

VICTOR FIRE DISTRICT

JULY 12, 2023 PUBLIC HEARING @ 6:00 PM

Board of Fire Commissioners Meeting Minutes

July 12, 2023 Public Hearing @ 6:00 PM

Present: Chairman McConnell; Commissioner Keyes; Commissioner Kowal; Commissioner Turner; Commission Barry; Secretary Hauf; Treasurer McAdoo; Ed Kahovek; Robert Wihlen; Mike Bellinger; Randy Shea

Public Hearing for Partial Property Tax Exemption

Commissioner Kowal motioned to open the Public Hearing for the consideration of Partial Property Tax Exemption for eligible volunteers; seconded by Commissioner Turner; carried 5 Ayes; 0 Nays.

District Secretary Hauf read the notice of public hearing. Chairman McConnell read the of the Rules of Order. District Treasurer McAdoo presented an overview of the program.

Chairman McConnell opened the floor for public comments; Randy Shea offered comments in support of the program.

Commissioner Barry motioned to close the Public Hearing for the consideration of Partial Property Tax Exemption; seconded by Kowal; carried 5 Ayes; 0 Nays

Commission exited the public hearing at 6:20 p.m.

July 12, 2023, 2023 Regular Meeting @ 6:30 PM

1. Call to Order:

A regular meeting of the Board of Fire Commissioners for the Victor Fire District was called to order by Chairman McConnell in compliance with the Open Meetings Law at 6:30 p.m.

2. Pledge of Allegiance:

Chairman McConnell led the Pledge.

3. Roll Call Affirmation of Quorum:

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

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

Others Present

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

Ed Kahovek, Firefighter Rob Wihlen, Firefighter Mike Bellinger

4. Privilege of the Floor

- a. Firefighter Bellinger presented the concept plan for the kitchen renovation.
- b. Firefighter Wihlen presented the benefits for a strength & conditioning program and a recommended vendor

5. Motion to approve Minutes from June 13, 2023 Meeting

Commissioner Keyes motioned to approve the minutes from the June 13, 2023 Regular Business Meeting; seconded by Commissioner Kowal and carried, 5 Ayes and Nays.

6. Motion to Pay Bills:

Commissioner Barry motioned to approve payment of invoices shown on the Abstract of June 13, 2023, totaling \$20,823.00 seconded by Commissioner McConnell and carried 5 Ayes, 0 Nays.

7. Correspondence:

- a. Letter from Fishers Fire District. Commission discussed and, by consensus, reaffirmed response from October 2021. Chairman McConnell to respond in writing.

8. Reports

a. District Treasurer Report

Read and is on file

b. District Secretary Report

Read and is on file

c. District Chief Report

Read and is on file

d. Commissioner Reports

None

e. Council Report

Received correspondence from Special Projects Attorney Mark Butler

9. Old Business

- a. **Resolution to Join Regionalization Committee.** - no motion made on draft resolution

WHEREAS, Chief Eifert reports several local fire departments, including Mendon and Honeoye Falls, have been discussing forming a single regional Fire District;

WHEREAS, Victor Fire District was invited to formally join a consolidation/ regionalization committee by providing representatives from the Commission, Operational Officers, and from the Department;

WHEREAS, after consideration to the benefit of the residents of the Victor Fire District, the Board of Fire Commissioners agrees to formally join the Mendon/ Honeoye Falls Consolidation Committee; NOW, THEREFORE, be it

RESOLVED to appoint Commissioner _____ to represent the Victor Fire District to the Mendon/ Honeoye Falls Consolidation Committee.

10. New Business

a. **Resolution #2023-0061 – Granting Eligible Volunteer Firefighters a Partial Exemption from Real Property Taxes Pursuant to Real Property Tax Law § 466-a**

At the regular meeting of the Board of Fire Commissioners (the “Board”) of the Victor Fire District (the “District”) held on July 12, 2023, at the Victor Fire House, the Board considered a draft resolution prepared by the District’s counsel regarding the adoption of the partial property tax exemption to volunteer firefighters whose primary residence is located within the District’s service area. The Board held a duly noticed public hearing on the draft resolution on July 12, 2023. All interested persons wishing to speak at the public hearing were given the opportunity to address the Board and all information provided at the public hearing was duly considered by the Board prior to the vote on the resolution.

On motion of Commissioner Turner, seconded by Commissioner Keyes, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS, Section 466-a of the Real Property Tax Law authorizes fire districts, after a public hearing, to provide a partial exemption from real property tax for eligible enrolled volunteer firefighters; and

WHEREAS, the Board recognizes the importance of service to the community and the difficulty in recruiting new members of the Department; and

WHEREAS, the Board understands the significant commitment and contributions of the volunteer members of the Victor Fire Department and their families and wishes to recognize that service; now therefore be it

RESOLVED that the Board finds and determines as follows:

1. **Exemption.** The District shall grant a partial exemption from real property taxation pursuant to the provisions of Section 466-a of the New York Real Property Law for eligible enrolled members in good standing with at least two years of service to the Victor Fire Department on the following terms:

- a. For purposes of the Victor Fire District tax, a qualified volunteer firefighter who is eligible to receive the partial property tax exemption pursuant to the law shall receive an exemption of 10% of the assessed value of his primary residence

upon filing the appropriate exemption application with the Tax Assessor in the town or locality where the property is located; and

b. The applicant has been certified by the District, as the authority with jurisdiction over the Victor Fire Department, as an enrolled volunteer member of the Department in good standing and with at least two years of service; and

c. The applicant's primary residence is located within the service area of the Victor Fire District and the Victor Fire Department; and

d. The applicant has properly certified that the property for which the exemption is sought is the applicant's primary residence.

2. Exclusivity of Use. The property for which the applicant seeks the exemption must be used exclusively for residential purposes or, in the case where a property is used for mixed purposes, the applicant must seek an exemption only for that portion of the property that is used for residential purposes.

3. Lifetime Exemption. For purposes of the Victor Fire District taxes, an applicant who is the owner of a qualifying residential real property shall receive an exemption of 10% of the assessed value of such property for the life of the applicant in accordance with the following terms and conditions:

a. The applicant must timely file an application for the exemption with the Tax Assessor for the locality in which the property is located;

b. The applicant must be certified by the District as an enrolled member in good standing of the Department with at least 20 years of active service; and

c. The applicant's primary residence must be within the service area of the District and the Department.

4. Continuation of the Exemption When the Member is Killed in the Line of Duty. For purposes of Victor Fire District taxes, when the owner of a qualifying residential real property is receiving a partial property tax exemption pursuant to Real Property Law Section 466-a is killed in the line of duty, the surviving spouse of that member shall be entitled to the continuation of that partial tax exemption in accordance with the following terms:

a. The surviving spouse files the appropriate exemption application with the applicable Tax Assessor;

b. The surviving spouse does not remarry;

c. The surviving spouse has been certified by the District as the spouse of an enrolled member in good standing, that the enrolled member to whom the applicant was married was killed in the line of duty and was receiving the

exemption prior to his or her death, and that the surviving spouse has not remarried; and

d. The surviving spouse's primary residence is within the service area of the Victor Fire District and the Victor Fire Department.

5. Continuation of Exemption for Surviving Spouse of Deceased Enrolled Member with 20 Years Active Service who Has Not Remarried. For purposes of Victor Fire District taxes, the surviving spouse of a deceased enrolled member receiving a lifetime partial exemption from property taxes who does not remarry shall be entitled to the continuation of the partial property tax exemption in accordance with the following terms:

a. The surviving spouse timely files the appropriate exemption application with the Tax Assessor in the locality where the eligible property is located;

b. The surviving spouse does not remarry;

c. The surviving spouse has been certified by the District as the surviving spouse, who has not remarried, of an enrolled member in good standing with at least 20 years of active service who was receiving the exemption prior to his or her death; and

d. The primary residence of the eligible surviving spouse is located within the service area of the Victor Fire District and the Victor Fire Department.

6. No exemption may be granted to a volunteer member who claims the New York State credit allowed by Section 606 (e-1) of the New York State Tax Law.

BE IT FURTHER RESOLVED that, the District Secretary is authorized and directed to transmit a copy of this resolution to the appropriate Tax Assessors for localities within the District's service area and to prepare a procedure for the necessary certification requirements to be met as required by Real Property Tax Law Section 466-a in a form approved by the District's counsel.

This resolution shall take effect immediately for the 2024 tax year.

b. Resolution #2023-0062 – Authorization to Enter into Professional Service Contract with Heather Sterner

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS, Town Law §176 allows the Fire District to appropriate funds for a supervised physical fitness training sessions to ensure firefighters are conditioned to efficiently fulfill their firemanic functions;

WHEREAS, the District has reviewed three quotes for personalized and supervised physical fitness training sessions as more fully described in Appendix A;

WHEREAS, the Board of Fire Commissioners have reviewed the results of the proposals, which are fully described in Attachment A; now, therefore, be it

RESOLVED that the Board of Fire Commissioners authorizes contracting with Heather Sterner for 1 training plan for personalized and supervised physical fitness training for the balance of 2023 and up to 3 in person demonstrations;

RESOLVED, that Treasurer McAdoo is authorized to sign any documents to execute the contract and a copy of this resolution be provided to Heather Sterner; and,

RESOLVED that the expenses related to this contract be assigned to A3410.408.6 – General District Expenses.

c. Resolution #2023-0063 –Authorization to Enter into Contract with RTI Auctions

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS, the Board of Fire Commissioners in Resolution #2023-56 declared the 2018 Ford Interceptor as surplus, subject to a permissive referendum pursuant to Town Law 176(23);

WHEREAS, the District Secretary received no public comments on this resolution;

WHEREAS, RTI Auctions is an independent company specializing in selling government and municipal surplus by online auctions; and,

WHEREAS, the Board of Fire Commissioners has reviewed the terms and conditions of Auctions International, which is fully described in Appendix A, and finds it efficient and cost effective to utilize their services; now, therefore, be it

RESOLVED, that the Board of Fire Commissioners authorizes the Victor Fire District to enter into a contract with Auctions International to sell 2018 Ford Interceptor at a minimum bid of \$22,000; and

RESOLVED, that District Treasurer McAdoo is authorized to execute any necessary contracts in furtherance of this resolution.

d. Resolution #2023-0064 – Acceptance of Painting Contract

On motion of Commissioner Barry, seconded by Commissioner Keyes, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS District Secretary Lisa Hauf requested estimates from 4 separate companies to paint selected rooms within the fire house (Front Stairwell and Inc Office), of which 2 responded with estimates, which are provided in Attachment A; and,

WHEREAS the Board of Fire Commissioners have reviewed the estimates, found it is a necessary expense and meets the District's Procurement Policy; now, therefore, be it

RESOLVED that the Board of Fire Commissioners authorizes contracting with Ryan and Sons for painting the front stairwell and Inc office; and,

RESOLVED, that Treasurer McAdoo is authorized to sign any documents to execute the contract; and,

RESOLVED that the expenses to be assigned to A3410.406.5 – Building Maintenance and Repair

e. Resolution #2023-0065 –Motion to approve budget transfers

On motion of Commissioner McConnell, seconded by Commissioner Kowal, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS, to maintain balanced budget lines within the 2023 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.

f. Resolution #2023-0066 –Authorization to Release Request for Proposals for Professional Auditing Services.

On motion of Commissioner Turner, seconded by Commissioner Kowal, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS, the Treasurer has drafted a request for proposal for a professional service agreement for professional auditing services, which is fully described in Appendix A;

WHEREAS, the Board of Fire Commissioners have reviewed the RFP and finds it is consistent with the objectives of the District; now, therefore, be it

RESOLVED that the Board of Fire Commissioners authorizes the Secretary to advertise and solicit for the RFP as indicated.

g. Resolution #2023-0067 –Adoption of updated Cyber Security Policies

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted: 5 Ayes; 0 Nays

WHEREAS, Town Law 176 and best practices of a Fire District requires adoption of various policies and forms;

WHEREAS, the Board of Fire Commissioners have reviewed the proposed policies that relate to Cyber Security as fully described in Attachment A, and have found it consistent with the objectives of the Victor Fire District; now, therefore, be it

RESOLVED that the Board of Fire Commissioners adopts the Cyber Security Policies and directs that they be added to the District Policy Book;

RESOLVED that the Part Time Fire Instructor provide initial training for all members and employees on these policies within the next ninety days; and,

RESOLVED that a copy of this attachment be made part of the District Policy

11. Public Comments: None

12. Next Regular Board Meeting: July 25, 2023 @6:30 p.m.

13. Adjournment: 7:24 p.m.