Corinth is getting rid of: 2 reels, 2 spreaders, 2 rams and 1 power unit, totaling \$4000.00. New cutter is around \$5000.00. Officers already voted to purchase; equipment to go to Co #2.

RESOLUTION #308 TO ADVERTISE A PERMISSIVE REFERENDUM TO WITHDRAW AND EXPEND \$10,000.00 FROM THE EQUIPMENT RESERVE FUND TO PURCHASE REELS, SPREADERS, RAMS AND POWER UNIT FROM CORINTH FIRE DEPARTMENT AS WELL AS A CUTTER.

MOTION: Robarge

SECOND: Waite

RESOLVED to advertise a permissive referendum to withdraw and expend \$10,000.00 from the Equipment Reserve Fund to purchase reels, spreaders, rams and power unit from Corinth Fire Department as well as a cutter.

VOTE: All in favor, motion carried.

RESOLUTION #309 TO PURCHASE THE ABOVE TOOLS FROM CORINTH FIRE DEPARTMENT.

MOTION: Waite

SECOND: Robarge

RESOLVED to purchase the above tools from Corinth Fire Department.

VOTE: All in favor, motion carried.

A/C Davis to notify to Chief Kelly of Corinth.

- A/C Davis noted 1 out of 4 gas meters is bad. O2 and LEL sensors failed and the model and most parts are discontinued or not available. Can be fixed for \$400.00 or get a new one for \$795.00. Discussion where to take money from; purchasing agent to order.

RESOLUTION #310 TO PURCHASE A MULTI-GAS METER FOR \$795.00. MONEY TO COME OUT OF REPAIRS TO EQUIPMENT.

MOTION: B. Bishop

SECOND: Waite

RESOLVED to purchase a multi-gas meter for \$795.00. Money to come out of Repairs to Equipment.

VOTE: All in favor, motion carried.

- Captain Jason Gibbins also noted at the officers meeting, there was a majority vote to remove letters of disciplinary action from fireman's files after one year. Chairman Kugler noted they would take it under consideration.
- Would like permission to call Garrison to have tools serviced by Garrison. A/C Davis asked if he could get a price on the cutter as well. Purchasing Agent to handle that.

RESOLUTION #311 GIVING THE CHIEF PERMISSION TO HAVE THE TOOLS SERVICED BY GARRISON.

MOTION: Kugler

SECOND: Waite

RESOLVED to give the Chief permission to have the tools serviced by Garrison.

VOTE: All in favor, motion carried.

- Officers formed a truck maintenance committee.
- Has Chief's truck extinguisher been recharged? Chief to contact Commissioner Kugler.
- 295 back in service.
- Did Commissioner Bishop get another quote for 283? KME and Bonesteel looked at 283 and neither one said any work needed to be done on the truck, there is nothing wrong with the shaft, it is not pitted/in need of repair. KME noted that the work that was done, was not done correctly as there is still an air leak, the recommended work did not need to be done and one of the gaskets was either not replaced and was cracked or had recently cracked and was leaking fluid. Commissioner B Bishop noted his vote of no confidence in Nichols' work, at least on the trucks at Middle Grove. Would like to give someone else the opportunity to work on them. Quotes will be forthcoming from KME, who charges \$85/hour plus drive time from Latham and Bonesteel at \$70/hour either shop time or onsite and no charge for drive time as they are 20 minutes away.

RESOLUTION #312 GIVING COMMISSIONER B. BISHOP AND A/C ELLSWORTH PERMISSION TO HAVE REPAIRS TO THEIR TRUCKS DONE BY THE VENDOR WITH LOWEST COST.

MOTION: Spackmann

SECOND: Kugler

RESOLVED to give Commissioner B. Bishop and A/C Ellsworth permission to have repairs to their trucks done by the vendor with lowest cost.

VOTE: All in favor, motion carried.

A/C Ellsworth asked why the Board would pay an outfit to come and repair the truck; Nichols should be called back to repair the work they previously did. Brief discussion; Chief McConkey to contact Commissioners Kugler or B. Bishop to discuss this.

- Chief McConkey will be away from August 20th to 24th. Captain Gibbins noted a successor was not listed on the report.

Reports from Companies:

Company #1 – Captain Jason Gibbins:

- Coin drop is 9/4 and 9/5; Secretary Petkus reminded him to use the fundraiser time sheet in addition to the sign in sheet.
- Need to look into updating the standpipe on 9N next to the bank. Brief discussion regarding possibly putting in more standpipes around the district. Chairman Kugler suggested that the officers get together to discuss this including associated costs so they can add that to the budget for next year. Commissioner B. Bishop suggested that each company may want to go around and check all of their water sources, maybe go around and do a little clearance for easy access.
- Salt for water softener; Commissioner B. Bishop needs to coordinate with A/C G. Gibbins for pick up.

Company #2 – A/C Davis:

- Rope stuff finally in, will try to get John to come back up for a refresher class. Thanked the Board.
- Needs fire alarm serviced, has been waiting for four months. Commissioner Spackmann noted the Chief knows who does it; A/C Davis asked if someone else can take care of getting it done. Chairman Kugler thought the Chief was working with NY Fire and Signal and all four stations need to be done. Brief discussion; Chairman Kugler to get a hold of NY Fire and Signal.
- Asked about what is going to be done with Co #2 firehouse; thinks we should do more than just put a ditch alongside the firehouse. Commissioner Robarge noted they were waiting for more information from CT Male. Further discussion, including possible other options, costs involved. A/C Ellsworth suggested making a list of questions for CT Male and having them come to the next workshop. Chairman Kugler tasked Commissioner Waite and A/C Davis to get in touch with CT Male before the workshop to get a definite answer as to what is going on.
- Asked for temporary storage to put everything in from the basement; humidifier is not keeping up with it and the pole barn is full.

RESOLUTION #313 GIVING PORTER CORNERS CO #2 PERMISSION TO GET TEMPORARY STORAGE.

MOTION: Spackmann

SECOND: B. Bishop

RESOLVED to give Porter Corners Co #2 permission to get temporary storage.

VOTE: All in favor, motion carried.

Company #3 – A/C Jay Ellsworth:

- Talked at the last workshop that the radio in 283 is not working; Commissioner B. Bishop noted he spoke to Commissioner Waite today who called Adirondack and he will be on top of this. Same problem with 281. A/C Ellsworth noted it is the same problem as usual; they had communication problems because of this at the fire the other night.

Company #4 – Captain G. Bullard:

- Asked if there was an inventory of uniforms; P/A Chouinard noted if this is in reference to Roger Bechard she already spoke to the Chief about it and there is nothing for him.
- Would like to get brush truck wired up for the trailer and lights; truck to go to Cornell's.
- Thanks to the Board for all the work done regarding the emergency generator.
- Chief is aware, waiting for 292 to come back.
- 291 is smoking and getting worse by the day; Chief is aware of it. Dave has looked at it and says there is nothing wrong. It was suggested to check the air filter; may have to go to Detroit Diesel.
- 8/29 is Co #4 coin drop.

Report of District EMS Coordinator: Gary Gibbins

- Not present.
- Chairman Kugler noted they are still looking for the list of EMT's, have been waiting for 5 months now. Commissioner Spackmann noted they did work on it last night.

Planning Board:

***For Town of Greenfield, Mike Chandler:**

- Not present.

***For Town of Wilton, Gary Bullard:**

- Neville's is active again with various commercial stuff.
- Lot adjacent to Co #4 firehouse where paint shop is, proposal to put a building up in the back, but is very preliminary right now.

Reports of the Commissioners:

Commissioner B. Bishop:

- District picnic is this Saturday at O.B. Beyer Park, people from all four companies are attending, which is very good to see. Always room for a few more, please contact the Secretary if you are interested in coming. Weather looks beautiful.
- Regarding the letter that Joyce read earlier, there has been discussion back and forth as to whether or not certain entities or groups are subject to providing minutes and things like that. His only question to the officers is what is the issue with submitting minutes to the Board, why is that such a hot topic issue with the submission of the minutes. The Board provides full minutes for everyone to see and seems to ease the

communication and to see what everyone is talking about. He further noted it would be his preference to see all minutes of all committees and all companies so we have some idea of what is going on in the rest of the District that the Board may not always hear about. He again posed the question to the officers; Captain G. Bullard commented that he thinks the issue is retribution back at the officers for what may be just general discussions within the meeting, from what he has heard in the officers meetings we get discussing personalities or Commissioners, the actions thereof and retribution comes back on the officers because of that. Commissioner B. Bishop noted his response to that would be that those kinds of things probably shouldn't be in the minutes anyway, and if you noticed a lot of times we have some pretty heated discussions here and talk about certain things, he believes the phrase Joyce uses is "heated discussion" or something of that sort. In talking to different people about it, he understands there is a certain amount of venting and bashing that goes on at these meetings, but he would not include those things as part of the minutes because there are no decisions based upon those things, and secondly, if you are wasting everyone's valuable time just having these, for lack of a better term, piss and moan sessions, there are a lot of better things the officers could be discussing and working on for

the betterment of this District, and try to focus those meetings into doing things to make the district better. Those are the things they would like to see, those kinds of suggestions; there are going to be times when the Board has a difference of opinion, but at least knowing the thoughts of the officers on certain issues can help us make decisions as a Board. Commissioner B. Bishop asked Captain Bullard to go back to the officers and request that maybe the way the minutes are written be changed, you do not have to get specific about who said what as none of that is productive anyway; this is all just his opinion. Commissioner Spackmann added that what is sad about the issue is what would be good governance would be to have minutes of officer meetings. He has a hard time knowing what happened three months ago and every time we have a meeting that is why we take minutes. The problem is this has become an issue between officers and Commissioners and is overshadowing the true issue which is good governance. He has spoken with Chief McConkey, who has no problem with submitting minutes to the Board, but this recommendation came through the by-law committee. He does not personally think it is required by law, but it is good governance. Chairman Kugler added that that he agreed with Commissioner B. Bishop as well, and previously being the District Secretary for 8 years you do not have to put everything in the minutes; name calling is not necessary to put into the minutes. Secretary Petkus added there are ways to get the point across in the minutes without being verbatim, and if anyone has any questions about minutes, they can certainly call her for help. You need to be able to decipher what is really important; at which time she requested that she not be required by the Board to be so thorough in her minutes. Captain Jason Gibbins noted that in a previous discussion if the Board was not going to use them, what is the sense of us turning them in anyway? Commissioners B. Bishop, Kugler and Spackmann all noted they read them.

Commissioner Robarge:

- Thanked Commissioner Spackmann for all his help with the generator gas line issue.

RESOLUTION #314 GIVING THE TREASURER PERMISSION TO PAY SARATOGA ELECTRIC AND GENERATOR THE REMAINING BALANCE DUE OF \$4892.00.

MOTION: Robarge

SECOND: B. Bishop

RESOLVED to give the Treasurer permission to pay Saratoga Electric and Generator the remaining balance due of \$4892.00.

VOTE: All in favor, motion carried.

- Cat will be at Co #4 to try to complete the emergency generator start up, hopefully they will be successful this time. There will be a bill for all the related generator work as well, which Commissioner Spackmann has.

Commissioner Spackmann:

- Thanks to all the people involved regarding Co #4 generator. Has a list of overages related to the emergency generator issue; some background information given, as well as thanking National Grid for all their hard work. Overages included the following: blacktop, conduit, landscape fabric and slate chips, new pylons, topsoil, Cat overages, lunch bills, overhand to protect new gas meter: \$6700.0.

RESOLUTION #315 GIVING THE TREASURER PERMISSION TO PAY THE OVERAGES ASSOCIATED WITH CO #4 EMERGENCY GENERATOR. MONEY TO COME OUT OF THE GENERATOR ACCOUNT.

MOTION: Spackmann

SECOND: Robarge

RESOLVED to give the Treasurer permission to pay the overages associated with Co #4 emergency generator. Money to come out of the generator account.

VOTE: All in favor, motion carried.

- Has not had a chance to call Time Warner regarding the questions about Co #4 bill.
- Good job with pager exchange yesterday. Asked if the officers and the Board want to buy extra pagers, the pager rebate expires on 8/31/09. Tabled to the 8/25/09 workshop. P/A J. Chouinard added she had spoken to the Chief and he was getting numbers from all his officers and getting that list to her. Commissioner B. Bishop noted that there were a lot of names on the pager list that he did not recognize; asked if the pagers are with active firefighters or is there now a stock pile of pagers back at each individual company, rather than having the pagers with the Purchasing Agent. Discussion continued regarding where the spare pagers are, who should get the pagers, previous money set aside to purchase pagers, why there is a need for auxiliary to get pagers. Commissioner B. Bishop noted his concern regarding how we are acquiring the pagers. Secretary Petkus noted her displeasure at her name being used without her knowledge or permission, and is concerned that a pager has been issued in her name and what responsibility does she now have. P/A Chouinard noted that per the Chief they were not used and went back in the office. Further discussion that the County owns the pagers for one year and after that the District owns them. Any problems with pagers you will need to contact P/A Chouinard.
- Laptops have been ordered.
- Would like Board approval to take an out of County truck operations course, already has the Chief's approval.

RESOLUTION #316 GIVING RICHARD SPACKMANN PERMISSION TO TAKE THE TRUCK COMPANY OPERATIONS COURSE IN COLONIE FROM AUGUST 24 THROUGH SEPTEMBER 12, 2009.

MOTION: Robarge

SECOND: B. Bishop

RESOLVED to give Richard Spackmann permission to take the Truck Company Operations course in Colonie from August 24 through September 12, 2009.

VOTE: All in favor, motion carried.

- Would like to dedicate a page of the minutes to Chief and former Commissioner Curt Petteys of Wilton Fire Department.

RESOLUTION #317 TO DEDICATE A PAGE OF THE MINUTES TO CHIEF AND FORMER COMMISSIONER CURT PETTEYS OF WILTON FIRE DEPARTMENT.

MOTION: Spackmann

SECOND: B. Bishop

RESOLVED to dedicate a page of the minutes to Chief and former Commissioner Curt Petteys of Wilton Fire Department.

VOTE: All in favor, motion carried.

- Asked for an update on the uniforms; Commissioner B. Bishop noted he is still waiting to sit down with the uniform committee to standardize the uniforms.
- Starting to work on the fall newsletter, please get any ideas to him. Firefighter Brian Gibbins noted he thought the Board voted to abolish the newsletter; it was clarified that the officers recommended the newsletter be stopped.

Commissioner Waite:

- Thanked Commissioner Spackmann for helping with Co #4 generator issue.
- Has not had a chance to meet with by-law committee; tabled to the August workshop.

Commissioner Kugler:

- Received quotes for Co #4 water softener; would like to sit down with some people from Co#4 to review before awarding the bid. Tabled to the August workshop.

Commissioner Spackmann noted that regarding Commissioner Waite's comment about the fire District Chief, he is more than happy to let it be postponed and let the committee meet again, but it is his understanding that there has been some discussion and change of heart and if we are going to overturn this, let's just get it over with now rather than make all the firemen meet. Chairman Kugler noted they just decided on tabling it to the August workshop.

New Business:

RESOLUTION #318 GIVING PERMISSION FOR FIREFIGHTERS TO ATTEND THE MAYFIELD PARADE ON AUGUST 22, 2009.

MOTION: Robarge

SECOND: Waite

RESOLVED to give permission for firefighters to attend the Mayfield parade on August 22, 2009.

VOTE: All in favor, motion carried.

- Chairman Kugler asked A/C Davis if he did his research on the bracket; he noted he did not. Tabled to the August workshop.
- Firefighter Brian Gibbins asked about LOSAP and that Joyce had previously noted that there is a discrepancy between the actual and Firetracker and the guys are wondering why they are looking at March on the board for a hard copy when guys are trying to keep track of their points, they would like to have the secretary have more time with the posting so it is fresh in their minds. Commissioner B. Bishop noted it is currently being worked on and the biggest problem has been the verification between the two systems and making sure that both systems have the correct information. Secretary Petkus noted it is very time consuming and she has had a lot of other things on her plate, for example meetings go for hours and it takes her days just to do the minutes. Her goal was to be caught up by the end of August and she still may make that goal. FF B. Gibbins said he would like to see a little better response, and one of the problems was a lot of time has been spent on the picnic and all that and maybe it should be second to the LOSAP program.

- FF B. Gibbins noted that on July 30th according to the by-laws that he reviewed he called Lt. Burwell and made a verbal complaint of discrimination against the Board of Fire Commissioners, followed by August 1st with a written summary complaint to the officers. It was a complaint against the Board as the district by-laws state that you go to the bottom Lieutenant and then move up. He sat down and spoke with the Chief and was hoping to get a meeting. The officers had a meeting on August 5th; he received a phone call after that meeting that they reviewed his complaint and the officers had agreed that he was discriminated against as far as his letter of discipline, he was treated more harshly than other fellow firefighters and employees, and the Chief was supposed to present the Board with a letter asking that his letter be removed from his file. It was noted that the Board did not receive any letter. FF B. Gibbins then requested executive session with any officers present and who attended the officers meeting to sit down and discuss this. He also noted that the Board has issues with the Chief doing stuff in a timely manner, he had seven days to draft a letter and the letter was not drafted per what he was told. Brief discussion on executive session. Commissioner Spackmann was not sure it was necessary to go into executive session, he takes Mr. Gibbins at his word that this happened, there is no reason to go into executive session to discuss what was or wasn't the recommendation of the officers. As to the outcome of his letter, there was earlier discussion and his understanding is they will be following up with their attorney to figure out the next step and then contact Mr. Gibbins explaining the outcome, and in the meantime wait for the letter from the Chief. Mr. Gibbins noted that last night he spoke with Don and his letter was going to be pulled; Chairman Kugler noted he did not say that. Mr. Gibbins explained he requested all the minutes, executive, any minutes, prior to him filing the discrimination charge. There is no record in executive session or any minutes regarding his name and a letter of disciplinary action to be put in his file. According to Don, he was going to make a motion tonight to remove the letter. Obviously the Board found out about his complaint of discrimination against the Board and now you are going to talk to your lawyer. Members of the Board noted they were not previously aware of the complaint.

RESOLUTION #319 TO GO INTO EXECUTIVE SESSION AT 8:17 PM IN REFERENCE TO A PREVIOUS DISCIPLINARY ISSUE REGARDING FIREFIGHTER BRIAN GIBBINS.

MOTION: Spackmann

SECOND: Waite

RESOLVED to go into executive session at 8:17 pm in reference to a previous disciplinary issue regarding firefighter Brian Gibbins.

VOTE: B. Bishop, no; Kugler, no; Robarge, no; Spackmann, yes; Waite, no.

Motion not carried.

Commissioner Robarge noted he did not see any need to go into executive session until we get the letter and concur with our attorney; Commissioner B. Bishop agreed. Commissioner Spackmann noted for the record his understanding was they were going to talk to the attorney and schedule a meeting to talk after that. Brief discussion continued, including following procedure, the Board being the ones to make certain decisions, not the officers. A/C Davis noted the Board can't make the decision if it is charged against them, it is to come before the officers and the Board should read the by-laws.

- Firefighter Mike Lagalles pointed you can get the dry powder for the Chief's extinguishers on state contract. He also thinks the Wilton Elks this Sunday are having a breakfast to benefit the After The Fire for Saratoga County.

RESOLUTION #320 TO DISPENSE WITH THE READING OF THE MINUTES.

MOTION: Robarge

SECOND: B. Bishop

RESOLVED to dispense with the reading of the minutes.

VOTE: All in favor, motion carried.

Motion was made by Commissioner B. Bishop with a second from Commissioner Waite to adjourn the meeting at 8:34 PM. All in favor, meeting adjourned.

Respectfully submitted,

Joyce A. Petkus
District Secretary

IN MEMORY OF

CURT PETTEYS

**YOU WILL BE
MISSED BY ALL**