

Fly Creek Fire District Board of Fire Commissioners
Organizational Meeting Minutes
Date: January 12, 2023

Present: Pam Deane (PD) (Treasurer), Keith Dickison (KD), Sam Hoskins (SH), Ed Kukenberger (EK), Cassidy Lent (CL) (Secretary), Betty Staffin (BS)
Absent (due to continued illness): Christine Voulo (CV)

1. Treasurer calls session to order at 6:59pm
2. Pledge of Allegiance
3. Nomination of chairperson
 - a. EK nominates SH, KD seconded; passed and approved
4. Treasurer turns meeting over to chairperson
 - a. There was a discussion about the minutes and where they are posted. SH spoke with the town supervisor, Ben, who said that the town website was last updated in 2010, but that there is money to update the website this year. SH asked where people thought the minutes should go; general consensus was it needs to be somewhere where the public can see it easily
 - b. SH has had several conversations with Joe Frank (JF), by email
 - i. The organizational workshop held on January 5, 2023 was open to the public, where the public was allowed to speak as they wanted. However, at working meetings, commissioners have to give permission to the public to speak
 - ii. SH suggested giving community members three minutes to talk, non-transferable
5. Reading and approval of January 5, 2023 minutes
 - a. Correction submitted by CV – change from absent to “not informed of this meeting.”
 - b. Motion to accept minutes with correction made by EK, seconded by KD; passed and approved
6. Appointment of deputy district secretary
 - a. SH had a conversation with JF, who says we do not need a deputy district secretary
 - b. Motion to accept no deputy district secretary made by KD, seconded by BS; passed and approved
7. Appoint district secretary
 - a. Motion to appoint CL as district secretary made by KD, seconded by BS; passed and approved
8. Administer oaths for secretary and deputy district treasurer and direct that oaths be filed with secretary and Clerk of Town before January 30, 2023 per Town Law 174(3) and Public Officer’s Law (30)
 - a. CL signed oath prior to meeting
9. Establish salaries for district personnel (secretary and treasurer)
 - a. Salaries set during 2023 budget hearing (\$1,200 each)

- b. EK asked if salaries could be raised during the year. It was determined that this can't happen, as the budget is already set.
 - c. Motion made by KD, seconded by BS; passed and approved
10. Appoint legal advisor
- a. Letter from Terence Hannigan from December 20, 2022 – See Appendix A
 - b. SH spoke with JF, who said that there is no law that we have to have attorney and can appoint one at any time should we need it. SH thinks we will need one at some point, but not now. BS stated that the attorney through FASNY is free.
 - c. Motion to not appoint an attorney tonight, but to consider one in the future made by EK, seconded by BS; passed and approved
11. Designate official newspapers – designate a daily paper as well as the primary is published less than daily
- a. SH stated that *The Daily Star* is what is used currently, as well as *Freeman's Journal*
 - b. Motion to continue these made by KD, seconded by EK; passed and approved
12. Designate dates, times, and locations for upcoming board meetings, hearings, and elections
- a. Motion to designate third Thursday at 7:00pm as the monthly commissioners meeting made by KD, seconded by BS; passed and approved
13. Set the date for the budget hearing for the 3rd week of October
- a. Motion to hold budget hearing on October 19, 2023 at 6:30pm, followed by the monthly meeting, made by EK, seconded by BS; passed and approved
14. Acknowledge procurement of treasurer's and deputy treasurer's bond/insurance to be increased to \$300,000 – direct the filing of copy of the bond or declarations page of insurance policy with town clerk
- a. SH asked if PD already had this. PD stated she did not. SH asked if she sent it to herself, as town clerk, or if this was something the Board had. PD stated it was something the Board had. SH asked who had it. PD stated that it's procured through the insurance company, Benson.
 - b. SH asked if BS could make sure the bond got to PD. BS said she would contact John and ask him. SH stated that BS will make sure to get bond to PD, as town clerk.
15. Designate official depository (commercial bank)
- a. SH stated that it is currently NBT Bank
 - b. Motion made to keep NBT Bank as official depository made by KD, seconded by EK; passed and approved
16. Permission for treasurer or deputy district treasurer to pay fuel, lights, wages, postage, telephone, internet, gas/diesel, and heating oil every month
- a. SH asked if this was standard. BS stated that it's never happened, but if need be, important to have.
 - b. Motion to approve made by BS, seconded by KD; passed and approved
17. Treasurer required to submit AUD to Board of Fire Commissioners within 60 days after the end of the fiscal year

- a. BS stated this is submitted to the state, as well. SH felt it should be on the website too. BS thought this could be confusing, but SH thought the public should know.
 - b. BS stated this should be brought to the Board at the March meeting, but SH stated that the recommendation above is within 60 days.
 - c. Motion to have the AUD within 60 days, per the recommendation above, made by KD, seconded by EK, passed and approved
18. Adopt section 104-B of the General Municipal Law regarding District purchasing practices, including recommendations from NYS Comptroller's Audit report
 - a. SH stated this is online, recommendations include oversight of the treasurer and competitive bidding; this is us adopting this report
 - b. Motion to adopt section 104-B made by BS, seconded by KD; passed and approved
19. Approve mileage reimbursement at the approved IRS rates throughout the year
 - a. SH stated that the current rate is 62.5 cents per mile
 - b. Motion to approve made by BS, seconded by EK; passed and approved
20. Authorize defense and indemnification of Commissioners, District employees, and District volunteers pursuant to Public Officers Law (18)
 - a. Motion to approve made by KD, seconded by BS; passed and approved
21. Mutual aid agreements done by the Chief
 - a. SH stated the Board will wait to hear from Chief Voulo on this, per Adam Kantor (AK) at the Organizational Workshop held January 5, 2023
22. Authorize defense and indemnification District volunteer firefighters pursuant to General Municipal Law (205-g)
 - a. Motion to approve made by KD, seconded by SH; passed and approved
23. Appoint accountant
 - a. SH spoke with JF, who said there is no law we have to have an accountant unless we have expenditures of more than \$400,000/year
 - b. Motion to not appoint accountant tonight made by EK, seconded by BS; passed and approved
24. Designate secretary as district records/FOIL officer
 - a. Motion to approve made by SH, seconded by BS; passed and approved
25. Adopt LGS-1 (as modified) as the record retention policy of the District
 - a. Discussion held about how long to retain information; thought that records should be retained indefinitely until told otherwise
 - b. Motion to adopt LGS-1 made by SH, seconded by KD; passed and approved
26. Designate at least one "public location" to be used for the posting of open meetings law notices
 - a. Discussion on where to post, including post office. PD stated that once the Board decides on places to post, they need to post at all of them.
 - b. Continued discussion over sign board. SH stated that he'll work with AK on this.
 - c. Motion to post for open meetings on sign board, in *The Daily Star*, and at town hall made by SH, KD seconded; passed and approved

27. Approval of membership in the associations including FASNY, NYSAFC, AFDSNY, and any other associations the Board deems appropriate to carry out its business
 - a. Motion to approve membership made by EK, seconded by KD; passed and approved
28. Review, renew, and re-adopt existing leases and contracts
 - a. SH asked what leases/contracts the Board handles. It was determined that the District covers Airgas and Kinsley. Fuel oil was asked about and was stated that this is an automatic delivery through the town. BS stated that the Board did not do a state bid. SH would like to look into getting a bid this year.
 - b. Motion to review, renew, and re-adopt made by BS, seconded by KD; passed and approved
29. Re-adopt all existing policies and adopt new policies if warranted (example: dual signatures required on checks over \$100; purchases less than \$250)
 - a. After establishing that this is what is currently done, a motion was made by KD to adopt two persons signing, nominating BS as the second signee, seconded by SH; passed and approved.
 - i. BS needs to be put on bank account and others removed
30. Separate conversation on PD having trouble getting the mail
 - a. Motion to have BS get mail and delivered to cabinet for PD made by KD, seconded by EK, passed and approved
 - b. Keys will need to be obtained from CV and Joan Kegelman; SH will contact both
 - c. Second motion to include EK as second holder of keys made by BS, seconded by EK; passed and approved
31. Declare that the Annual Review of Workplace Violence Policy and Incident (if any) was conducted pursuant to 10 NYCRR 806(i)(5) and there were no such reports for the previous year
 - a. SH asked if there were any reports. AK stated no.
 - b. Motion to approve made by SH, seconded by KD; passed and approved
32. Authorize in advance the use of Fire District equipment and apparatus for use at parades, wakes, fire prevention details, and other events upon approval of the Chief
 - a. KD added language to the end... "Chief or his designee."
 - b. Motion to approve with additional language made by SH, seconded by KD; passed and approved
33. Acknowledge that the District has obtained enhanced cancer disability benefits required under General Municipal Law 205-cc by either the procurement of an approved insurance policy or by showing proof in writing that the District agrees to fund all eligible claims through revenues
 - a. It was asked if CL had this information. CL reported that she was given the invoice and summary of benefits for the secretary's files by CV. After being asked for a list of those covered, PD was directed to ask CV for the list. PD was also directed to get the invoice from CV to attach to the voucher for this expense.
34. Declare that official records of the District will be maintained in paper form
 - a. Motion to approve made by SH, seconded by BS; passed and approved

Additional Business

SH asked if there was anything else that needed to be covered. KD asked about the need to approve specialty teams. AK confirmed that we don't have them.

Motion to adjourned made by EK, seconded by KD; passed and approved

Meeting adjourned at 7:50pm

Respectfully submitted,
C. Lent

APPENDIX A: Letter, dated December 20, 2022, from Terence S. Hannigan

Dear Commissioners:

I am writing regarding the Fire District's retainer agreement with this firm for legal services for calendar year 2022. The agreement will expire at the end of this year. We will not be seeking a renewal of the retainer agreement and wanted to apprise the Board of the need to retain other counsel for the upcoming year.

Wishing the Board and the Department a safe and healthy New Year and the best of luck in the Fire District's future endeavors. Please contact me if you have any questions.

Very truly yours,
Terence S. Hannigan