

VICTOR FIRE DISTRICT

Board of Fire Commissioners Meeting Minutes

January 10, 2023 @ 6:30 PM

1. Call to Order:

The Organizational Meeting of the Commissioners of the Victor Fire District was called to order by Commissioner Turner in compliance with the Open Meetings Law at 6:30 p.m.

2. Pledge of Allegiance:

Commissioner Barry led the Pledge.

3. Roll Call and Affirmation of Quorum:

Board Member	Present	Excused	Absent
Chairman McConnell	x		
Commissioner Keyes	x		
Commissioner Kowal		x	
Commissioner Turner	x		
Commissioner Barry	x		

Commissioner Keyes was present via teleconference from a remote location.

A quorum was declared by the Chairman and the business of the district proceeded.

a. Others Present:

Fire District Secretary Hauf	x
District Treasurer McAdoo	x
Chief Eifert	x
Deputy Chief Lamarco	
Assistant Chief Militello	

Ed Kahovec (Town Board Liaison)

4. Board of Fire Commissioners Election Results

- a.** Secretary Hauf reported that Gerald Barry won the Commissioner term ending in 2027 with 42 of 45 votes cast
- b.** Commissioner Barry acknowledged that he took the Oath of Office at the Town Clerk's Office and filed it with the District Secretary.

5. Organizational Meeting

a. Resolution #2023-0001 -Election of Chairman for Calendar Year 2023

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, consistent with Town Law §176, the Temporary Chair called for nominations for Chairman of the Board of Fire Commissioners; and

WHEREAS nominations were made and seconded, and a vote held; therefore, be it

RESOLVED that Commissioner McConnell is hereby elected as Chairman of the Board of Fire Commissioners of the Victor Fire District for the term ending December 31, 2023; and

RESOLVED that a copy of this resolution be delivered to the Supervisor and Town Clerk of the Town of Victor, and the Mayor and Village Clerk of the Village of Victor.

b. Resolution #2023-0002 –Re-appointment of Fire District Secretary

On motion of Commissioner Barry, seconded by Commissioner Turner, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, Town Law Section 176 requires the Board of Fire Commissioners to appoint a Fire District Secretary with powers and duties consistent with Town Law Section 178;

WHEREAS, the Board of Fire Commissioners have previously appointed Lisa Hauf the duties of Fire District Secretary, consistent with the job offering made in June of 2019; and

WHEREAS Lisa Hauf has expressed desire to continue with the appointment as amended with this resolution and the Board of Fire Commissioners finds it is in the best interest of the Fire District to continue with this appointment; therefore, be it

RESOLVED that Lisa Hauf be appointed Fire District Secretary for the term of January 1, 2023 through December 31, 2023; and,

RESOLVED, that the compensation for this position be set by the 2023 Salary & Wage Rates.

c. Resolution #2023-0003 –Re-appointment of Fire District Treasurer

On motion of Commissioner Turner, seconded by Commissioner McConnell, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, Town Law Section 176 requires the Board of Fire Commissioners to appoint a Fire District Treasurer with powers and duties consistent with Town Law Section 177;

WHEREAS, the Board of Fire Commissioners have previously appointed Sean McAdoo the duties of Fire District Treasurer, consistent with the job offering made in November 5, 2020; and

WHEREAS Sean McAdoo has expressed desire to continue with the appointment as amended with this resolution and the Board of Fire Commissioners finds it is in the best interest of the Fire District to continue with this appointment; therefore, be it

RESOLVED that Sean McAdoo be appointed Fire District Treasurer for the term of January 1, 2023 through December 31, 2023; and

RESOLVED, that the compensation for this position be set by the 2023 Salary & Wage Rates.

d. Resolution #2023-0004 –Appointment of Fire District Attorney for Calendar Year 2023

On motion of Commissioner Barry, seconded by Commissioner Turner, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, there exists a continuing need for legal services to be provided to the Commissioners of Victor Fire District, concerning various responsibilities undertaken by said Commissioners;

WHEREAS, General Municipal Law §103, provides that a governing body may award a Contract without public advertising for competitive bidding where the nature of said Contract is in the form of a professional service; therefore, be it

RESOLVED that Melissa Fingar, Esq., is hereby appointed to provide legal services to the Commissioners relative to any and all issues presented to the Commissioners pursuant to any of its obligations or responsibilities;

RESOLVED that the compensation for this position shall be set as indicated in the retainer correspondence of such attorneys dated January 1, 2023.

e. Resolution #2023-0005 –Approval of Operational Officers

On motion of Commissioner McConnell, seconded by Commissioner Turner, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, the members of the Victor Fire Department have completed their election of operational officers and submitted their recommendation for approval by the Board of Fire Commissioners; and

WHEREAS the Board of Fire Commissioners have reviewed the slate and find the individuals are qualified to serve in the positions as indicated; therefore, now be it

RESOLVED that the Board of Fire Commissioners appoints the following sworn officers for 2023:

District Fire Chief & Chief of Department – Mark Eifert

Deputy Fire Chief – Steve Lamarco

Assistant Fire Chief – Mark Militello

RESOLVED that the Board of Fire Commissioners also welcomes and acknowledges the following company officers:

Lieutenant – Lucas Gruenfelder;

RESOLVED that the sworn officers are to file their oath of office with the District Secretary no later than January 31, 2023; and

RESOLVED that a copy of this resolution be delivered to all operational officers with the Board of Fire Commissioner’s appreciation for their commitment to the success of this organization.

f. Resolution #2023-0006 –Assignment of Liaisons

On motion of Commissioner Barry, seconded by Commissioner McConnell, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS in order to establish a clear path of communication between the Board of Fire Commissioners, operational officers, staff, and the fire department while balancing commissioner’s responsibilities, the Board of Fire Commissioners desires to establish liaisons;

WHEREAS the Board of Fire Commissioners have had an opportunity to discuss the liaison positions and the expectations for each and finds it is in the best interest of the district to continue with these assignments; now, therefore, be it

RESOLVED that the following are the liaison appointments for 2023, which is more fully described in Attachment A:

<u>Category</u>	<u>Primary Liaison</u>	<u>Alternate Liaison</u>
Apparatus	John Turner	Jon McConnell
Benefits	Peter Kowal	
Buildings	Mike Keyes	Jon McConnell
Equipment	Gerald Barry	John Turner
Finance	Jon McConnell	John Turner
Insurance	John Turner	Peter Kowal
Personnel	Jon McConnell	
Staff Operations	Gerald Barry	Jon McConnell;

RESOLVED that the list of liaisons be delivered to District Secretary Lisa Hauf, Treasurer Sean McAdoo, Chief Mark Eifert, and to all operational officers.

g. Resolution #2023-0007 –Adoption of 2023 Regular Meeting Schedule

On motion of Commissioner McConnell, seconded by Commissioner Turner, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, Public Officer’s Law §104, requires a public body to post and maintain posted, to distribute to designated newspapers, a schedule of the regular meetings of such public body to be held during the calendar year;

WHEREAS, such schedule of regular meetings is required to contain the location of each meeting, to the extent that it is known, and the time and date of each meeting; and

WHEREAS, the Board of Fire Commissioners have reviewed the proposed 2023 meeting schedule and the needs of the Fire District; therefore, be it

RESOLVED that the Board of Fire Commissioners approves the following meeting schedule for 2023 (all meetings are regular business unless designed):

- Tuesday, February 14
- Tuesday, March 14
- Tuesday, April 11
- Tuesday, May 9

Tuesday, June 13
Wednesday, July 12
Tuesday, July 25 (Budget request presentations)
Tuesday, August 8
Tuesday, August 22 (Budget request presentations)
Tuesday, September 12 (Adopt proposed budget)
Tuesday, October 10
Tuesday, October 17- Budget Hearing & anticipated vote on budget
Tuesday, November 14
Tuesday, December 5
Tuesday, December 12 - no meeting/ District Elections (6 pm - 9 pm)
Tuesday, January 9, 2023 Organizational Meeting;

RESOLVED that regular meetings will start at 6:30 PM prevailing time; and,

RESOLVED that District Secretary Hauf make all necessary legal notifications and to maintain a copy of this schedule on the public bulletin board, at designated public places, and other locations as identified in the Communications Plan.

h. Resolution #2023-0008 -Designation of Paid Holidays

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, the Victor Fire District, in compliance with Federal regulations, has offered to their paid staff a benefit of designated paid holidays; and,

WHEREAS, the Board of Fire Commissioners have reviewed the 2023 Federal and State holidays and the needs of the Fire District; therefore, be it

RESOLVED that the Board of Fire Commissioners approves the following paid holidays for the current full-time staff:

Monday, January 16 (Martin Luther King, Jr. Day)
Monday, February 20 (President's Day)
Friday, April 7 (floating religious holiday)
Monday, May 29 (Memorial Day)
Monday, June 19 (Juneteenth)
Tuesday, July 4
Monday, September 4 (Labor Day)
Monday, October 9 (Columbus Day)
Friday, November 10 (Observation of Veteran's Day)
Thursday, November 23 (Thanksgiving Day)
Friday, November 24 (Floating holiday)
Monday, December 25 (Christmas Day/ religious holiday)
Monday, January 1, 2023 (New Year's Day); and,

RESOLVED that a copy of this resolution be delivered to Chief Mark Eifert, Treasurer Sean McAdoo, and that a certified copy of this resolution be posted with paid employee notices

i. Resolution #2023-0009 –Designation of Public Places for Postings

On motion of Commissioner Turner, seconded by Commissioner Keyes, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, Public Officer’s Law §104, requires a public body to post and maintain posted, a schedule of the regular meetings of such public body to be held during the calendar year; therefore, be it

RESOLVED, the Board of Fire Commissioners designate the following locations for public places for posting of meetings or hearings:

- Outside bulletin board, Victor Fire House
- Town of Victor Clerk’s Office
- Village of Victor Clerk’s Office; and

RESOLVED that the Fire District Secretary will deliver or post all public meeting and hearing notices as these locations.

j. Resolution #2023-0010 –Designation of Official Newspaper

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, the Board of Fire Commissioners are required to publish various items in order to comply with requirements of statutory law; and

WHEREAS the Board of Fire Commissioners desire to designate a newspaper or newspapers with a general circulation within the Victor Fire District for the publication of its various items during the calendar year 2023; now, be it

RESOLVED that the Rochester Business Journal is designated as the official newspaper for the Victor Fire District.

k. Resolution #2023-0011 –Designation of Official Undertaking for the Treasurer

On motion of Commissioner Barry, seconded by Commissioner McConnell, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, WHEREAS, Town Law §176(4) requires that the Board of Fire Commissioners shall, by Resolution, designate the Treasurer of the Victor Fire District to have an official undertaking, conditioned for the faithful performance of his duties; and

WHEREAS, the Commissioners of Victor Fire District deem it necessary to provide an official undertaking for the Treasurer of the Victor Fire District for the calendar year 2023; therefore, be it

RESOLVED that the Treasurer, be bonded/ insured in the amount of \$1,000,000 and \$500,000 for each of the Commissioners who serve as signatories; and

RESOLVED that a copy of this resolution and official undertaking be delivered to the Town of Victor Clerk, pursuant to Town Law §176(4).

I. Resolution #2023-0012 –Designation of Fire District Banks

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, the Board of Fire Commissioners are required to designate bank(s) to serve as depository for Fire District Funds; and

WHEREAS the Board of Fire Commissioners have reviewed the available financial institutions; therefore, be it

RESOLVED that the Board of Fire Commissioners designate the Canandaigua National Bank has the official depository for Fire District funds for calendar year 2023.

m. Resolution #2023-0013 –Authorizing Signatories for Checks

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS Town Law §176 provides that payment of claims by the Fire District shall be by check and it is the policy of the Victor Fire District that all checks be signed by the Treasurer and countersigned by a designated Fire Commissioner;

WHEREAS, it is the policy of the Victor Fire District that the Board of Fire Commissioners, at its organizational meeting, to designate by Resolution the individuals whose signatures shall appear on checks drawn upon the Treasury of the Board of Fire Commissioners; and

WHEREAS the Board of Fire Commissioners recognizes that there are certain utility and employee bills that timely payment is necessary for efficient business operation; therefore, be it

RESOLVED that the checks authorized by the Board of Fire Commissioners for payment of claims shall be signed by the Treasurer and countersigned by a Commissioner in compliance with the rules and regulations promulgated by State Finance Law and as set forth herein, including that electronic signatures on checks will not be utilized in place of handwritten signatures.;

RESOLVED that authorized signatories for the Victor Fire District shall be:

Sean McAdoo, Treasurer
Gerald Barry, Fire Commissioner
John Turner, Fire Commissioner; and

RESOLVED that the Treasurer of the Victor Fire District is authorized to promptly pay in advance of an audit by this Board of Fire Commissioners the following routine invoices:

Empire Access
Employee salaries
EyeMed (vision benefit)
QuickBooks subscription fee
Postage

Rochester Gas & Electric
Verizon Wireless (monthly fees only, not purchases)
Zoom annual subscription fee

n. Resolution #2023-0014 –Renewal of all Fire District Leases and Recurring Contractual Agreements

On motion of Commissioner Turner, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays;

WHEREAS at the time of formation of the Fire District, there were several leases and recurring contractual agreements in place; and

WHEREAS the Board of Fire Commissioners have reviewed these obligations and finds it is in the best interest of the Fire District to continue with these agreements; now, therefore, be it

RESOLVED that the Board of Fire Commissioners agrees to continue all Fire District leases and recurring contractual agreements, including:

- Building Lease with the Village of Victor
- Fuel Contract with Town of Victor
- Emergency Reporting (NFRIS Management)
- I Am Responding (Member call in system)
- BXI Consultants (Copier contract, including usage)
- Brite Computer (Managed Computer Services)
- Healthworks, Inc (Member Physicals and Exposure Control Program)
- Brown and Brown of Rochester (Medical Benefits)
- Anderson VanHorne (Insurance services)
- Quickbooks Online (financial software)
- Vector Solutions (Target Solutions/ online training platform)
- Zoom (online video meeting subscription)
- Go Car Wash (chief vehicle car wash subscription)
- Employee Assistance Group (EAP services)
- Amazon Prime Membership; and

RESOLVED that the District Treasurer is authorized to sign any renewal of contracts required with these firms and organizations.

o. Resolution #2023-0015 –Adoption of Policies and Forms

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted: 4 Ayes; 0 Nays;

WHEREAS Town Law 176 and best practices of a Fire District requires an annual review and adoption of policies and forms, including vouchers; and

WHEREAS the Board of Fire Commissioners have reviewed the previously adopted policies and forms and finds they are consistent with known expectations and best practices; now, therefore, be it

RESOLVED that the Board of Fire Commissioners adopts the policies and forms on file.

p. Resolution #2023-0016 –Review of Expenditures for 2022

On motion of Commissioner Barry, seconded by Commissioner McConnell, the following resolution was adopted: 4 Ayes; 0 Nays;

WHEREAS, Town Law §177 requires the Fire District Treasurer to provide a written statement showing receipts and disbursements for the preceding fiscal year at the organizational meeting and produce all books, records, et.al.;

WHEREAS, the Fire District Treasurer has provided on a monthly basis such documentation for the review by the Board of Fire Commissioners; and,

WHEREAS, the Board of Fire Commissioners have reviewed such documentation and found the same satisfactory; therefore, be it

RESOLVED that the Board of Fire Commissioners waives the submission of the annual written statement showing receipts and disbursements for the preceding fiscal year at the organizational meeting in favor of the preparation of the preparation and filing with the NYS Office of the Comptroller the annual update document (AUD) report, as required by General Municipal Law Section 30, within the first 60 days of 2023;

RESOLVED that the Board of Fire Commissioners will receive a copy of the AUD and proof of filing of the same at the regular business meeting after the filing.

q. Resolution #2023-0017 –Adoption of 2023 Salary and Wage Rates

On motion of Commissioner McConnell, seconded by Commissioner Turner, the following resolution was adopted: 4 Ayes; 0 Nays;

WHEREAS, Town Law Section 176 permits the Board of Fire Commissioners to set compensation for employees of the District;

WHEREAS, the Board of Fire Commissioners have reviewed and discussed the 2023 Salary & Wage Rates further described in Attachment A; now, therefore, be it

RESOLVED, that the Board of Fire Commissioners adopts the 2023 Salary & Wage Rates; and,

RESOLVED, that the District Treasurer be authorized to implement this schedule retroactive to the pay period starting January 8, 2023.

r. Resolution #2023-0018 –Approval of Membership in Organizations

On motion of Commissioner Turner, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays;

WHEREAS, there exists a variety of organizations for the purpose of maintaining connections within the fire service field, sharing of critical information, and find opportunities for training; and

WHEREAS the Board of Fire Commissioners recognizes the importance of these organizations and supports the development of Commissioners, Officers, and Firefighters; therefore, be it

RESOLVED the Board of Fire Commissioners authorizes the continued membership in the following professional organizations:

Association of Fire Districts of the State of New York
Fireman's Association of the State of New York
New York State Association of Fire Chiefs
Ontario County Fire Chiefs' Association
Ontario County Fire Police Association
International Association of Fire Chiefs
Third Battalion Fire Police Association
Monroe County Fire Marshals and Inspectors Association

6. Motion to close organizational meeting and open regular meeting

Commissioner Turner motioned to close the organizational meeting and open the regular business meeting; seconded by Commissioner Barry and carried, 4 Ayes and 0 Nays.

7. Motion to approve Minutes from December 6, 2022 Meeting

Commissioner Barry motioned to approve the minutes from the December 6, 2022 Regular Business Meeting; seconded by Commissioner Keyes and carried, 4 Ayes and 0 Nays.

8. Motion to Pay Bills:

- a. Commissioner Barry motioned to ratify the email authorization for the Treasurer to pay invoices shown on the Abstract of December 21, 2022, totaling \$45,928.38; seconded by Commissioner Keyes and carried 4 Ayes, 0 Nays.
- b. Commissioner Turner motioned to approve payment of invoices shown on the Abstract of January 10, 2023, totaling \$57,608.17; seconded by Commissioner McConnell and carried 4 Ayes, 0 Nays.

9. Correspondence

none

10. Treasurer Report:

Read and is on file.

11. District Secretary Report:

Read and is on file.

12. Chief's Report:

Read and is on file.

13. Commissioners Reports:

Commissioner Barry reported that he and Treasurer McAdoo attended the Basic Commissioner Training Course on January 7, 2023, at the Gates Fire District.

14. Old Business

a. **Resolution #2023-0019 –Resolution Establishing Position of Paid Training Instructor (part-time).**

On motion of Commissioner McConnell, seconded by Commissioner Keys, the following resolution was adopted: 3 Ayes; 1 Nay (Turner);

WHEREAS, Town Law §176(11-c) and (18-a) authorizes a Board of Fire Commissioners of a Fire District to employ such persons as may be necessary to effectuate the objects and purposes of the Fire District; and

WHEREAS, the Board of Fire Commissioners of the Victor Fire District has determined that it is in the best interests of the Fire District to establish the part-time paid position of Training Instructor, with such qualifications and duties as set forth in the attached Schedule A; and

WHEREAS, the Board of Fire Commissioners of the Victor Fire District, having given due consideration of such matter and upon due deliberation thereon desires to establish the part-time paid position of Training Instructor within the Victor Fire District; now, therefore, it is hereby

RESOLVED, that the Board of Fire Commissioners of the Victor Fire District hereby establishes the part-time paid position of Training Instructor, with such qualifications and duties as set forth in the attached Schedule A within the Victor Fire District; and it is further

RESOLVED, that the compensation for this position be set by the 2023 Salary & Wage Rates.

that the Board of Fire Commissioners of the Victor Fire District shall establish the salary and benefits for the position of paid firefighters to be paid from the budgeted funds of the Fire District; and it is further

RESOLVED, that the Treasurer is authorized to complete the necessary filings be made with the Ontario County Civil Service and as otherwise required by law; and it is further

RESOLVED, that this position will be re-evaluated annually whether to maintain the position; and it is further

RESOLVED, that these resolutions shall take effect immediately.

15. New Business

a. **Resolution #2023-0020 – Designation of Preferred Vendor for Extrication Tools**

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays;

WHEREAS, GML 103 and Victor Fire District Policy requires all purchase contracts over \$20,000 shall be subject to competitive public bidding requirements with limited exceptions;

WHEREAS, STF 163(10) provides for a limited exception to GML 103, allowing a sole source vendor, and, consistent with this exception, District Policy permits establishing preferred vendors;

WHEREAS, the Department, upon the recommendation of Chief Eifert, desires to transition to battery operated hydraulic rescue tools over the next several years;

WHEREAS, after a thorough review of the available vendors and tools, it is recommended that a preferred vendor be designated for these rescue tools as more fully described in Attachment A;

WHEREAS, the Board of Fire Commissioners has reviewed the recommendation and found it meets the mission and objectives of the Victor Fire District, is consistent with their understanding of State statues, and is in the best interest to the residents of the Victor Fire District; now, therefore, be it

RESOLVED that the Board of Fire Commissioners designates Hurst Rescue Tools as the preferred vendor for extrication tools.

b. Resolution #2023-0021 - Purchase Authorizations

On motion of Commissioner Barry, seconded by Commissioner McConnell, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS Chief Mark Eifert requested authorization to make the following purchases:

No.	Item	Budget Code	Amount
1	Hurst Tools	405.2	\$ 29,809.27
2	Floor Scrubber	406.5	\$ 1,995.00
3	Base Radio Control Head	403.5.2	\$ 1,870.00

WHEREAS, the Board of Fire Commissioners have reviewed the purchases, found they meet the District's Procurement Policy, and are needed for the safe and efficient operation of the Fire District; now, therefore, be it

RESOLVED to authorize the issuance of a purchase order and the Chief to purchase the items as indicated.

c. Resolution #2023-0022 -Motion to approve budget transfers

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted: 4 Ayes; 0 Nays

WHEREAS, to maintain balanced budget lines within the 2022 budget, Treasurer McAdoo recommended inter-budget transfers as fully described in Attachment A; and,

WHEREAS the Board of Fire Commissioners have reviewed and discussed the transfers and found they are consistent with good financial practices; now, therefore, be it

RESOLVED the Board of Fire Commissioners approve the inter-budget transfers as shown.

d. Resolution #2023-0023 –Resolution to Transfer Funds from Equipment Repair and Replacement Capital Reserve Account to the General Operating Account.

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 4 Ayes; 0 Nays

RESOLVED, that pursuant to Section 6-g of the General Municipal Law, as amended, the Victor Fire District hereby authorizes the transfer of a sum not to exceed \$29,800 from its Equipment Repair and Replacement Capital Reserve Account to the District's General Operating Account for continued Fire District operations including the acquisition of extrication tools for Fire District purposes and services related thereto.

No expenditure shall be made except upon authorization of the Board; and it is further

RESOLVED, that this resolution is subject to a permissive referendum as provided by Section 6-g of the General Municipal Law.

16. Executive Session: None

17. Comments from Public: None

18. Adjournment:

Commission Turner made a motion to adjourn at 7:15 p.m.