

**COLDEN FIRE DISTRICT**

**Board of Fire Commissioners**

**Minutes – February 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**

<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 Sr.	Yes

**4. Consent Calendar:**

**a. Adoption of Agenda**

Commissioner Jeffrey Shelley made a motion to approve the Agenda 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>
Chairman Joseph Murray	X			
Commissioner John Belz	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 January 13, 2009
- Minutes from meeting held on February 7, 2009

Commissioner John Belz made a motion to approve the Minutes as printed and Commissioner Michael Butler seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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 Financial Report (Monthly Treasurer's Report)**

- Financial Report dated February 10, 2009 (As of January 31, 2009)

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

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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 February 10, 2009

**WHEREAS**, the Colden Fire District received certain invoices against it by way of vouchers received during the period ending February 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 Michael Butler seconded the motion.

Board Member	AYES	NAYS	ABSTAIN	ABSENT
Chairman Joseph Murray	X			
Commissioner John Belz	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
	2625	2/3/2009	M&T Bank Credit Card Account (Total \$4,707.16)		
2008			Previous Balance (US Post Office)	\$ 25.15	A400-01
2009			Office Max	\$ 38.99	A400-01
2009			Lowe's Service	\$ 195.72	A400-09
ISO Acct			HP Direct - Plotter	\$ 2,035.24	ISO
2008			Dell Computers	\$ 1,458.34	A200-2
ISO Acct			HP Direct - Plotter - Tax Credit	\$ (163.75)	ISO
2009			Holland Hardware	\$ 4.81	A400-08b
2009			Holland Hardware - Exhaust Caps	\$ 14.66	A400-08b
ISO Acct			Sound Video Solutions	\$ 1,098.00	ISO
2009	2626	2/3/2009	Erie County Board of Elections	\$ 36.45	A400-01
2009	2627	2/3/2009	Verizon Wireless	\$ 9.97	A400-07
2009	2628	2/3/2009	Verizon	\$ 29.02	A400-07
2009	2629	2/3/2009	National Fuel	\$ 530.87	A400-07

Year Funds Obligated	Claim Number	Date	Description of Transaction	Cost	Account Line
2009	2630	2/3/2009	National Fuel	\$ 292.36	A400-07
2009	2631	2/3/2009	NYSEG	\$ 227.13	A400-07
2009	2632	2/3/2009	NYSEG	\$ 500.51	A400-07
2009	2633	2/3/2009	Erie County Fire District Membership Dues	\$ 150.00	A400-04
2009	2634	2/3/2009	Colden Fire Company - Lease	\$ 3,000.00	A400-16
2009	2635	2/3/2009	Emergency Equipment Service	\$ 804.70	A400-09
2008	2636	2/3/2009	Colden Water District # 1	\$ 1,800.00	A400-20
2009	2637	2/3/2009	Colden Fire Company - Zoll E-series mount	\$ 430.00	A200-3
2009	2638	2/3/2009	NUMARCO - Hose Reel Fittings	\$ 27.85	A400-08b
2009	2639	2/3/2009	Red Alert Service Contract 3/2/09 - 3/2/10	\$ 1,040.67	A400-21
2009	2640	2/3/2009	NYS Association of Fire Chiefs (Hyde)	\$ 35.00	A400-04
2009	2641	2/3/2009	DIVAL Safety	\$ 195.65	A400-18
2009	2642	2/6/2009	Emergency Equipment Service	\$ 1,108.02	A400-09
2009	2643	2/6/2009	Emergency Equipment Service	\$ 200.00	A400-09
2009	2644	2/8/2009	Emergency Medical Products	\$ 244.20	A200-3
2009	N/A	2/9/09	M&T Bank Service Charge	\$ 11.00	Savings Acct.
2009	2645	2/10/09	NYS Fire Districts	\$ 250.00	A400-03b
2009	2646	2/10/09	Metro Group	\$ 26.94	A400-06
<b>Total</b>				<b>\$ 15,657.50</b>	

#### e. Income

Agency	Income Description	Amount
M&T Bank	Interest on Savings Account	\$5.18
EC Board of Elections	Use of Building	\$400.00
Total		\$405.18

**5. Correspondence and communications received:** Letter from New York State Public Entities Safety Group 497, dated January 27, 2009, Subject: NYS Workers' Compensation Loss Run Record.

#### 6. Committee Reports

- Personnel Committee – No report.

- Finance Committee – Treasurer will accomplish the following tasks:
  1. Upon receipt of the 2009 Tax Monies, the following financial transactions will be made:
    - a. Deposit 2009 Tax Monies into the checking account.
    - b. The following disbursements will be made:
      - \$20,000 will be deposited into the Unrestricted Capital Reserve Savings Account (Interim Loan Repayment)
      - \$15,379.73 will be deposited into the Unrestricted Capital Reserve Savings Account (2008 End-of-the-Year Funds).
      - \$30,000 will be deposited into the ISO Capital Reserve Savings Account
      - \$55,000 will be deposited into the Apparatus Capital Reserve Account on April 3, 2009 (CD matures on April 2, 2009)
      - \$100,000 will be deposited into the General Fund Savings Account.
  2. Submission of the Annual Report (AUD) for fiscal year ending December 31, 2008. Report must be submitted NLT March 1, 2009.
  3. Completion of 2008 Tax Reports.
  4. Issue Employee 2008 Tax Statements and submit report to IRS.
  5. Submission of the Monthly NYS & Local Retirement Report.
  6. Coordinate the Special Election on April 7, 2009.
- Capital Improvement Committee – No report.
- Insurance Committee – No report.
- Legal Committee – No report.

Apparatus, Driver Certification, Communications, and Maintenance Committee – Commissioner John Belz stated that the apparatus are getting older, breakdowns are more frequent, parts are being fabricated due to non-availability, and maintenance costs are increasing due to the age of the fleet. In 2008, we spent \$11,150.65 on unscheduled repairs. With forty-one days into the 2009, we spent \$2,702.71 on unscheduled repairs. Maintenance report for February follows:

- Colden 1 (Engine) - \$1,108.02 – Replacement of exhaust system.
- Colden 7 (Rescue) - \$804.70 – Exhaust system repairs.
- Colden 2 (Engine) - Muffler needs replacing.
- Colden 7 (Rescue) - Backlights are inoperable (safety issue).

- Executive Board Committee – No report.
- Service Award and Life Insurance Committee – Resolution approving the entitlement to the District’s Life Insurance Program follows:

**Resolution # 2009- 032 – Approval of Active Roster for Calendar Year 2009**

Commissioner John Belz made a motion to approve the active roster of firefighters for the Colden Fire District and Commissioner Jeffrey Shelley seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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 active roster of firefighters for the Colden Fire District was approved.

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, the following Active Firefighters are entitled to the Life Insurance Program for Calendar Year 2009:

Belz, John	Offhaus, Mark A.
Brockner, Jean	Pietraszek, Gerald
Butler, Michael	Pietraszek, Susanne
DePasquale, James	Rauch, Calvin
Feidt, Jody	Ruminski, Jeffrey
Feuz, Donald	Schneider, Bryant
Fitch Jr., David	Schneider Jr., Michael
Gentner, Paul	Schneider Sr, Michael
Grudzien, Lawrence	Shelley, Jeffrey
Hacker, Garrett	Shelley, Jonathon
Hyde, Douglas	Shelley, Kevin A.
Kenngott, Keith	Smith, James
Letson, Clifford	Smith, Ronald
Marinaccio, Michael	Solak, Henry
Montgomery, William	Spagnola, Michael
Murphy, Patrick	Sudyn, Brian
Nuttle, Charles	Walter, James
Nye, Vincent	Wurster, Daniel

All new members' admitted into the Colden Fire District during 2009 are entitled to the Life Insurance Program.

- Hazardous Materials Committee – No report.
- Training Committee – No report.
- Foreign Fire Insurance Monies 2% Funds Committee –NYS Insurance Department Authorization Agreement for Automated Deposit of 2% funds was submitted on January 26, 2009. 2% funds are projected to be deposited in the month of July 2009. (Email address: [firetax@ins.state.ny.us](mailto:firetax@ins.state.ny.us)). Annual report for 2008 was completed by Ronald Smith and forwarded to the State Insurance Fund. Copy provided to District. Upon receipt of the Foreign Fire Insurance Monies (2% Funds) from the New York State Insurance Department, the Treasurer is authorized to issue a check in the amount deposited to the Colden Fire Company. Resolution approving fund transfer follows:

**Resolution # 2009- 033 – Transfer of Funds to the Colden Fire Company  
(Foreign Fire Insurance Monies 2% Funds)**

Commissioner John Belz made a motion to approve the transfer of funds to the Colden Fire Company and Commissioner Michael Butler seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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

- Grants Committee – Report follows:

1. The Department of Homeland Security has posted the Fire Prevention and Safety Grants for FY-2009 on their website. The application period is February 2, 2009 and all applications must be received by March 6, 2009.

2. Commissioners' Walter and Butler met with the Dival Grant Writer Michael Penzotti (Funding Specialist). The meet was fruitful, as Michael carefully explained to us the machinations of grant writing. Michael has "15 years of technical writing experience which enables him to write clear, concise, grant winning experience." Some grant application facts were discussed.

50% of ALL grant applications submitted never make it to peer review.  
80% of ALL grant applications GET DENIED!!  
DIVAL's "Grantmaster" has an 86% success rate!!

Mike Penzotti can be reached anytime at: Office: 874-9060 x153, Cell: 531-0888, Email: grantmaster@divalsafety.com

- Public Protection Classification (PPC) Committee – No report.
- Medical Readiness – Physicals are projected for the month of March 2009.

**7. Reports**

- a. Fire Chief - Number of Fire Calls: 8
- b. EMS Chief - Number of First Aid Calls: 20
- c. Safety Officer – No report.
- d. President of the Auxiliary – No report.
- e. Fire Police – No report.
- f. President of the Fire Company – The District received an invitation to the Installation Dinner on April 4, 2009.

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

- a. **Fire Service Purchases:** None.
- b. **Emergency Medical Services Purchases:**

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

Description of Items	Account	Quantity	Cost
Controlled Medications (six vials)	A200-3	6	\$246.00
EMS Coveralls for Doug Hyde	A200-3	1	\$200.00
Repairs to EMT Coveralls (Broken zipper)	A200-3	1	\$50.00
<b>Total Cost</b>			<b>\$496.00</b>

**Resolution # 2009- 034 – Purchase of Emergency Medical Equipment/Supplies**

Commissioner John Belz made a motion to approve the purchases and Commissioner Michael Butler seconded the motion.

Board Member	AYES	NAYS	ABSTAIN	ABSENT
Chairman Joseph Murray	X			
Commissioner John Belz	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

d. **Fire District Purchases**

Purpose: Essential Items needed to support the Colden Fire District.

Description of Items	Account	Cost
Annual education requirement for newly elected Fire Commissioners (May 9 <sup>th</sup> at Erie County Fire Academy)		
Fire Commissioner John Belz	A400-03b	\$125.00
Treasurer Michael Schneider	A400-03b	\$125.00
	<b>Total Cost</b>	<b>\$250.00</b>

**Resolution # 2009- 035 – Fire District Purchases**

Commissioner Michael Butler made a motion to approve the purchases and Commissioner Jeffrey Shelley seconded the motion.

Board Member	AYES	NAYS	ABSTAIN	ABSENT
Chairman Joseph Murray	X			
Commissioner John Belz	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 (Open Issues):**

a. Ambulance Procurement Specifications. Commissioner Murray thanked the apparatus committee for their assistance in developing a generic set of specifications for the acquisition of a new ambulance. Commissioners Murray, Butler, and EMS Chief Smith will develop the procurement packet pursuant to GML §103 and §104.

b. Job Descriptions. Removal of the First Aid training requirement from all job descriptions listed in SOG # III-01 (Job Descriptions). The First Aid Card does not empower firefighters to practice medicine. NYS only recognizes medical credentials of EMT or higher level of training.

**Resolution # 2009- 036 – Job Descriptions**

Commissioner Michael Butler made a motion to adopt the following Resolution and Commissioner Jeffrey Shelley seconded the motion.

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

A vote was taken and the Resolution was approved

**WHEREAS**, the Colden Fire District has reviewed and amended the Job Descriptions for all personnel assigned to the District; and

**WHEREAS**, the Job Descriptions have been updated to reflect the operational needs of the Fire District; and

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, that the First Aid training requirement has been removed from the all job descriptions.

**10. New Business:**

**Discussion item # 1** – Adoption of Resolution honoring Treasurer Mary Spagnola for her service to the Colden Fire District

**Resolution # 2009- 030 – Proclamation Honoring Mary Spagnola as Treasurer of the Colden Fire District**

Commissioner John Belz made a motion to approve the resolution for the Colden Fire Company and Commissioner Michael Butler seconded the motion.

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

A vote was taken and the following resolution was approved

**THE COMMISSIONERS OF THE COLDEN FIRE DISTRICT IN THE TOWN OF COLDEN, COUNTY OF ERIE**

**RESOLUTION 2009-030**

**PROCLAMATION HONORING MARY SPAGNOLA  
TREASURER OF THE COLDEN FIRE DISTRICT**

**WHEREAS**, The Board of Fire Commissioners wishes to congratulate Mary Spagnola on fifteen years of service as the Treasurer of the Colden Fire District; and

**WHEREAS**, as Treasurer, Mary considered herself the watchdog of the public treasury and was proud to represent the citizens of Colden; and

**WHEREAS**, her sound judgment has instilled trust among the commissioners and firefighters of the Colden Fire District that the monies of the District were being handled with integrity and care; and

**WHEREAS**, Mary has provided excellent stewardship of the District’s financial resources, technical expertise in the field of accounting and unwavering commitment; and

**WHEREAS**, the citizens of the Colden Fire District are very fortunate to have dedicated representatives, such as Mary, working for the betterment of our community; and

**WHEREAS**, it is recognized that she has been a dedicated and dynamic representative for the Colden Fire District,

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, that in tribute to the outstanding service to the citizens of Colden, we do hereby extend sincere gratitude to Mary Spagnola for her many years of care, concern and dedication to this community and to the Colden Fire District, and wish her good health and happiness in the future.

**BE IT FURTHER RESOLVED**, that a suitable copy of this resolution be presented to Mary Spagnola as a symbol of our respect.

**Discussion Item # 2 –** Pursuant to SOG II-01 (Achievement Awards), the Fire District will purchase sixteen plaques honoring 2008 awardees. Funds would come from Account 400-19 (Contingency Funds). Individual awards will not exceed \$30.00 per awardee. This Resolution amends resolution 2009-028 as thirty dollars has been determined to be a reasonable expense for honoring our 2008 awardees.

**Resolution # 2009- 037 – 2009 Achievement Awards**

Commissioner John Belz made a motion to amend Resolution 2009-028 to increase individual awards to thirty dollars and Commissioner Jeffrey Shelley seconded the motion.

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

A vote was taken and the resolution was approved

**Discussion item # 3** – Scheduling a Special Election for the approval of increasing the Apparatus Capital Reserve Allocation by \$25,000. The new annual allocation will be \$80,000.

**Resolution # 2009- 038 – Notice of Special Election**

Commissioner John Belz made a motion to approve the following resolution and Commissioner Michael Butler seconded the motion.

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

A vote was taken and the following resolution was approved. This Resolution shall not take effect until thirty (30) days after its adoption and upon an affirmative vote of the majority of the duly qualified voting electors of this Fire District.

**NOTICE OF ELECTION**

Colden Fire District  
Town of Colden, New York

**NOTICE IS HEREBY GIVEN** that pursuant to a Resolution of the Board of Fire Commissioners, a special election of the qualified voters of the Colden Fire District in the Town of Colden, County of Erie, State of New York, will be held at the District Office Building located at 8511 Center Street, Colden, New York, on the 7th day of April 2009, between the hours of 6 p.m. and 9 p.m. to vote on whether to approve the following Resolution that was adopted by the Board of Fire Commissioners:

**Resolution 2009-038 - Increase Fund Allocation to Capital Reserve Apparatus Fund:** Resolution authorizing the Board of Fire Commissioners of the Colden Fire District, Town of Colden, Erie County, New York pursuant to Section 6-g of the General Municipal Law, to increase the Capital Reserve Apparatus Fund allocation by \$25,000 annually to finance the cost of the acquisition of trucks and fire apparatus. The new annual allocation would be \$80,000.

**WHEREAS**, to accomplish it’s mission, the District requires a fleet of reliable fire and EMS apparatus that are capable of meeting the mission requirements of the District, and that perform at the highest levels of safety, availability, functionality and reliability; and

**WHEREAS**, District personnel depend heavily on the performance capabilities of the District's fire and EMS apparatus when delivering emergency services to protect life, property, and the environment in Colden Fire District; and

**WHEREAS**, to provide emergency services without interruption, the District must maintain its apparatus in superior operating condition and promptly replace those apparatus when adequate performance levels can no longer be maintained; and

**WHEREAS**, one of the most important capital assets of any municipal fire department is a fleet of reliable apparatus and vehicles; and

**WHEREAS** replacing fire apparatus and EMS vehicles is a necessary yet costly expenditure of public funds; and

**WHEREAS**, the National Fire Prevention Association ("NFPA") recommends that fire departments ensure that apparatus are maintained to NFPA standards; and

**WHEREAS**, given the importance of a reliable fleet of fire and EMS apparatus and the costs associated with replacing those apparatus and that apparatus replacement should be a carefully planned process that is conducted at regular intervals to ensure continued operational performance without imposing a financial burden during any single fiscal year; and

**WHEREAS**, apparatus replacement intervals should be based on objective projections of the useful life span of the apparatus or vehicle, maintenance costs, and estimates of the time required to prepare bid specifications, conduct bid processes and award contracts, and construct and deliver apparatus and vehicles; and

**WHEREAS**, there are three aspects of apparatus and vehicle life span: (1) service life, which is the length of time that a piece of apparatus or vehicle can be expected to perform in a functional and reliable manner under the service demands and operating conditions to which it is exposed; (2) technological life, which is the ability of the apparatus or vehicle to continue to perform in a functional and reliable manner when changes in service demands, technology and performance standards occur; and (3) economic life, which is the length of time that an apparatus or vehicle can be operated and maintained in a cost-effective manner; and

**WHEREAS**, eventually all fire and EMS apparatus reach the end of their useful life span, and are no longer usable even as a reserve apparatus or vehicle;

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, that an increase to the Apparatus Capital Fund Reserve is necessary to ensure that the District possesses a fleet of reliable fire and EMS apparatus that are capable of meeting the mission requirements of the District, and that perform at the highest levels of safety, availability, functionality and reliability.

Section 1 - The period of probable usefulness of the apparatus is twenty (20) years pursuant to Local Finance Law Section 11.00(27).

Section 2 - The Chairman of the Board of Fire Commissioners is hereby authorized to take such actions and execute such documents as required.

Section 3 - This Resolution shall be subject to a mandatory referendum, to be held at a special election.

The polls will be open for the purpose of voting during the aforesaid hours, and the ballot will be in substantially the following form, to wit:

*Shall the following resolution be adopted?*

**Resolution authorizing the Board of Fire Commissioners of the Colden Fire District, Town of Colden, Erie County, New York pursuant to Section 6-g of the General Municipal Law, to increase the Capital Reserve Apparatus Fund allocation by \$25,000 annually to finance the cost of the acquisition of trucks and fire apparatus. The new annual allocation would be \$80,000.**

Pursuant to Local Finance Law Section 38.00, this Resolution shall be subject to a mandatory referendum, to be held at a special election on the 7th day of April 2009, in the manner prescribed by Sections 175 and 179 of the Town Law of the State of New York. This Resolution shall not take effect until approved by the affirmative vote of a majority of the duly qualified voters of the District voting on such proposition. The Secretary of the District is hereby authorized and directed to cause a copy of this Resolution to be published in full in the Springville Journal for a thirty day period, which is designated as the official newspaper of the District for such purposes. Notice of Special Election will also be posted on the Town's and Fire Company's websites.

Those who are qualified to vote on the aforesaid Resolution are qualified voters who shall have resided in said Fire District for thirty days preceding this election.

By Order of the Board of Fire  
Commissioners of the Colden Fire District  
in the Town of Colden County of Erie,  
State of New York

Michael Schneider, Fire District Secretary  
February 10, 2009

Special Instructions: Treasurer will post the following Legal Notice in the Springville Journal for thirty days and post a copy at the Town Hall. Springville Journal will provide back to the Fire District a notarized copy of the posting.

**LEGAL NOTICE**

**COLDEN FIRE DISTRICT  
NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO MANDATORY REFERENDUM**

**NOTICE OF ELECTION**

Colden Fire District  
Town of Colden, New York

**NOTICE IS HEREBY GIVEN** that pursuant to a Resolution of the Board of Fire Commissioners, a special election of the qualified voters of the Colden Fire District in the Town of Colden, County of Erie, State of New York, will be held at the District Office Building located at 8511 Center Street, Colden, New York, on the 7th day of April 2009, between the hours of 6 p.m. and 9 p.m. to vote on whether to approve the following Resolution that was adopted by the Board of Fire Commissioners:

**Resolution 2009-038 - Increase Fund Allocation to Capital Reserve Apparatus Fund:** Resolution authorizing the Board of Fire Commissioners of the Colden Fire District, Town of Colden, Erie County, New York pursuant to Section 6-g of the General Municipal Law, to increase the Capital Reserve Apparatus Fund allocation by \$25,000 annually to finance the cost of the acquisition of trucks and fire apparatus. The new annual allocation would be \$80,000.

**WHEREAS**, to accomplish its mission, the District requires a fleet of reliable fire and EMS apparatus that are capable of meeting the mission requirements of the District, and that perform at the highest levels of safety, availability, functionality and reliability; and

**WHEREAS**, District personnel depend heavily on the performance capabilities of the District's fire and EMS apparatus when delivering emergency services to protect life, property, and the environment in Colden Fire District; and

**WHEREAS**, to provide emergency services without interruption, the District must maintain its apparatus in superior operating condition and promptly replace those apparatus when adequate performance levels can no longer be maintained; and

**WHEREAS**, one of the most important capital assets of any municipal fire department is a fleet of reliable apparatus and vehicles; and

**WHEREAS** replacing fire apparatus and EMS vehicles is a necessary yet costly expenditure of public funds; and

**WHEREAS**, the National Fire Prevention Association ("NFPA") recommends that fire departments ensure that apparatus are maintained to NFPA standards; and

**WHEREAS**, given the importance of a reliable fleet of fire and EMS apparatus and the costs associated with replacing those apparatus and that apparatus replacement should be a carefully planned process that is conducted at regular intervals to ensure continued operational performance without imposing a financial burden during any single fiscal year; and

**WHEREAS**, apparatus replacement intervals should be based on objective projections of the useful life span of the apparatus or vehicle, maintenance costs, and estimates of the time required to prepare bid specifications, conduct bid processes and award contracts, and construct and deliver apparatus and vehicles; and

**WHEREAS**, there are three aspects of apparatus and vehicle life span: (1) service life, which is the length of time that a piece of apparatus or vehicle can be expected to perform in a functional and reliable manner under the service demands and operating conditions to which it is exposed; (2) technological life, which is the ability of the apparatus or vehicle to continue to perform in a functional and reliable manner when changes in service demands, technology and performance standards occur; and (3) economic life, which is the length of time that an apparatus or vehicle can be operated and maintained in a cost-effective manner; and

**WHEREAS**, eventually all fire and EMS apparatus reach the end of their useful life span, and are no longer usable even as a reserve apparatus or vehicle;

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, that an increase to the Apparatus Capital Fund Reserve is necessary to ensure that the District possesses a fleet of reliable fire and EMS apparatus that are capable of meeting the mission requirements of the District, and that perform at the highest levels of safety, availability, functionality and reliability.

Section 1 - The period of probable usefulness of the apparatus is twenty (20) years pursuant to Local Finance Law Section 11.00(27).

Section 2 - The Chairman of the Board of Fire Commissioners is hereby authorized to take such actions and execute such documents as required.

Section 3 - This Resolution shall be subject to a mandatory referendum, to be held at a special election.

The polls will be open for the purpose of voting during the aforesaid hours, and the ballot will be in substantially the following form, to wit:

*Shall the following resolution be adopted?*

**Resolution authorizing the Board of Fire Commissioners of the Colden Fire District, Town of Colden, Erie County, New York pursuant to Section 6-g of the General Municipal Law, to increase the Capital Reserve Apparatus Fund allocation by \$25,000 annually to finance the cost of the acquisition of trucks and fire apparatus. The new annual allocation would be \$80,000.**

Pursuant to Local Finance Law Section 38.00, this Resolution shall be subject to a mandatory referendum, to be held at a special election on the 7th day of April 2009, in the manner prescribed by Sections 175 and 179 of the Town Law of the State of New York. This Resolution shall not take effect until approved by the affirmative vote of a majority of the duly qualified voters of the District voting on such proposition. The Secretary of the District is hereby authorized and directed to cause a copy of this Resolution to be published in full in the Springville Journal for a thirty day period, which is designated as the official newspaper of the District for such purposes. Notice of Special Election will also be posted on the Town's and Fire Company's websites.

Those who are qualified to vote on the aforesaid Resolution are qualified voters who shall have resided in said Fire District for thirty days preceding this election.

By Order of the Board of Fire Commissioners of the Colden Fire District in the Town of Colden County of Erie, State of New York

Michael Schneider  
Fire District Secretary  
February 10, 2009

**Discussion item # 4** – Scheduling three Permissive Referendums to authorize the purchase of the following items: (1) Purchase of a new ambulance via Apparatus Capital Reserve Account, (2) Authorize the purchase of five SCBA units via ISO Capital Reserve Account, and (3) Authorize the purchase of five Motorola Minitor pagers via Unrestricted Capital Reserve Account. Resolutions are Subject to Permissive Referendum

Commissioner John Belz made a motion to approve the following Resolution and Commissioner Michael Butler seconded the motion.

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

The following Resolutions were declared adopted by the Chairman of the Board of Fire Commissioners on February 10, 2009 by the affirmative vote of all the voting strength of the said Board

**Resolution 2009-039 - Purchase of Ambulance:** The Board of Fire Commissioners of the Colden Fire District in the Town of Colden, County of Erie, State of New York authorizes the purchase of an ambulance with affiliated equipment to include acquisition costs; estimating the total cost at a maximum of \$190,000. Funds would be allocated from the Apparatus Capital Reserve Account.

**WHEREAS**, the Board of Fire Commissioners of the Colden Fire District in the Town of Colden County of Erie, State of New York, desires to have the District purchase a new ambulance plus affiliated equipment, and

**WHEREAS**, the Board of Fire Commissioners has directed the ambulance to be purchased from the Apparatus Capital Reserve Account and that no other alternatives for financing are required for this acquisition, and

**WHEREAS**, there is presently the sum of \$366,921.27 dollars within said Apparatus Capital Reserve Fund, and

**BE IT FURTHER RESOLVED** that this resolution is subject to permissive referendum pursuant to the provisions of Section 6(g) of the General Municipal Law and other applicable laws of the State of New York, and

**BE IT FURTHER RESOLVED** that pursuant to Section 6(g) of the General Municipal Law that within (10) days from the date of this Resolution the Treasurer shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of said Resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the Springville Journal, a newspaper published in Erie County having a general circulation in the Town of Colden, and in addition thereto the Treasurer shall post or cause to be posted on the sign board of the Town of Colden, a copy of such notice within ten (10) days after the date of adoption of this Resolution. Said resolution was offered by Commissioner Belz and seconded by Commissioner Butler.

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, as follows:

Section 1 - The District is hereby authorized to purchase a new ambulance plus affiliated equipment, plus acquisition costs, with the maximum cost of \$190,000.00, utilizing the Apparatus Capital Reserve Account.

Section 2 - The period of probable usefulness of the vehicle is ten (10) years pursuant to Local Finance Law Section 11.00(27)(a).

Section 3 - The Chairman of the Board of Fire Commissioners is hereby authorized to take such actions and execute such documents as may be necessary to purchase the vehicle.

Section 4 - This Resolution shall be subject to a Permissive Referendum.

Special Instructions: Treasurer will post the following Legal Notice in the Springville Journal for thirty days and post a copy at the Town Hall. Springville Journal will provide back to the Fire District a notarized copy of the posting.

**LEGAL NOTICE**

**COLDEN FIRE DISTRICT  
NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM**

Notice is hereby given that the Board of Fire Commissioners of the Colden Fire District, Town of Colden, New York, at a meeting held on the 10th day of February, 2009, duly adopted a Resolution subject to a permissive referendum, pursuant to the provisions of Section 6(g) of the General Municipal Law and other applicable laws of the State of New York; an abstract of this Resolution is as follows:

The Resolution authorizes the Commissioners of the Colden Fire District to appropriate from the Apparatus Reserve Fund a sum not to exceed \$190,000 for the purchase of a new Type III Class I Ambulance with affiliated equipment to include acquisition costs.

This Resolution shall not take effect until thirty (30) days after its adoption, or until approved by an affirmative vote of the majority of the duly qualified voting electors of this Fire District if a petition, as prescribed by Section 6(g) of the General Municipal Law, is duly filed with the Secretary of this District protesting against such Resolution and requesting a referendum as is prescribed in said section of said law.

Michael Schneider, Secretary  
Board of Fire Commissioners  
Colden Fire District  
Dated: February 10, 2009

**Resolution 2009-040 - Purchase of SCBA Units:** The Board of Fire Commissioners of the Colden Fire District in the Town of Colden, County of Erie, State of New York authorizes the purchase of five SCBA units with affiliated equipment not to exceed \$40,000. Funds will be allocated from the ISO Capital Reserve Account.

**WHEREAS**, the Board of Fire Commissioners of the Colden Fire District is desirous of expending monies from the ISO Reserve Fund of the Colden Fire District for the purchase of firematic items that will be utilized by the Colden Volunteer Fire Company of the Town of Colden, and

**WHEREAS**, there is presently the sum of forty-three thousand (\$46,000) dollars within said ISO Reserve Fund, and

**WHEREAS**, the purchase of new SCBA units will replace antiquated units;

**BE IT FURTHER RESOLVED** that this resolution is subject to permissive referendum pursuant to the provisions of Section 6(g) of the General Municipal Law and other applicable laws of the State of New York, and

**BE IT FURTHER RESOLVED** that pursuant to Section 6(g) of the General Municipal Law that within (10) days from the date of this Resolution the Treasurer shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of said Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in the Springville Journal, a newspaper published in Erie County having a general circulation in the Town of Colden, and in addition thereto the Treasurer shall post or cause to be posted on the sign board of the Town of Colden, a copy of such notice within ten (10) days after the date of adoption of this Resolution. Said Resolution was offered by Commissioner Belz and seconded by Commissioner Butler.

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, as follows:

Section 1 - The District is hereby authorized to purchase five sets of Self-Contained breathing Apparatus (SCBA) units plus affiliated equipment, with the maximum cost of \$40,000.00, utilizing the ISO Capital Reserve Account.

Section 2 - This Resolution authorizes the Commissioners of the Colden Fire District to appropriate from the ISO Reserve Fund a sum not to exceed \$40,000 for the purchase of the following firematic equipment:

- 5 each - Scott NXG7 4.5 PAK with STD Pass
- 10 each - Scott 4.5-30 Min NXG Carbon Cylinder & Valve
- 10 each - Scott AV-3000 Full Face piece w/ Kevlar Head Harness
- 5 each - Epic Voice Amp
- 5 each - Epic Communication Clips For AV-3000
- 10 each - Zico low pro-file cylinder clips (need 2 clips per packs)

Section 3 - The Chairman of the Board of Fire Commissioners is hereby authorized to take such actions and execute such documents as may be necessary to purchase the five sets of Self-Contained breathing Apparatus (SCBA) units.

Section 4 - This Resolution shall be subject to a Permissive Referendum.

Special Instructions: Treasurer will post the following Legal Notice in the Springville Journal for thirty days and post a copy at the Town Hall. Springville Journal will provide back to the Fire District a notarized copy of the posting.

LEGAL NOTICE

**COLDEN FIRE DISTRICT  
NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM**

Notice is hereby given that the Board of Fire Commissioners of the Colden Fire District, Town of Colden, New York, at a meeting held on the 10th day of February, 2009, duly adopted a Resolution subject to a permissive referendum, pursuant to the provisions of Section 6(g) of the General Municipal Law and other applicable laws of the State of New York; an abstract of this Resolution is as follows:

The Resolution authorizes the Commissioners of the Colden Fire District to appropriate from the ISO Reserve Fund a sum not to exceed \$40,000 for the purchase of the following firematic equipment:

- 5 each - Scott NXG7 4.5 PAK with STD Pass
- 10 each - Scott 4.5-30 Min NXG Carbon Cylinder & Valve
- 10 each - Scott AV-3000 Full Face piece w/ Kevlar Head Harness
- 5 each - Epic Voice Amp
- 5 each - Epic Communication Clips For AV-3000
- 10 each - Zico low pro-file cylinder clips (need 2 clips per packs)

This Resolution shall not take effect until thirty (30) days after its adoption, or until approved by an affirmative vote of the majority of the duly qualified voting electors of this Fire District if a petition, as prescribed by Section 6(g) of the General Municipal Law, is duly filed with the Secretary of this District protesting against such Resolution and requesting a referendum as is prescribed in said section of said law.

Michael Schneider, Secretary  
Board of Fire Commissioners  
Colden Fire District  
February 10, 2009

**Resolution 2009-041 - Purchase of Motorola Minitor Pagers:** The Board of Fire Commissioners of the Colden Fire District in the Town of Colden, County of Erie, State of New York authorizes the purchase of five Motorola Minitor Pagers; estimating the total cost at a maximum of \$2,500. Funds would be allocated from the Unrestricted Capital Reserve Account.

**WHEREAS**, the Fire District has determined a need for the purchase of five Motorola Minitor pagers to support firefighting and EMS operations of the District; and

**WHEREAS**, there is presently the sum of sixty-five thousand (\$65,000) dollars within said Unrestricted Reserve Fund, and

**WHEREAS**, the Pagers augment the dispatch capabilities of the Colden Fire District; and

**WHEREAS**, the purchase of new pagers will replace unserviceable units;

**BE IT FURTHER RESOLVED** that this resolution is subject to permissive referendum pursuant to the provisions of Section 6(g) of the General Municipal Law and other applicable laws of the State of New York, and

**BE IT FURTHER RESOLVED** that pursuant to Section 6(g) of the General Municipal Law that within (10) days from the date of this Resolution the Treasurer shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of said resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in the Springville Journal, a newspaper published in Erie County having a general circulation in the Town of Colden, and in addition thereto the Treasurer shall post or cause to be posted on the sign board of the Town of Colden, a copy of such notice within ten (10) days after the date of adoption of this Resolution. Said Resolution was offered by Commissioner Belz and seconded by Commissioner Butler.

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, as follows:

Section 1 - The District is hereby authorized to purchase five Motorola Minitor pagers, with the maximum cost of \$2,500.00, utilizing the Unrestricted Capital Reserve Account.

Section 2 - The Chairman of the Board of Fire Commissioners is hereby authorized to take such actions and execute such documents as may be necessary to purchase the five Motorola Minitor pagers.

Section 3 - This Resolution shall be subject to a Permissive Referendum.

Special Instructions: Treasurer will post the following Legal Notice in the Springville Journal for thirty days and post a copy at the Town Hall. Springville Journal will provide back to the Fire District a notarized copy of the posting.

**LEGAL NOTICE**

**COLDEN FIRE DISTRICT  
NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM**

Notice is hereby given that the Board of Fire Commissioners of the Colden Fire District, Town of Colden, New York, at a meeting held on the 10th day of February, 2009, duly adopted a Resolution subject to a permissive referendum, pursuant to the provisions of Section 6(g) of the General Municipal Law and other applicable laws of the State of New York; an abstract of this Resolution is as follows:

The Resolution authorizes the Commissioners of the Colden Fire District to appropriate from the Unrestricted Capital Reserve Fund a sum not to exceed \$2,500 for the purchase of five Motorola Minitor Pagers.

This Resolution shall not take effect until thirty (30) days after its adoption, or until approved by an affirmative vote of the majority of the duly qualified voting electors of this Fire District if a petition, as prescribed by Section 6(g) of the General Municipal Law, is duly filed with the Secretary of this District protesting against such Resolution and requesting a referendum as is prescribed in said section of said law.

Michael Schneider, Secretary  
Board of Fire Commissioners  
Colden Fire District  
Dated: February 10, 2009

**Discussion item # 5** – Designation of Fire District Election Inspectors pursuant to Town Law §175a

**WHEREAS**, the Board of Fire Commissioners shall appoint two Election Inspectors for the District Election to be held on April 7, 2009, and

**BE IT RESOLVED**, that the Board of Fire Commissioners of the Colden Fire District does hereby appoint the following persons to serve as Election Inspectors for the upcoming District election to be held on April 7, 2009:

Name	Address
Cliff Letson	7891 Bleistien Road, Colden, NY 14033
Alfred Kalinowski	10397 Partridge Road, Holland, NY 14080

Alternate: Ms. Joyce Strauss

**BE IT FURTHER RESOLVED**, that their compensation be set at a rate of \$35.00 per Election Inspector.

**Resolution # 2009- 042 – Appointment of Fire District Election Inspectors**

Commissioner Michael Butler made a motion to approve the appointment of Fire District Election Inspectors and Commissioner Jeffrey Shelley seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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.

**Discussion Item # 6** – Commending the Colden Fire Company on its Outstanding Achievements during 2008

**Resolution # 2009- 043 – Commending the Colden Fire Company on its Outstanding Achievements**

Commissioner John Belz made a motion to approve the resolution for the Colden Fire Company and Commissioner Michael Butler seconded the motion.

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

A vote was taken and the following resolution was approved

**THE COMMISSIONERS OF THE COLDEN FIRE DISTRICT IN THE TOWN OF  
COLDEN, COUNTY OF ERIE**

**RESOLUTION 2009-043**

**COMMENDING THE COLDEN FIRE COMPANY ON ITS OUTSTANDING  
ACHIEVEMENTS**

**WHEREAS**, it is with highest commendation that the Colden Fire Company is recognized during its Annual Inspection Dinner at Fire Station # 1, on April 4, 2009, for its many years of outstanding service to the Colden Community; and

**WHEREAS**, the men and women who devote their time and energy to the duties of fire prevention, suppression, and emergency medical services have nobly assumed responsibilities essential for the safety of their fellow citizens and exemplify the dedication of firefighters throughout this area who seek to provide the highest level of service and protection to their communities; and

**WHEREAS**, the dedicated, caring, and professional members of the Colden Fire Company, of whom we are justly proud, retain their reputation for unflagging zeal in accomplishing their job and continue to remain model firefighters for others to emulate; and

**WHEREAS**, the men and women of the Colden Fire Company have indeed earned the respect and admiration of countless individuals with whom they have been associated;

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, that in tribute to the outstanding service to the citizens of Colden, we hereby most highly commend the members of the Colden Fire Company and do further direct that a copy of this resolution be presented to Fire Chief Jody Fiedt for appropriate display with sincere best wishes for continued success.

**Discussion Item # 7** – Audit of 2008 Accounts

**Resolution # 2009- 044 – Appointment of Independent Auditor for Calendar Year 2008**

Commissioner John Belz made a motion to solicit quotes to acquire an Independent Auditor for the Colden Fire District and Commissioner Michael Butler seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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 solicit quotes to acquire an Independent Auditor for the Colden Fire District was approved.

**WHEREAS**, there exists a need to have yearly independent audits pursuant to General Municipal Law conducted beginning in 2008 for the Colden Fire District, in the Town of Colden, County of Erie, concerning various responsibilities undertaken by said Commissioners; and,

**WHEREAS**, the Commissioners are desirous of soliciting quotes to make an appointment for Calendar Year 2008; and

**WHEREAS**, the Commissioners will have an annual audit of its records by an independent CPA or independent public accountant within 180 days after the end of the fiscal year of the District;

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, as follows:

Section 1 - An Independent Auditor will be appointed to provide auditing services to the Commissioners of the Colden Fire District to ensure that all documentation concerning the proper use of public funds is consistent with the requirements and the regulations of the New York State Statutes.

Section 2 - Copies of the report shall be filed with both the Town of Colden and with the New York State Comptroller’s Office.

Section 3 - The Fire District shall file a corrective action plan in response to any findings contained in the annual external audit.

Section 4 - Appointment of Independent Auditor will be accomplished during December's meeting of the Board of Fire Commissioners.

Section 5 - Proposals for Auditing Services were mailed out to the followings CPA firms:

- Bahgat & Laurito-Bahgat Certified Public Accountants
- Colello Eugene G Certified Public Accountants
- Johnson Mackowiak Moore & Myott Llp - Certified Public Accountants
- Main Street Payroll Certified Public Accountants
- Saul Glazer Certified Public Accountant
- Skrobacz & Company Certified Public Accountants PC
- Jeffrey Reznicki CPA
- Toski Schaefer and Co PC
- Dansa & D'Ararate LLP
- Dolce, Dole & Priore
- Hadley & Company CPAs
- Ferraro & Hauser LLP
- Buffamante, Whipple, Buttararo, P.C.
- Amato, Fox & Company

**Discussion Item # 8** – Provide financial training to the newly appointed Treasurer.

**Resolution # 2009- 045 – Appointment of a Financial Consultant**

Commissioner Joseph Murray made a motion to hire a Financial Consultant to train the newly appointed Treasurer and Commissioner John Belz seconded the motion.

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

A vote was taken and the following Resolution was approved

**WHEREAS**, Mary Spagnola possess certain skills, experience, and competency to perform these services on behalf of the District; and

**WHEREAS**, the District desires to retain Mary Spagnola to render professional advice and familiarize the newly appointed Treasurer in his duties and responsibilities;

**NOW THEREFORE, be it RESOLVED** by the Commissioners of Colden Fire District, in the Town of Colden, County of Erie, as follows:

Section 1 – Mary Spagnola is hereby appointed as the Financial Consultant to provide the necessary training to Michael Schneider.

Section 2 – Compensation for this transition period is limited to forty hours at \$10.00 per hour. Funds would be allocated from Account 100-3.

**11. Public Comments:** None

**12. Next Regular Board Meeting:** Tuesday, March 10, 2009 at 7:00 PM

**13. Adjournment @ 7:45 P.M.** With no further business to conduct, Commissioner John Belz made a motion to adjourn the meeting and Commissioner Michael Butler seconded the motion.

<b>Board Member</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman Joseph Murray	X			
Commissioner John Belz	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.