

AUGUST 11th, 2022

REGULAR MEETING
BOARD OF FIRE COMMISSIONERS
Held at 40 Mill Road
Eastchester, NY 10709

PRESENT: Chairman Commr. Paul Carlo
Commr. Paul Ranelone
Commr. Anthony Lore
Commr. Brian Keating
Commr. Thomas Roche

IN ATTENDANCE:
Chief Brian Tween
Treasurer Jamie Hedstrom
Secretary Marissa Isang Smith

MOTION by Commr. Carlo and unan. Carried to open the meeting to the public, followed by a salute to the flag.

TREASURER'S REPORT

Treasurer Jamie Hedstrom shared the following report:

The financials as of July 31, 2022 present a net budget surplus of approximately \$650K. Year-over-year spending through July 31st increased approximately \$1M as compared to 2021.

The budget transfers approved at the June and July meetings have been made, and an updated "Budget vs. Actuals" report is included here which details the original budget, the modification made, and the modified budget.

Station 4 Construction

We continue to use our capital reserve fund to fund the work being conducted at Station 4. Below is a summary of the capital reserve spending for this project and the anticipated future spending:

Authorized Amount Per Permissive Referendum	\$ 745,000.00
8/16/2021	\$ (15,627.50)
11/22/2021	\$ (85,110.50)
1/24/2022	\$ (46,778.00)
2/22/2022	\$ (19,000.00)
4/21/2022	\$ (125,357.25)
6/14/2022	\$ (124,979.30)
8/11/2022	\$ (125,710.79)
Remaining from Permissive Referendum as of Current	\$ 202,436.66
Vinco Original Contract Sum	
	\$ 561,500.00
Change Order #5- Approved May 2022	\$ 133,454.31
CO #1 Removal of Coal Shoot and Garbage Shed	\$ 22,842.55
CO #2 Rock Removal at Foundation to Accommodate Waterproofing	\$ 1,092.60
CO #3 Reconnect Circuits Removed in the Slab	\$ 48,237.50
CO #4 Dewatering Cost for Excess Water Infiltration	\$ 4,240.30
Allowance #3 Electrical	\$ 40,000.00
Revised Contract Total	\$ 811,367.26

At this time, the known revised Vinco contract costs exceed the amount of the permissive referendum, and two additional change orders have been presented for consideration. Per the direction of the Board, the general fund will be used to cover any costs over the initial estimate of \$745,000.

Other:

Budget Encumbrances- Purchases initiated in 2021 that won't be complete until 2022

Water rescue equipment	10,096.38
Turnout gear- purchased June 2022	63,977.40
Bailout system- purchased 4/8/22	50,050.80
VHF Radios (approx)- partially purchased as of June 2022	100,000.00
Total Budget Encumbrances	224,124.58

Treasury Direct Investments

As of August 11, 2022, we have \$12,000,000 invested in 4-week Treasury bills through our Treasury Direct account. The current

rates have increased to around 2.15%, as compared to the 0.03% rate on our JP Morgan Chase account. Interest earnings to date are approximately \$32K.

Budget Considerations

Below is our allowable tax increase without exceeding the tax cap:

	<u>2023</u>
Last Year's Levy	18,049,409.70
Tax Base Growth Factor	1.0027
	18,098,143.11
Allowable Levy Growth Factor	1.02
	18,460,105.97
Available Carryover	275,524.29
Allowable 2022 Levy	18,735,630.26
Allowable Difference (Increase)	686,220.56
Allowable % Increase	3.8019%

Suggested additions to 2023 Budget

To date, the following additions to the budget have been suggested by various Commissioners and the Chief:

- Fill the Assistant Chief position established with Civil Service- \$160K +
- Maintain two additional FF positions created in 2022 for 2023- approx. \$130K salary
- Add two additional firefighter spots to the budget- approx. \$100K if hired in March 2023
- New Captain Car- approx. \$100K
- UTV- approx.. \$32,500
- Purchase a tower ladder for delivery in early 2024- approx. \$1.8M

Other additions to 2023 Budget

Increases to the below GL accounts are anticipated based on 2022 spending and trends:

- o Professional Consultant Fees
- o Fire Training

- o Tank Refills, Testing & Repairs
- o Terminal Leave
- o Sewer Tax
- o Office Supplies
- Increases to healthcare costs corresponding to new positions created and a general anticipated increase in the cost of healthcare for 2023 (2022 increases over 11%)
- NYS Retirement System potential increase, which is unknown at this time
- Contractual salary increases

Treasurer Jamie Hedstrom recommended that the Board conduct a budget hearing prior to the September 27th meeting to analyze the proposed increases and the methods for funding the increases. A tentative meeting date was scheduled for the first week of September.

RESOLUTION NO. 99, 2022

MOTION by Commr. Ranellone seconded by Commr. Lore to pay the bills and vouchers as presented. The Board has been supplied with one set of bills and one credit card bill for Board approval. Chief Tween has reviewed all prior to the meeting, except certiorari claims and those specifically marked as reviewed by the Treasurer. The Treasurer has requested the Board approve the following:

Warrant 1- 8/11/22 - \$226,549.24
 Credit Card -8/18/22 - \$839.63
 Total \$227,388.87

Commr. Lore	-	Aye
Commr. Ranellone	-	Aye
Commr. Keating	-	No
Commr. Roche	-	No
Commr. Carlo	-	Aye

MOTION CARRIED *****

CHIEF REPORT

Chief Tween submitted the following report:

Alarm activity: 331
 Fire: 7
 EMS/Rescue: 194
 Mutual Aid Given: 2 (Scarsdale FD -1, Hartsdale FD -1)

- 1) Vehicle maintenance continues through the use of outside vendors.
- 2) Tim Dalton weekly reports for July were emailed to the Board on August 10th.
- 3) Fire Prevention and Code Enforcement activities continue with numerous plan reviews and inspections and their report was been emailed to the Board on August 2nd.
- 4) Currently, two members are out on long-term absence. One member is on unpaid leave.
- 5) The four candidates selected by the Board for a probationary firefighter position are going through the onboard vetting process and will commence the Career Fire Academy on September 6th.
- 6) The six recent graduates of the Career Fire Academy have been assigned to their Groups and are working 24-hour tours. They are assigned to E-27 and E-31, so they will be supervised by a Lieutenant for their first few months. One of the six members was the chauffeur of the first due engine at a second alarm fire in a commercial building and he performed very well.
- 7) On Saturday, August 6th, Captain Robert Pintavalle and Group 1 responded to a second alarm fire in a two-story commercial building at 99 Montgomery Ave. in the north end of Eastchester. They encountered heavy fire in a first-floor office area and quickly extinguished the fire before it could spread to the other attached businesses. The members performed exceptionally well under hot and humid weather conditions. Chief Tween thanked the mutual aid companies from New Rochelle FD that assisted at the scene, Mount Vernon FD, and Greenville FD for covering our station while our members were at the fire scene.
- 8) On July 12th, the Board was emailed a quote for a Pierce Enforcer tower ladder to replace the 2003 American La France tower ladder. The lead time for delivery is approximately 18 months which would put the delivery in 2024 and the cost is \$1,852,000.00. We are still exploring our options for payment, but due to the delivery time, Chief Tween requested that the Board authorize him to place the order with Firematic Supply Company Inc.
- 9) On August 8th the Board was emailed a quote for the purchase of a 2023 John Deere Gator Model XUV835M HVAC UTV for a cost of \$28,046.47 based on the pricing of the NY State Landscaping Grounds Contract PC69683. An additional cost of not to exceed \$3,600.00 would be used to purchase and installation of a Kimtec insert MTB-101 would also be purchased to allow it to be used for victim transport on a backboard or stokes basket.

- 10) At last month's meeting, Chief Tween requested to hold a promotional and award ceremony at the September Board meeting. Chief Tween asked if the Board wished to hold it at the beginning of the meeting, or at the end of the meeting.

The Board discussed the timing and logistics of the award ceremony.

SECRETARY REPORT

Secretary Isang Smith submitted the following report:

COMMUNITY OUTREACH

- 1) 12 Social Media Posts in July on Eastchester Fire District Social Media Platforms:
 - a) Facebook: Eastchester Fire District
 - b) Instagram: @eastchesterfiredistrict
 - c) Twitter: @EastchesterFD
- 2) Website management and monthly graphic design page updates
- 3) EFD Monthly Newsletter - Editing for August 2022

FOIL OFFICER

- 1) 3 FOILs were received and processed

RECORD MANAGEMENT OFFICER

- 1) Revised MWBE submission for the awarded grant: **\$39,038**. Further research for HVAC for remodeling in Station 3 and Computer Equipment
- 2) Review, meetings with NYSA, and coordination of resources for grant funding of records management project.

GRANT WRITING

- 1) Leary Firefighter Foundation: 8/12/2022 - Request \$24,000 - Equipment and Training
- 2) DHSES: RFI received after an official review of the application. Materials are being gathered to submit by 8/19/22 - Request **\$120,600 - Station 4 Drainage System**
- 3) SAFER Grant: Application checklist and further research conducted
- 4) Continued research on grant application options for equipment, staffing, and capital projects.

MISC.

- 1) Created OML Document for August Meeting
- 2) Supporting onboarding process for 4 PFFs
- 3) Continued coordination for the bid process for Chester Heights
- 4) Continued work on July 2022 Regular Meeting and Special Meeting Minutes
- 5) Updated 2022 resolutions spreadsheet
- 6) Regular office tasks as needed including scheduling, billing, customer service, and staff support.

RESOLUTION NO. 100, 2022

Motion by Commr. Carlo seconded by Commr. Ranellone to authorize Chief Tween to sign on behalf of the Eastchester Fire District, a sales contract with Firematic Supply Company, Inc. for one Pierce Enforcer Ascendant 100-foot Tower Ladder with the options in bid number 817 dated 7/18/2022 for a total price of \$1,852,000.00 based on the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing program.

Commr. Lore	-	Aye
Commr. Ranellone	-	Aye
Commr. Keating	-	No
Commr. Roche	-	Aye
Commr. Carlo	-	Aye

MOTION CARRIED *****

RESOLUTION NO. 101, 2022

Motion by Commr. Carlo seconded by Commr. Keating to authorize Chief Tween to sign on behalf of the Eastchester Fire District, a sales contract with R. Argento & Sons Inc. 1 Prospect Ave. White Plains, NY 10607 for the purchase of a 2023 John Deere Gator Model XUV835M HVAC UTV for a cost of \$28,046.47 based on the pricing of the NY State Landscaping Grounds Contract PC69683.

Commr. Lore	-	Aye
Commr. Ranellone	-	Aye
Commr. Keating	-	Aye
Commr. Roche	-	Aye
Commr. Carlo	-	Aye

MOTION CARRIED *****

RESOLUTION NO. 102, 2022

Motion by Commr. Carlo seconded by Commr. Lore to authorize Chief Tween to sign on behalf of the Eastchester Fire District, a sales contract with R. Argento & Sons Inc. 1 Prospect Ave. White Plains, NY 10607 for the purchase and installation of a Kimtec Corporation Medlite Transport Basic MTB-101 for \$3,600.00 based upon the pricing of two written quotes as per the Eastchester FD procurement policy.

Commr. Lore	-	Aye
Commr. Ranellone	-	Aye
Commr. Keating	-	Aye
Commr. Roche	-	Aye
Commr. Carlo	-	Aye

MOTION CARRIED *****

Commr. Roche discussed the private investigator item on the agenda and moved to table the agenda item until the Union President and District could come to an agreement.

Chief Tween discussed a PERB charge related to the topic of a private investigator, where the decision could be determined if the Union and District come to an agreement. Commr. Roche indicated that he would hope to have legal counsel and the Union work it out or to have a judge decide. Chief Tween indicated that they would wait to see what legal counsel advises. A Zoom hearing had already been conducted but the procedures were put to the side after both parties were encouraged to work it out.

Commr. Roche discussed the sick leave item on the agenda. Commr. Roche introduced a motion to meet with legal counsel to set up a meeting regarding the sick leave item. Discussion continued regarding the issue of members working while out on sick leave.

Commr. Keating advised that there was a rule that still stands from 1934 where a member could not hold a second job. Chief Tween advised that Commr. Ranellone interpreted the rule as that a member could not work a second job while on duty at the firehouse. Commr. Keating disagreed with Commr. Ranellone's interpretation. Commr. Roche reminded the Commissioners he attempted to have a vote in March to re-write the rules. Commr. Carlo asked about the CBA holding the terms of the members' second job requirements. Commr. Carlo asked for clarification on the item. Commr. Lore disagreed with the course of action

regarding the memos written by a former Chief. Commr. Keating asked if there was a superseding rule to the 1935 book. Chief Tween indicated he was not aware of any. Commr. Keating requested Secretary Isang read sections 6 and 7 from the rule book of 1935.

Secretary Isang advised:

"Rule 6: all permanent men while on duty shall sleep in their quarters at night and devote their attention to the business of the department and they are expressly prohibited from following any other calling or being employed in any other business of any nature. Rule 7: they shall be deemed to be on duty at all times except on vacation or approved leave but in such cases shall be subject to be recalled by the Board of Fire Commissioners if occasion requires."

Commr. Keating asked Commr. Ranellone if he or the Board were aware of any superseding rule. Chief Tween advised it was the past practice to work a second job. Commr. Lore advised members who are working while out sick, then it is an issue, but believed if off-duty and working a second job that it was not an issue. Commr. Roche believes a PERB judge would not uphold the 1935 rule book and that the rules must be rewritten. Commr. Roche advised the members that if they are on sick leave, that they shall not work any day while on sick leave. Commr. Roche requested a special meeting be set up for August 18th, with a remote option.

Discussion continued around the option for remote meetings and having legal counsel present at the August 18th meeting at headquarters.

Commr. Carlo brought up the volunteer recruitment letter item. Chief Tween advised that more information was needed since inquiries could come in and Secretary Isang would need to know where to direct prospective volunteers.

Public member Mr. David Horn spoke about the volunteer recruitment letter and the potential for recruiting future volunteers for responding to fires. Mr. David Horn presented the brochure to the Board. Mr. David Horn provided an update on the number of volunteer applications and the volunteer association,

and that their purpose is to supplement the department. Commr. Roche asked about the volunteer associations' course of action for training their members. Mr. David Horn explained the process of application review and that Secretary Isang should refer prospective volunteers to the PO Box number. Discussion continued around the volunteer members and their history with the District. Commr. Roche asked Treasurer Jamie Hedstrom if it would be beneficial to reduce the seven volunteer companies to one for the District's policies. Treasurer Jamie Hedstrom advised she would have to research. Discussion continued around the role of volunteer firefighters, their training, and recruitment needs in NY State.

Commr. Keating introduced a motion to FOIL the VBA. Commr. Carlo asked for clarification on the motion and previous discussions around this item. Commr. Roche asked Treasurer Jamie Hedstrom if the District had been receiving the annual form from the volunteer association. Treasurer Jamie Hedstrom advised after asking for 2021 from the state, however, there was nothing yet to provide. Commr. Keating wished to move forward with the FOIL. Commr. Roche recommended the Board needed a defined FOIL. Commr. Keating tabled the item to a September meeting, and Commr. Carlo withdrew the motion.

Commr. Roche discussed the Chester Heights bid project and asked that the Board determine a return date. Secretary Isang advised on the timeline for the bid process and notification needed for bidders.

RESOLUTION NO. 103, 2022

MOTION The Board authorizes the execution of said employment agreement between Fire Chief Brian Tween and the Eastchester Fire District effective August 11, 2022, retroactive to January 1, 2022, subject to counsel's review and approval, under the following terms :

WHEREAS, Fire Chief Brian Tween is a non-represented employee of the Eastchester Fire District; and

WHEREAS, Fire Chief Brian Tween provides a valuable service and leadership to the Eastchester Fire District;

WHEREAS, the Eastchester Fire District, via its Board of Fire Commissioners, have negotiated with Chief Brian Tween regarding

adjustments to the salary and benefit adjustments for Fire Chief Brian Tween, as described in the Employment Agreement attached hereto, are fair and applicable to the scale of services rendered; NOW THEREFORE , IT IS HEREBY RESOLVED as follows:

Term of Agreement: January 1, 2022 - December 31, 2026

Annual Salary:

Per Diem Rate

(based on an 8 hour day)

2022 - \$192,228.49

\$739.34 (retroactive to 1/1/22)

2023 - \$197,979.84

\$761.46 (effective 1/1/23)

2024 - \$203,903.33

\$784.24 (effective 1/1/24)

2025 - \$206,663.68 plus EMT Pay equal to 3% of a 5th year firefighter's base pay in CBA (effective 1/1/25)

2026 - \$212,863.59 plus EMT Pay equal to 3% of a 5th year firefighter's base pay in CBA (effective 1/1/26)

Benefits: NYS Pension /Medical Insurance / Vision Care Reimbursement/ 13 Paid Holidays /Vacation (6 weeks)/ Sick Time/Terminal Leave/ Compassionate Leave and any other benefits specifically defined in the Employment Agreement.

Commr. Lore	-	Aye
Commr. Ranellone	-	Aye
Commr. Keating	-	Abstain
Commr. Roche	-	Aye
Commr. Carlo	-	Aye

MOTION CARRIED *****

LOCAL 916 COMMENTS

No Comment

PUBLIC COMMENTS

Tony Fiore asked that the promotional meeting on September 27th be live so everyone could see the ceremony.

COMMISSIONER COMMENTS

Commr. Keating shared he wished the promotional ceremony be at the end of the meeting.

Commr. Roche asked about the government access channels to flash announcements during the promotional ceremony.

Chief Tween advised against holding the promotional ceremony at the end. Commr. Keating asked how one could conduct business after the ceremony.

Commr. Ranellone reported on his visit to Station 4 and its progress with the construction. Commr. Ranellone shared his observation of training exercises at Iona College, as well as observing a four alarm fire.

Commr. Roche commented on Lieutenant Domenick DiRienzo being detailed to the academy to train probies. Commr. Roche reviewed the process for training and encouraged members to receive additional trainings and certifications for promotional opportunities or being sent to the school as an instructor.

ADJOURNMENT

MOTION by Commr. Carlo seconded by Commr. Lore and unanimously carried that this meeting adjourn.

Respectfully submitted,

Marissa "Isang" Smith
SECRETARY TO THE BOARD OF
FIRE COMMISSIONERS