

Board of Fire Commissioners

Greenfield Fire District
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August 24, 2010 Commissioners Workshop

Workshop began at 6:58 pm.

Present were: Commissioners B. Chouinard, Kugler, Robarge, Spackmann, Waite; Secretary Petkus, Treasurer J. Bishop, P/A J. Chouinard; please see sign in sheet for others in attendance.

Flag salute and moment of silence recognized for departed members.

1. **Special Guest: Dave Meager, Adirondack Trust Insurance:** Mr. Meager present this evening as questions have recently arisen regarding insurance coverage of various classes of members of the district.
 - Regarding the claim involving Sam Livsey, the claim has been settled, there was no deductible involved. This was considered a General Liability claim, and noted that general liability follows you where you go. He further explained that the policy is a very broad policy, and includes deductible reimbursement of up to \$1000.00 if a firefighter's car is damaged in line of duty. Question arose if a firefighter was at the firehouse other than a drill night as in Sam Livsey's case, would they be covered. Mr. Meager noted the policy states if there is damage to the vehicle used by a volunteer involved in an accident in connection with your operations, they are then covered. Example given that if a firefighter was washing their car in the firehouse, which is a permitted benefit, and their car gets damaged by a hose reel, what would happen? Mr. Meager noted it would probably be submitted under the truck policy, but they certainly would try to work with the District, as it is a very broad policy. Question also arose if a firefighter submits a claim under his insurance due to a firematic related activity, will his insurance rate go up. Mr. Meager noted no, and he has the copy of the law on that. The insurance carrier cannot cancel the firefighter's insurance either. Mr. Meager also noted that they would certainly try to find a way to get the firefighter covered, and if there is ever an issue, he is always happy to come up to discuss them and work with the District.
 - Earned Income Replacement: Handed out a sheet that showed various levels of disability benefits and their associated annual premiums. Explained that the Earned Income Replacement is a separate policy taken out by the Commissioners to protect the volunteers above and beyond Workers' Compensation. It covers \$100,000.00 accidental death, \$100,000.00 heart attack in line of duty, covers medical not covered by Workers' Comp up to

\$10,000.00. He further noted that this policy covers any class of member, any authorized activity. This is a very important feature of this policy. This policy also reimburses a member when he is totally disabled as a result of a line of duty accident. W/C is going to pay medical bills; they will also pay the injured firefighter \$400.00 per week for total disability. The additional policy supplements W/C, currently up to a maximum of \$250 per week. This disability benefit is broken into 2 categories; one category pays the firefighter \$100 per week; the other \$150 is called earned income replacement, this applies to a person who is working and earning an income. A retired person would receive W/C of \$400 and the additional \$100. This additional policy will pay, even if W/C does not pay; for example if a firefighter breaks their ankle at the company picnic, W/C will not pay, but this policy will pay. Mr. Meager then proceeded to explain the different plans if the Board wanted to increase the total disability benefit. The Commissioners questioned what their premium is for the current policy; Mr. Meager noted he did not have it handy, but would get an answer. He further noted that not only is the coverage broad, but it will pay for an extended period of time. He again reminded the Board that this is a great policy because it covers any class of member, any authorized activity, because the client decides if there is coverage or not, and the auxiliary is covered as well on this policy. Mr. Meager also noted that there is an initial 1st week disability benefit of \$1000.00 and a re-training benefit.

- District Chaplain: Mr. Meager noted the first thing he would ask, is this a class of member? It was noted it is in the by-laws.
- Life member status: Commissioner Spackmann noted they recently re-classified life member status; Mr. Meager again noted the “any class of member, any authorized activity” question, then they would be covered.
- Commissioner Spackmann noted that he was recently asked a question that he did not have the answer to; a recent situation arose where a firefighter was participating in a parade and his wife and daughter were participating in the same parade in a separate organization. The question was, since the firefighter was going to the parade in the fire truck and his family was participating in the same parade, could they ride along with him in the fire truck to the parade? Commissioner Spackmann also noted other examples including children coming to firehouses on drill nights, Halloween parties where the kids want to climb up and take pictures in the fire trucks, fire preventions, etc. Mr. Meager also noted open houses, rides in the trucks, etc., and that believe it or not, there are few exclusions in the policy and if someone were to get hurt due to department negligence, the policy responds.
- Mr. Meager also noted the recent change regarding the ability of spouses being able to sue each other as the result of a negligent operation of your personal vehicle in a car accident. This exclusion also applies to the fire policy.
- George Habig, resident asked Mr. Meager what the policy is regarding firefighters and drug and alcohol use. Mr. Meager noted it would void W/C and he believes it would void N/F as well. On his policy, it is not included as part of the exclusions, but he will verify that.

Mr. Meager noted that he is always happy to come up anytime to answer any questions. The Board thanked him for coming. Session with Mr. Meager ended at 7:30 PM.

2. Fuel Oil Bid Opening: Results as follows:

Charlton Oil Co. Inc.:

- 35¢ over rack price.

C.S Pita Fuel Oil, Inc:

- 15¢ over rack price.

RESOLUTION #229 TO AWARD THE FUEL OIL BID TO C.S. PITA FOR THE 2010-2011 HEATING SEASON FOR THE GREENFIELD FIRE DISTRICT.

MOTION: Robarge

SECOND: Waite

RESOLVED to award the fuel oil bid to C.S. Pita for the 2010-2011 heating season for the Greenfield Fire District.

VOTE: All in favor, motion carried.

3. Approve Minutes: Approve the July 29, 2010 Workshop Minutes.

RESOLUTION #230 TO APPROVE THE JULY 29, 2010 COMMISSIONER WORKSHOP MINUTES AS WRITTEN.

MOTION: Waite

SECOND: B. Chouinard

RESOLVED to approve the July 29, 2010 Commissioner Workshop minutes as written.

VOTE: All in favor, motion carried.

4. Special Guest: Susan Palmatier, HA2F Consultants in Engineering

Handed out to the Board a report of her findings of the Greenfield Center firehouse heating system, including deficiencies in the existing system and recommendations, also noting the following:

- improper sealing on ductwork
- no insulation in mechanical room
- short circuit supply/return configuration
- majority of rooms have no return
- inefficient use of zoning on furnace 1
- short on air supply for furnace 1
- static pressure on units higher than allowed by manufacturer
- no fresh air to keep the air quality up

Recommendations:

- **Upgrade existing heating system**, including
 - Properly seal all ductwork
 - Insulate all ductwork
 - Remove zoning and dampers from Zone 2 and 3
 - Remove Zone 1 and put on separate system
 - Revise ductwork on certain spaces
 - Add returns to rooms currently lacking them.
- Approximately \$40,000.00 in construction costs.

Ms. Palmatier also noted advantages/disadvantages as listed in the report and noted it does not look into replacing fuel oil with gas; she did call National Grid and was not able to get an answer. It was noted that natural gas is about 6 miles away.

- **New heating/cooling system for offices w/gas fired radiant tube in garage:**
 - Approximately \$85,000.00 in construction costs
 - Reviewed advantages and disadvantage as noted in report.
- **Air handling unit for office areas with radiant floor heating in garage:**
 - Approximately \$150,000.00 in construction costs
 - Reviewed advantages and disadvantages as noted in report.

Ms. Palmatier also noted the following:

- The construction costs given are only soft costs, and do not include design fees or building permits.
- Some systems are eligible for NYSERDA rebates
- HA2F has full construction package, including drafting bid specs and construction observation, former building inspector on staff who maintains his certification.
- Noted there is a \$10,000 number in there just for the natural gas because she could not get an answer out of National Grid. She can relook at those and make sure everything is available with fuel oil.

The Board thanked Ms. Palmatier for her time. Added to September Commissioners meeting agenda for further discussion. Session ended at 7:50 PM.

5. Secretary Update – Joyce Petkus:

- Had previously received requests from Co #2 and #3 auxiliary for access for some of their new members, but has been holding off knowing there has been discussion about the auxiliary. In a holding pattern regarding access requests, would like some direction from the Board. Only Co #2 has submitted an updated roster per the Board's recent request. Brief discussion.

RESOLUTION # 231 GIVING THE DISTRICT SECRETARY PERMISSION TO ISSUE ACCESS CARDS TO AUXILIARY MEMBERS ONLY AFTER AN UPDATED ROSTER IS SUBMITTED TO THE DISTRICT OFFICE. THOSE WHO HAVE NOT SUBMITTED AN UPDATED ROSTER SHALL

BE DENIED WITH EXPLANATION TO SUBMIT AN UPDATED ROSTER BEFORE REQUESTS WILL BE FULFILLED.

MOTION: Spackmann

SECOND: Robarge

RESOLVED to give the District Secretary permission to issue access cards to auxiliary members only after an updated roster is submitted to the District office. Those who have not submitted an updated roster shall be denied with explanation to submit an updated roster before requests will be fulfilled.

VOTE: All in favor, motion carried.

- Spoke to Mary Ann Johnson regarding the District's request to have plywood placed under the new voting machines. She will have plywood placed under the machines for the primary election. She will send out an email to explain all this to the officers.
- Firetracker: Final deployment of changes to the LOSAP sheet has finally been done, and has been testing it out. Seems to work very well; the one form will cover active status if the by-law committee moves ahead to redefine active status, as well as LOSAP points. Updated spreadsheets should hopefully be posted in the firehouses before Labor Day weekend.
- Went through the last box in reference to records clean up as per MU1; needs to find a company to shred those records no longer needed. Will try to find someone to donate their services; if not Purchasing Agent will look into prices.
- No agenda yet for the AFDCA workshop at West Sand Lake; Honors Haven is fully booked; if anyone else wants to go they will have to stay at the Hudson Valley Resort.
- Invitation to bid for the exterior renovations to Co #2: Explained the costs associated with advertising the bids in both the Gazette and Times Union for 3 days each. Times Union requires payment by credit card. Discussion continued.

RESOLUTION #232 GIVING THE DISTRICT SECRETARY PERMISSION TO ADVERTISE THE INVITATION TO BID FOR CO #2 EXTERIOR RENOVATIONS FOR TWO DAYS EACH IN THE GAZETTE AND TIMES UNION.

MOTION: Waite

SECOND: B. Chouinard

RESOLVED to give the District Secretary permission to advertise the Invitation to Bid for Co #2 exterior renovations for two days each in the Gazette and Times Union.

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

Motion carried.

Commissioner Robarge noted that he feels three days in our legal paper is sufficient.

- Town of Wilton coat drive: Can flyer the Town sent over be placed on our website and posted in firehouses; permission granted.
- Wanted to make the Board aware, she received an email from Ed Trembaly that he received email from the State saying that they are missing Greenfield fire reports from November and December. Joyce noted she knows she sent them but did not get a chance to do the research on this; will keep the Board informed. Commissioner Spackmann reiterated again that our participation in that program is strictly voluntary and if this becomes a big issue, the State is just going to miss November and December.

George Habig, resident, asked if the records that are going to be destroyed have any historical significance that the historical society could use. Joyce noted that anything she has that is of historical significance, is actually stored in a fireproof cabinet here at the Fire District.

6. Purchasing Update – Jill Chouinard:

- Amanda Macwhinnie is all set for Montour Falls, received email that the money is coming out of our credit. Has PO that needs to be signed just in case.
- Foam ordered from Garrison.
- Has 2 PO's from Co #3 that she needs signatures on, and has a question on one of them; does John, who is listed on Allerdice PO for the pipes know about the whole order or just part? D/C Ellsworth noted he knows about the whole thing. Also questioned if the order is going to be delivered; D/C Ellsworth noted that he is assuming once the order comes in they will be contacting her and it will be picked up with the trailer. The 2nd PO she has, has no vendor and no pricing and not sure what it is; D/C Ellsworth noted it is for suction hose, it is flexible and he does not know where you would get it from.
- Co #3 SCBA mask and bottle ready; 12' pike poles still to be picked up.
- Asked Commissioner Waite if Versatile came and picked up their storage shed; they have not. Jill to call again.

7. Treasurer Update – Jean Bishop:

- Problem last week regarding a charge to the credit card and being over the Board set limit of \$5000.00 because of the recent charges for the CT training & Honors Haven Conference. Brief discussion; Treasurer to pay the \$3450.00 for the training/conference bills to free up credit card.

RESOLUTION #233 GIVING TREASURER PERMISSION TO PAY TRAINING AND CONFERENCE CHARGES ON CREDIT CARD.

MOTION: Kugler

SECOND: Waite

RESOLVED to give Treasurer permission to pay training and conference charges on credit card.

VOTE: All in favor, motion carried.

8. Commissioner Updates:

- **Bryan Chouinard:**
 - Nothing at this time.

- **Tom Robarge:**
 - Nothing at this time

- **Don Kugler:**
 - Air pack inspection has not been done in 2 years, contacted MES to get them started on it. There are 64 packs, has no idea what the cost is going to be, what is covered under warranty. Brief discussion.
 - Received a call from this area's ISO rep; he set up an appointment with he and the Chief on September 20th. Brief discussion; if any Commissioners or Chief's are interested, they are welcome to sit in on this as well. A letter is being sent to the District with specifics.

- **Richard Spackmann:**
 - Fall newsletter sent to the press, should be out in a couple of weeks.
 - Still developing purchasing software, no update at this time.
 - There was an issue with Co #2 exterior doors, lot of discussion regarding keys and locks. Center for Security to take care of it. Brought up interesting point that should we look at exterior doors at all firehouses and possibly re-key them? Discussion continued, including who has keys. Commissioner B. Chouinard noted that when the access system was first installed, all A/C's were to get 1 key, and whether or not they were passed on to subsequent A/C's is not known, and there really should be a master key at the District office. Does not need to be discussed tonight, but is an issue that needs to eventually be addressed. Commissioner Robarge also noted that in reading past minutes, Co #2 pole barn has only limited access. Discussion continued; Joyce to update system to give access to all District firefighters.
 - Asked if there has been any progress from the by-law committee; Commissioner B. Chouinard noted they worked on it last week and Jack should have something ready for the September meeting. Jack was asked to be at that meeting to present the recommendations and answer any questions the Board may have. Added to September meeting agenda.

- **Ken Waite:**
 - Mike called him tonight; Charlie Baker may be interested in the Clerk of the Works. Brief discussion; Commissioner Waite to ask Mr. Baker to come Thursday evening for an interview. Commissioner B. Chouinard noted he also has someone who may be interested, Art Howe, and will see if he can also come to the meeting. Added to Thursday night's agenda.

9. District Guideline Review:

- Employee Privacy Policy: No changes made.
- Pregnant Firefighter Policy: No changes made.

- DMV/LENS Policy: Commissioner Spackmann noted it needs to be updated, one thing learned when 292 went off the road and the driver's info was submitted to the insurance, was that we should be generating a list of approved drivers. Joyce read #5 of the guideline, noting that she did not think it is possible for her to create an authorized drivers list as outlined because having a valid drivers license does not necessarily make someone an authorized driver, and she does not know what the requirements are. Discussion continued, including sending updated drivers lists to the insurance company, privacy issues, the current DMV/LENS release form signed by firefighters. Commissioner Robarge noted that wasn't there a policy that the driver involved in an accident is required to submit to a drug and alcohol test at the time of the accident? Commissioner B. Chouinard noted that if a driver has a CDL the State police or Sheriffs will automatically take the driver for a blood test. Commissioner Kugler questioned if we are going to get an approved drivers list from each company; Commissioner Spackmann noted that it would be a question for the Chief.

RESOLUTION #234 THAT COMMISSIONER SPACKMANN WORK WITH SECRETARY PETKUS ON THE VERBIAGE "AT THE REQUEST OF INSURANCE CARRIER, FIREFIGHTER'S LICENSE MAY BE RELEASED TO THEM IN THE EVENT OF A CLAIM." #5 OF THE GUIDELINE ALSO TO BE UPDATED AS APPROPRIATE.

MOTION: Spackmann

SECOND: Kugler

RESOLVED that Commissioner Spackmann work with Secretary Petkus on the verbiage "at the request of insurance carrier, firefighter's license may be released to them in the event of a claim." #5 of the guideline also to be updated as appropriate.

VOTE: All in favor, motion carried.

- Firefighter Injury Policy: Commissioner Spackmann noted that has been talked about for a few months now and there has been no resolution on it, so he worked on it with Joyce. Handed out copies of the policy and corresponding by-law changes to the rest of the Board. Commented that the by-laws were arguably in conflict with the policy, so he took some of the disability stuff out of the by-laws and moved them into the Firefighter Injury Policy, where it makes more sense to be. More discussion continued regarding the current practice regarding Workers' Compensation, light duty status and the positions taken by the County self insurance and Dr. Peacock. Joyce to email draft out to all Chief Officers. Commissioner Spackmann asked the Board and officers to review the changes to the policy, as well as having the by-law committee look at the proposed by-law changes. Added to the September workshop agenda.

10. District Projects

- Current Projects:
 - o D/C Ellsworth noted that he added Bucket's Pond to the dry hydrant project as

previously discussed, and will reflect in the materials being ordered.

- Future Projects:
 - None.

11. Chief/officers Updates:

- D/C King: Nothing at this time.
- D/C Ellsworth asked if the chargers and radios were ordered; P/A J. Chouinard noted yes.
- D/C G. Gibbins noted he has his list for fire prevention, kept within his budget of \$3500.00. Gave to Purchasing agent to place order.

12. Special Topics of Discussion:

- EMS Training for 2011: Commissioner Spackmann noted that yesterday he received a proposal from Mr. Felts, in which he talks about some of the things he would like to do as overseer of the District's EMS program. This is a direct result from previous discussion with Mr. Felts. Joyce noted Mr. Felts also submitted a copy of proposal to the Chief and District EMS Coordinator Justin Burwell. Added to September workshop agenda for more discussion with the officers.
- D/C G. Gibbins commented that regarding fit testing and the Board's letter asking for him for a certificate of Insurance, he went to 14 different insurance companies, and handed in copies of their replies back to him. He noted they do not supply insurance for fit testing alone; he contacted the manufacture of the fit test machine, who had never heard of asking for liability coverage because the machine is certified for its capability of passing/failing of the people being fit tested. More discussion continued including vendor in Latham who is willing to supply COI, but they also do physical and occupational stuff. D/C G. Gibbins noted that if the Board wanted to hire Wilton Medical to do the physicals, they would be more than happy to have him do the fit testing under their insurance. Commissioner Spackmann brought up the question at the last meeting regarding the recent apparent allergic reaction of a firefighter to the mask during fit testing; D/C G. Gibbins noted that 99% of the time he uses the firefighter's personal mask, they do not supply masks but test with the mask that was issued to the firefighter by their department, the machine gets certified every 2500 people tested and once that is done he will supply the Board with the proper paperwork. Firefighter B. Bishop noted that in this case, Gary has made a good faith effort to try to get insurance and that maybe the Board's policy needs to change if they want to keep Gary on for fit testing. Brief discussion continued.

RESOLUTION #235 THAT IF A VENDOR IS UNABLE TO OBTAIN LIABILITY INSURANCE BECAUSE INSURANCE IS NOT OBTAINABLE/PROVIDED FOR THAT PARTICULAR SERVICE/ACTIVITY/BUSINESS, THEN AN EXCEPTION MAY BE MADE BY THE BOARD TO ALLOW THE VENDOR TO STILL DO BUSINESS WITH THE FIRE DISTRICT AFTER REASONABLE PROOF THAT INSURANCE IS NOT OBTAINABLE/PROVIDED.

MOTION: Waite

SECOND: B. Chouinard

RESOLVED that if a vendor is unable to obtain liability insurance because insurance is not obtainable/provided for that particular service/activity/business, then an exception may be made by the Board to allow the vendor to still do business with the fire district after reasonable proof that insurance is not obtainable/provided.

VOTE: All in favor, motion carried.

13. Special Reminders:

- SCBA air pack maintenance: see previous discussion.

Motion made by Commissioner B. Chouinard with a second from Commissioner Waite to dispense with the reading of the minutes. All in favor.

Motion made by Commissioner Waite with a second from Commissioner B. Chouinard to adjourn the workshop at 8:50 PM. All in favor.

Respectfully submitted,

Joyce Petkus
District Secretary