

**COLDEN FIRE DISTRICT**

**Board of Fire Commissioners**

**Minutes – November 10, 2009**

Regular Meeting of the Colden Fire District Board at 7:00 pm,  
District Office Building, 8511 Center Road, Colden, New York 14033

**1. Call to Order @ 7:00 P.M.** The regular monthly meeting of the Commissioners of the Colden Fire District was called to order by the Chairman Joseph Murray in compliance with Article 7 - Open Meetings Law.

**2. Pledge of Allegiance to the Flag of the United States of America** Led by Chairman Joseph Murray.

**3. Roll Call and Affirmation of Quorum: Yes / No**

<u>Board Member</u>	<u>Present</u>
Commissioner John Belz	Yes
Chairman Joseph Murray	Yes
Commissioner Jeffrey Shelley	Yes
Commissioner James Walter	Excused
Commissioner Michael Butler	Yes
Treasurer Michael Schneider	Yes

**4. Consent Calendar:**

**a. Adoption of Agenda**

Commissioner Michael Butler made a motion to approve the Agenda as printed and Commissioner Jeffrey Shelley seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

A vote was taken and the motion to accept the agenda was approved.

**b. Approval of Minutes from Previous Meetings**

- Minutes from meeting held on October 13, 2009
- Minutes from Public Hearing - October 20, 2009

Commissioner John Belz made a motion to approve the Minutes as printed and Commissioner Jeffrey Shelley seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

A vote was taken and the motion to accept the Minutes was approved.

**c. Approval of Treasurer's Report (Monthly Financial Report)**

- Treasurer's Report as of November 6, 2009

Commissioner Michael Butler made a motion to approve the Treasurer's Report as printed and Commissioner John Belz seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

A vote was taken and the motion to approve the Treasurer's Report was approved.

**d. Approval of Bills (Ratification of District Accounts Payable)**

- Ratification of Accounts from the meeting held on November 10, 2009

**WHEREAS**, the Colden Fire District received certain invoices against it by way of vouchers received during the period ending November 10, 2009; and

**WHEREAS**, the Colden Fire District has reviewed said claims,

**NOW, THEREFORE, BE IT RESOLVED**, by the Colden Fire District that the following claims be certified by the Treasurer for approval and payment.

Commissioner John Belz made a motion to approve the All Accounts Payable and Commissioner Jeffrey Shelley seconded the motion.

Board Member	AYES	NAYS	ABSTAIN	ABSENT
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

A vote was taken and the motion to approve payment of bills was approved.

Year Funds Obligated	Claim Number	Date	Description of Transaction	Cost	Account Line
2009	2814	11/3/2009	Positive Promotions	\$607.14	A400-03d
2009	2815	11/5/2009	Emergency Medical Products	\$167.92	A200-3
2009	2816	11/3/2009	National Fuel - District Office Building	\$6.51	A400-07b
2009	2817	11/3/2009	National Fuel - Fire Station # 2	\$71.78	A400-07b
2009	2818	10/29/2009	M&T Bank Statement (Postal Stamps and Office Max)	\$131.23	\$86.62 - A400-01 & \$44.61 - A400-02
2009	2819	10/30/2009	Metro Group - Legal Notice for 2010 Budget Hearing	\$77.50	A400-06
2009	2820	11/3/2009	Verizon Wireless	\$10.04	A400-07d
2009	2821	11/4/2009	Verizon	\$31.24	A400-07e
2009	2822	11/10/2009	Saia Communications (MERS Radio for Ambulance)	\$637.25	A200-3
2009	2823	11/10/2009	NYSEG - District Office Building	\$ 29.89	A400-07a
2009	2824	11/10/2009	Dival Safety - Highway Vests	\$398.00	A200-2
2009	2825	11/10/2009	Colden Fire Company – Lease	\$3,000.00	A400-16
2009	2826	11/2/2009	Lynn Kolaja Fire Equipment	\$146,718.00	2009 Chevrolet G4500 Type III Ambulance
2009	2827	11/10/2009	VSP Graphics	\$2,295.00	2009 Chevrolet G4500 Type III Ambulance

Year Funds Obligated	Claim Number	Date	Description of Transaction	Cost	Account Line
2009	2828	11/10/2009	Al Rothenberg - Plumbing	\$80.00	400-08b
2009	2829	11/10/2009	John Belz - Flag Pole repair	\$5.98	400-08b
2009	2830	11/10/2009	Emergency Equipment Service	\$ 2,490.56	\$2,132.89 - A200-2 & \$357.67 - A400- 09
2009	2831	11/10/2009	University Emergency Medical Services - ITLS Class	\$ 1,525.00	A400-03a
2009	2832	11/10/2009	Michael Butler - Tolls (Ambulance Exchange)	\$11.70	A400-03c
			Total	\$158,294.74	

**e. Refund**

Agency	Credit Description	Refund
IRS	Reimbursement for over payment	\$1.74

**WHEREAS**, during the month of November, a credit of \$1.74 was reimbursed to the Fire District; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Colden Fire District that the funds will be deposited into the General Fund.

Commissioner Jeffrey Shelley made a motion to approve the reimbursement of funds in the amount of \$1.74 and Commissioner Michael Butler seconded the motion.

Board Member	AYES	NAYS	ABSTAIN	ABSENT
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

A vote was taken and the motion was approved.

**5. Correspondence and communications received: None**

**6. Committee Reports**

- Personnel Committee – Commissioner Michael Butler – No report.
- Finance Committee – Commissioner Joseph Murray – No report.
- Capital Improvement Committee – Commissioner John Belz – No report.
- Insurance Committee – Commissioner Michael Butler – No report.
- Legal Committee – Commissioner Joseph Murray – No report.
- Apparatus, Driver Certification, Communications, and Maintenance Committee – With 314 days into the 2009, we spent \$8,291.55 on unscheduled repairs (75% of our maintenance budget for 2009).  
Maintenance report for November follows:  
Colden 1 (Engine) – Mission Capable  
Colden 2 (Engine) – Mission Capable  
Colden 3 (Engine) – Mission Capable  
Colden 7 (Rescue) – Mission Capable  
Colden 8 (Ambulance) – Mission Capable
- Executive Board Committee – Commissioner Michael Butler – No report.
- Service Award Committee – Commissioner Joseph Murray – No report.
- Hazardous Materials Committee – Commissioner Michael Butler – No report.
- Training Committee – Commissioner Michael Butler – No report.
- Foreign Fire Insurance Monies 2% Funds Committee – Commissioner Michael Butler – No report.
- Grants Committee – No report.
- Public Protection Classification (PPC) Committee – Commissioner Jeffrey Shelley – No report.
- Medical Readiness – Commissioner Michael Butler – No Report.

**7. Reports**

- a. Fire Chief - Number of Fire Calls: 4

Comments: No report.

- b. EMS Chief - Number of First Aid Calls: 6

Comments: No report.

- c. Safety Officer – No report.

- d. President of the Auxiliary – No report.

- e. Fire Police – No report.

f. President of the Fire Company – No report.

**8. Purchase Requests (Equipment / Services):**

a. **Fire Service Purchases:** None for the month of November.

b. **Emergency Medical Services Purchases:** Essential Items needed to support Emergency Medical Services provided by the Colden Fire Company.

Description of Items	Account	Quantity	Cost
Rad 57 Detector	A400-03a	1	\$4,000.00
Misc. Medical Supplies	A200-3	BOM	\$1,188.15
<b>Total Cost</b>			<b>\$5,188.15</b>

**Resolution # 2009- 080 – Purchase of Emergency Medical Equipment / Supplies**

Commissioner John Belz made a motion to approve the purchases and Commissioner Jeffrey Shelley seconded the motion.

Board Member	AYES	NAYS	ABSTAIN	ABSENT
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

**BE IT FURTHER RESOLVED**, that the Colden Fire District will acquire the above listed items pursuant to the Fire District’s Procurement Policy and in accordance with New York State Purchasing Guidelines.

A vote was taken and the motion to authorize the purchases was approved.

c. **Fire Police Purchases:** None for the month of November.

d. **Fire District Purchases:** Essential Items needed to support the Colden Fire District.

Description of Items	Account	Cost
Office Max – Portable Printer	A400-01	\$160.00
Extra Key for Colden 8	A400-01	\$50.00
<b>Total Cost</b>		<b>\$210.00</b>

**Resolution # 2009 - 081 – Fire District Purchases**

Commissioner John Belz made a motion to approve the purchases and Commissioner Jeffrey Shelley seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

**BE IT FURTHER RESOLVED**, that the Colden Fire District will acquire the above listed items pursuant to the Fire District’s Procurement Policy and in accordance with New York State Purchasing Guidelines.

A vote was taken and the motion to authorize the purchases was approved.

**9. Unfinished Business:** MER Radio returned to Erie County

**10. New Business:** A Resolution declaring certain fire hoses to be unserviceable property and authorizing disposal thereof

**WHEREAS**, it is the policy of the Colden Fire District to promote economy, efficiency, and effectiveness in the management of Fire District assets; and

**WHEREAS**, it is hereby determined that the property sought to be disposed of can no longer be effectively used for the benefit of fire protection, and no substantial purpose will be served in the future by having such property on hand; and

**WHEREAS** the Board of Fire Commissioners deems the best interest of the Colden Fire District will best be served by disposing of the unserviceable property as municipal waste;

**BE IT RESOLVED** that pursuant to Section 176(23) of the Town Law, the Colden Fire District does hereby declare the following property is no longer useable by the Fire District and is hereby declared unserviceable property.

<b>Type of Hose</b>	<b>Length (Feet)</b>	<b>Width (Inches)</b>	<b>Destruction Date</b>	<b>Quantity</b>
10’ Hard Suction Hose	10	8”	11/10/09	6

**NOW THEREFORE**, be it hereby resolved by the Board of Fire Commissioners, Colden Fire District, County of Erie, New York, that the listed items will be properly disposed of and rendered useless to prevent unauthorized use after disposal.

**Resolution # 2009- 082 – A Resolution declaring certain fire hoses to be unserviceable property and authorizing disposal thereof**

Commissioner Joseph Murray made a motion to adopt the above resolution and Commissioner John Belz seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

**12. Public Comments:** None

**13. Next Regular Board Meeting:** Tuesday, December 8, 2009 at 7:00 PM at Station # 1

Upcoming Fire District Events:

Fire District Election Day is December 8, 2009 at the Fire District Office Building, 8511 Center Street, Colden, New York 14033

The Organizational Meeting is scheduled for Thursday, January 7, 2010, at 7:00 P.M. Every Fire District in New York State must hold an organizational meeting during the first fifteen days of January in each year per Town Law 172(2).

**14. Adjournment @ 7:46 P.M.** With no further business to conduct, Commissioner Joseph Murray made a motion to adjourn the meeting and Commissioner Jeffrey Shelley seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Commissioner John Belz	X			
Chairman Joseph Murray	X			
Commissioner Jeffrey Shelley	X			
Commissioner James Walter				X
Commissioner Michael Butler	X			
Vote Tally	4			1

A vote was taken and the motion to adjourn the meeting was approved.

**COLDEN FIRE DISTRICT**  
**MEETING AGENDA**

1. Meeting Call to Order
2. Pledge of Allegiance to the Flag of the United States of America
3. Roll Call and Affirmation of Quorum
4. Consent Calendar
  - Adoption of Agenda
  - Approval of Minutes from Previous Meetings
  - Approval of Treasurer's Report (Monthly Financial Report)
  - Approval of Bills (Ratification of District Accounts Payable)
5. Correspondence
6. Committee Reports
7. Reports (Fire Company)
8. Purchase Requests (Fire Company/District)
9. Unfinished Business (Open Issues):
10. New Business
11. Executive Session (If Required)
12. General Counsel's Report (If Required)
13. Public Comment
14. Adjournment

## **PUBLIC MEETING RULES**

**Order of Agenda** - Items listed on the Agenda may be taken out of order.

**Accommodations** – Colden Fire District Office Building is accessible to individuals with disabilities. Reasonable efforts will be made to accommodate persons with special needs. Please contact the Fire Board one week in advance of the meeting.

**Manner of Addressing the Fire Board** - In order to conduct orderly, efficient, effective and dignified meetings that promote a governmental purpose with a governmental process, public comment may address any agenda item or other public issue that the Fire Board has the authority to effectuate or exercise control over. Public comment on matters beyond the Fire District's scope of authority is not relevant, does not invoke a governmental process nor serve a governmental purpose and is contrary to the effective, efficient and orderly business conducted by the Colden Fire District. Each person addressing the Fire Board shall stand up, shall give his/her name and shall limit the time of his/her presentation to three (3) minutes. All public comment remarks shall be addressed to the Fire Board as a body, and not to any member thereof. No person, other than members of the Fire Board and the person having the floor shall be permitted to enter into any discussion. No questions shall be asked of the Board Members, except through the presiding chairman. Speakers shall avoid undue repetition of points previously presented to the Fire Board.

**Disruptive Conduct** - Any person who willfully disrupts a meeting to the extent that it's orderly conduct is made impractical may be removed from the meeting by order of the presiding chairman. A person willfully disrupts a meeting when he/she (1) uses physical violence, threatens the use of physical violence or provides the use of physical violence or (2) continues to use loud, boisterous, unruly or provocative behavior after being asked to stop, which behavior is determined by the presiding Chairman, or a majority of the Fire Board present, to be disruptive to the orderly conduct of the meeting or (3) fails to comply with any lawful decision or order of the presiding Chairman or of a majority of the Fire Board relating to the orderly conduct of the meeting.

**Use of Recording Equipment** - All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording (tape/video) is permissible as long as the device is unobtrusive and will not distract from the true deliberative process of the Board.

<b>Register of 2009 Resolutions</b>		
<b>Resolution Number</b>	<b>Date</b>	<b>Description of Resolution</b>
2009-001	Jan 8, 09	Appointment of Chairman for Calendar Year 2009
2009-002	Jan 8, 09	Appointment of Vice-Chairman for Calendar Year 2009
2009-003	Jan 8, 09	Adoption of Agenda
2009-004	Jan 8, 09	Adoption of Robert's Rules of Order
2009-005	Jan 8, 09	Appointment of Records Managers
2009-006	Jan 8, 09	Appointment of District Custodian
2009-007	Jan 8, 09	Authorizing Appointment of Attorney for Calendar Year 2009
2009-008	Jan 8, 09	Designating Surety Bonding for the Treasurer of the Colden Fire District
2009-009	Jan 8, 09	Authorizing Regular Meeting Schedule for Calendar Year 2009
2009-010	Jan 8, 09	Designation of Official Newspaper for Publications for Calendar Year 2009
2009-011	Jan 8, 09	Authorizing Per Diem and Mileage Reimbursements
2009-012	Jan 8, 09	Authorizing Advance Travel Payments
2009-013	Jan 8, 08	Appointment of Fire District Purchasing Agents
2009-014	Jan 8, 09	Fire District Memberships
2009-015	Jan 8, 09	Renewals of All Fire District Leases and Recurring Contractual Agreements
2009-016	Jan 8, 09	Authorizing Approval and Payment of Claims
2009-017	Jan 8, 09	Designation of Fire District Bank
2009-018	Jan 8, 09	Review of Expenditures (Calendar Year 2008)
2009-019	Jan 8, 09	Fire District Committee Appointments
2009-020	Jan 8, 09	Appointment of Independent Auditor for Calendar Year 2009
2009-021	Jan 8, 09	Open Government Resolution
2009-022	Jan 13, 09	Approval of Fire Company Events for 2009
2009-023	Jan 13, 09	EMS Equipment/Supplies Purchases
2009-024	Jan 13, 09	Fire District Purchases
2009-025	Jan 13, 09	Attendance at the Harrisburg Fire Expo
2009-026	Jan 13, 09	Appointment of Treasurer / Secretary
2009-027	Jan 13, 09	Annual Inspection Dinner
2009-028	Jan 13, 09	2009 Achievement Awards
2009-029	Jan 13, 09	Entitlement to 2008 Service Award Program
2009-030	Jan 8, 09	Proclamation Honoring Mary Spagnola as Treasurer of the Colden Fire District
2009-031	Feb 7, 09	Resolution Authorizing the Transfer of Funds
2009-032	Feb 10, 09	Approval of Active Roster for Calendar Year 2009
2009-033	Feb 10, 09	Transfer of Funds to the Colden Fire Company (Foreign Fire Insurance Monies 2% Funds)
2009-034	Feb 10, 09	EMS Equipment/Supplies Purchases
2009-035	Feb 10, 09	Fire District Purchases
2009-036	Feb 10, 09	Job Descriptions
2009-037	Feb 10, 09	2009 Achievement Awards (Amended Resolution)
2009-038	Feb 10, 09	Notice of Special Election
2009-039	Feb 10, 09	Purchase of Ambulance
2009-040	Feb 10, 09	Purchase of SCBA Units
2009-041	Feb 10, 09	Purchase of Motorola Minitor Pagers

<b>Register of 2009 Resolutions</b>		
<b>Resolution Number</b>	<b>Date</b>	<b>Description of Resolution</b>
2009-042	Feb 10, 09	Appointment of Fire District Election Inspectors
2009-043	Feb 10, 09	Proclamation commending the Colden Fire Company on its Outstanding Achievements
2009-044	Feb 10, 09	Appointment of Independent Auditor for Calendar Year 2009 (Amended)
2009-045	Feb 10, 09	Appointment of a Financial Consultant
2009-046	Mar 10, 09	Continental Connection Flight 3407
2009-047	Mar 10, 09	EMS Equipment/Supplies Purchases
2009-048	Mar 10, 09	Resolution Commending the Colden Fire Company and Recognizing it's 2008 Awardees
2009-049	Mar 10, 09	Resolution Expressing Appreciation to Calvin Rauch for 45 Years of Service
2009-050	Mar 10, 09	Resolution Expressing Appreciation to Clifford Letson for 40 Years of Service
2009-051	Mar 10, 09	Approval of General Elections – Colden Fire Company
2009-052	Mar 10, 09	Tuition Reimbursement – Jeffrey Ruminski
2009-053	Apr 14, 09	Results of the Special Election
2009-054	Apr 14, 09	Membership to the Colden Fire District – Charles Kramer
2009-055	Apr 14, 09	EMS Equipment/Supplies Purchases
2009-056	Apr 14, 09	Fire District Purchases
2009-057	Apr 14, 09	Purchase of a Fire Rescue 14” Saw
2009-058	Apr 14, 09	Resolution declaring certain fire hoses to be unserviceable property and authorizing disposal thereof
2009-059	May 12, 09	Purchase of Fire Protection Equipment / Supplies
2009-060	May 12, 09	Resolution declaring certain fire hoses to be unserviceable property and authorizing disposal thereof
2009-061	May 12, 09	Commercial Driver’s License Exemption for the Fire Service
2009-062	May 26, 09	Selection of Auditor for Calendar Year 2008
2009-063	Jun 9, 09	Fire Protection Purchases
2009-064	Jun 9, 09	Fire Police Purchases
2009-065	Jun 9, 09	Fire District Purchases
2009-066	Jun 9, 09	Attendance at the NYSAFC 103rd Annual Conference & Expo
2009-067	Jul 14, 09	EMS Equipment/Supplies Purchases
2009-068	Jul 14, 09	A Resolution Accepting Offers for Insurance Coverage for the Fire District for the Period July 1, 2009 to June 30, 2010
2009-069	Aug 11, 09	Change of Status - Firefighter Jeffrey Ruminski
2009-070	Aug 11, 09	Fire Protection Purchases
2009-071	Aug 11, 09	EMS Equipment/Supplies Purchases
2009-072	Aug 11, 09	Fire District Purchases
2009-073	Aug 11, 09	Resolution declaring certain fire hoses and turnout gear to be unserviceable property and authorizing disposal thereof
2009-074	Sep 8, 09	Resolution observing the eighth anniversary of the Terrorist attacks of September 11, 2001
2009-075	Sep 8, 09	Fire District Purchases
2009-076	Sep 8, 09	Appointment of Fire District Election Inspectors
2009-077	Sep 8, 09	Approval of the Draft 2010 Budget
2009-078	Oct 3, 09	Capital Reserve Purchase (Ambulance)
2009-079	Oct 20, 09	Adoption of 2010 Budget
2009-080	Nov 10, 09	EMS Equipment/Supplies Purchases

