



MINUTES
BOARD OF FIRE COMMISSIONERS
Regular Meeting – Tuesday, March 24th, 2020

ATTENDEES: Chairman Marc Komorsky
Commissioner Stephen Piehler
Commissioner Richard Sassi
EMS Admin Michael Benenati
Commissioner Bob McCord
Commissioner George Burns
Chief Barry Ward
Secretary Bria Le

At 6:09 pm, Chairman Marc Komorsky called the meeting to order for Tuesday, March 24th, 2020 and led the Pledge of Allegiance. He welcomed everyone in attendance.

MINUTES: 3/10/20

Upon a MOTION made by Commissioner McCord and SECONDED by Commissioner Burns, the Board RESOLVED to approve the minutes from 3/10/2020. Burns – Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky – Aye. **Motion Carried.**

CORRESPONDENCE: (none)

ROOM USE REQUESTS: (none)

REPORTS: (by officers present)

- **Treasurer –** (none)
- **Chief –**
COVID-19: Chief Barry Ward reported that COVID-19 is a topic on which the team has spent an extraordinary amount of time. He said that the District has three people that have been exposed to the virus and are currently in quarantine. Ward noted that daily meetings are held with each group and all of its members. He said that an incident command structure has been created to manage the situations and listed the individuals involved. He reviewed other items that are being addressed as they relate to the virus. He said the theme of information going out is to protect and isolate and noted the focus is on limiting exposure.

EXECUTIVE SESSION: Chief Barry Ward said that he has three items of a personnel related nature for Executive Session.

UPDATE: Ward noted that 47-13 was picked up by Ray County and he said he is just waiting for them to come back with a flatbed to pick up 47-11.

Komorsky expressed thanks on behalf of the Board to everyone who has stepped up during these trying times to pick up extra workload to keep things running smoothly. Ward agreed and noted that there has been great teamwork and everyone is going above and beyond.

BoFC Regular Meeting 3/24/20

Please note that this meeting was conducted remotely and open for public viewing and/or listening using the video conferencing platform Zoom, as per recent NYS Executive Order #202.1 (Continuing Temporary Suspension and Modification of Laws Related to the Disaster Emergency).



LAGRANGE FIRE DISTRICT

504 Freedom Plains Rd • Poughkeepsie, NY 12603



- **EMS Administrator –**

COVID-19: EMS Administrator Michael Benenati expanded on the COVID-19 report from the Chief. He said these are unprecedented times and that he has been in the business for forty years and this is the most demand on a system on a global level that he has seen. He commended all of the personnel involved who continue to show up for work, respond to calls, face new challenges, learn ever-changing protocols & procedures, clean and decontaminate, and train to combat the new emerging threat. He said that LaGrange Fire District continues to be a leader in managing COVID-19 and said that many of the District's plans and procedures are shared with colleagues across the state. Next he noted that the District is in better shape with supplies than many other agencies but, as the predictions for the length of the pandemic increases, there are concerns that the expendable supplies will be exhausted. Benenati said that they are working with vendors to keep the supply chain moving but are also being innovative and trying to think outside the box to work around the problems that will arise when the District does run out of supplies. He said that this evening he is asking the Board to adopt a smoking policy to limit smoking and second-hand smoke for health concerns. He reviewed the other items currently being addressed associated with the virus. Conversation followed in regards to acquiring supplies through FEMA.

- **Department –** *(no report)*

- **Union –** *(no report)*

Komorsky brought up the issue with the chairs falling apart in the Ready Room. Discussion followed about replacing the chairs.

OLD BUSINESS/UNRESOLVED ITEMS:

- **Building Repairs/Repair Requests** – Komorsky said that the toilet in the ground floor ladies room has been replaced and the men's one has been refastened to stop the wobbling. He is working on getting quotes to redo the bathrooms, but that hasn't happened due to the virus. He also noted that the Station 3 roof quote and the relocation of the Station 2 transfer switches are being delayed. Secretary Le reported that the new copier was delivered and set up at Station 2.

NEW BUSINESS:

- **Poll Site Agreements** – Komorsky asked if the Board wanted to continue doing the polls at the firehouses. Short discussion followed about the importance of holding the elections.
Upon a MOTION made by Commissioner Piehler and SECONDED by McCord, the Board RESOLVED to continue and approve the poll site agreements. Burns – Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky – Aye. **Motion Carried.** Le said she would let the Board know if the Board of Elections make any changes.
- **Sexual Harassment Policy** – Komorsky asked the Board to approve the policy (full policy attached).
Upon a MOTION made by McCord and SECONDED by Burns, the Board RESOLVED to approve the Sexual Harassment Policy. Burns - Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky – Aye. **Motion Carried.**

BoFC Regular Meeting 3/24/20

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- **Smoking Policy** – Komorsky read the Smoking policy. Discussion followed about adding pipes to the list.

Upon a MOTION made by McCord and SECONDED by Burns, the Board RESOLVED approve Smoking Policy with the modification to add pipes (amended policy attached). Burns - Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky – Aye. **Motion Carried.**

ABSTRACT: \$112,015.41

Upon a MOTION made by McCord and SECONDED by Piehler, the Board RESOLVED to approve the abstract for the month of March for \$112,015.41. Burns – Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky - Aye. **Motion Carried.**

PUBLIC COMMENTS:

Anthony Pignataro said his questions about the supply stream were covered by Benenati and he wished everyone luck then expressed his appreciation for the hard work and effort being provided.

EXECUTIVE SESSION:

At 6:43 pm, upon a MOTION made by McCord and SECONDED by Burns, the Board RESOLVED to go into Executive Session to discuss three personnel related items from the Chief and one personnel item from the Secretary . Burns – Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky – Aye. **Motion Carried.**

OPEN SESSION & ADJOURNMENT:

At 7:38 pm, the Board resumed Open Session.

Upon a MOTION made by McCord and SECONDED by Sassi, the Board RESOLVED to adjourn the meeting. Burns – Aye, McCord – Aye, Piehler – Aye, Sassi – Aye, Komorsky - Aye. **Motion Carried.**

Respectfully submitted,


Bria Le – District Secretary

(Approved by the Board of Fire Commissioners on 4/14/20)

BoFC Regular Meeting 3/24/20

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VENDOR	Amount Due	PO #	Due Date	3/24/2020
A-1 Auto & Pool Supplies ✓	\$ 145.85	9584		Regulator
Ameritas Life Ins Corp of NY ✓	\$ 5,850.76	9591		Dental Insurance April 2020
Arlington Fire District ✓	\$ 172.50	9607		QFIT calibration 1/4 portion
Bell Copier ✓	\$ 6,308.00	9542		New Office Printer
Bottini Fuel ✓	\$ 66.78	9605		Propane Delivery
Central Hudson ✓	\$ 2,048.11	9585		Electric Bill Mechanics & Sta 2
Central Hudson ✓	\$ 571.39	9601		Sta 3 Electric
Friendly Ford ✓	\$ 223.86	9606		Repairs for 47-72
Kosco Heritage/HOP Energy ✓	\$ 388.63	9587		Fuel Oil Sta 3
Lawson Products ✓	\$ 262.20	9566		Lifeguard Cleaner
Magna 5 ✓	\$ 486.06	9590		Local & Long Distance Sta 2 & 3
Manpower ✓	\$ 527.00	9586		Personnel Work
Manpower ✓	\$ 909.08	9608		Personnel Work
Medical Warehouse ✓	\$ 193.05			Various Medical Supplies
Municipal Emergencies Services ✓	\$ 208.94	5063		Haligan Bar for 47-13
Municipal Emergencies Services ✓	\$ 10,641.85	9455		Fire Equipment
Precision Automotive ✓	\$ 435.00	5067		Tires for 47-72
Premier Fire Apparatus ✓	\$ 298.79	9588		Repairs 2010 Spartan
Safety Instruments ✓	\$ 57.42	9573		QRAE Water Trap replacement
Servpro ✓	\$ 945.28	9613		Building Cleaning
Servpro of NW & SE Dutchess ✓	\$ 2,320.93	9600		Building Cleaning
Staples ✓	\$ 1,055.67	9610		Cleaning supplies
State of NY Employee Benefits ✓	\$ 73,894.27	9611		Employee Health Insurance
Stryker Sales Corp ✓	\$ 2,892.00	9382		4G modem
Vanguard Organization ✓	\$ 327.20	9604		Roof Repair Sta 2
Verizon Wireless ✓	\$ 28.08	9602		Apparatus & Smartphone Service
Verizon Wireless ✓	\$ 141.98	9603		Cable & Internet Service
VESO ✓	\$ 353.90			Life Ins Volunteers
Zep Sales & Service ✓	\$ 260.83	9567		Vehicle Wash
TOTAL SUBMITTED	\$ 112,015.41		Date:	Commissioner Signatures:
<i>changes listed:</i>				
TOTAL APPROVED				
KEY:				
pre-paid				
Paid				

Approved by LGFD Commissioners
on 3/24/2020 by
remote meeting 



LaGrange Fire District Handbook



SEXUAL HARASSMENT PREVENTION

The Fire District does not tolerate and prohibits sexual harassment of or against our job applicants, contractors, interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party. The Fire District also prohibits retaliation as defined below.

The Fire District is committed to a workplace free of sexual harassment and retaliation. These behaviors are unacceptable in the workplace and in any work-related settings such as business trips and Fire District sponsored social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, client, customer, vendor or other third party. In addition to being a violation of this policy, sexual harassment and retaliation are also unlawful. For example, sexual harassment and retaliation against an individual because the individual filed a complaint of sexual harassment or because an individual aided, assisted or testified in an investigation or proceeding involving a complaint of sexual harassment are unlawful.

Sexual Harassment Defined. Sexual harassment includes harassment on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status), and/or sexual orientation. Sexual harassment includes unwelcome conduct which is either of a sexual nature or which is directed at an individual because of that individual's sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status), and/or sexual orientation when:

- Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), visual (including offensive posters, symbols, cartoons, drawings, computer displays, text messages, social media posts or e-mails) or physical conduct (including physically threatening another) that denigrates or shows hostility or aversion towards an individual on the basis of sex or gender (including pregnancy, childbirth and related medical conditions), gender identity or gender expression (including transgender status), and/or sexual orientation. Such conduct violates this



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policy, even if it is not unlawful. Because it is difficult to define unlawful sexual harassment, employees are expected to behave at all times in a manner consistent with the intended purpose of this policy.

Examples of conduct that violates this policy include:

- unwelcome sexual advances, flirtations, advances, leering, whistling, touching, pinching, assault, blocking normal movement
- requests for sexual favors or demands for sexual favors in exchange for favorable treatment
- obscene or vulgar gestures, posters, or comments
- sexual jokes or comments about a person's body, sexual prowess, or sexual deficiencies
- propositions, or suggestive or insulting comments of a sexual nature
- derogatory cartoons, posters, and drawings
- sexually-explicit e-mails or voicemails
- uninvited touching of a sexual nature
- unwelcome sexually-related comments
- conversation about one's own or someone else's sex life
- conduct or comments consistently targeted at only one gender, even if the content is not sexual
- teasing or other conduct directed toward a person because of the person's gender

Retaliation Defined. Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to: any action that would discourage an employee from reporting sexual harassment or retaliation; shunning and avoiding an individual who reports sexual harassment or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting sexual harassment or retaliation; and denying employment benefits because an applicant



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or employee reported or encouraged another employee to report sexual harassment or retaliation or participated in the reporting and investigation process described below.

Reporting Procedures. If an employee believes someone has violated this policy, the employee should promptly bring the matter to the immediate attention of an officer or the Chief at 845-452-4999. Written complaints can be submitted internally using the form provided with this policy. If the employee makes a complaint under this policy and has not received a satisfactory response within five (5) business days, the employee should contact the Chief at 845-452-4999 located at 504 Freedom Plains Road Poughkeepsie NY 12603 immediately.

Every supervisor who learns of any employee's concern about conduct in violation of this policy, whether in a formal complaint or informally, or who otherwise is aware of conduct in violation of this policy, must immediately report the issues raised or conduct to the Chief.

Investigation Procedures. Upon receiving a complaint, the Fire District will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy to ensure due process for all parties. To the extent possible, the Fire District will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances. Employees are required to cooperate in all investigations conducted pursuant to this policy.

During the investigation, the Fire District generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the Fire District will determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The Fire District will inform the complainant and the accused of the results of the investigation.

The Fire District will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the Fire District determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom the Fire District determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination. This includes individuals engaging in sexual harassment or retaliation, as well as supervisors who fail to report violations of this policy, or knowingly allow prohibited conduct to continue. Individuals who engage in conduct that rises to the level of a violation of law can be held personally liable for such conduct.

Legal Protections and External Remedies. Aside from the internal complaint process at the Fire District, employees may choose to pursue external legal remedies with the following governmental entities.



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State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Fire District does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate



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the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a “Charge of Discrimination.” The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees may file complaints of sexual harassment with the Dutchess County Commission on Human Rights at 22 Market Street, Poughkeepsie, New York 12601, Phone: 845-486-7169.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

* * * *

Remember, we cannot remedy claimed sexual harassment or retaliation unless you bring these claims to the attention of management. Please report any conduct which you believe violates this policy.



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OTHER FORMS OF HARASSMENT

The Fire District also does not tolerate harassment in the workplace or at any other location where Fire District-sponsored activities occur, whether the harassment is based on a person's actual or perceived race, color, religion, creed, sex, sexual orientation, national origin, ancestry, ethnicity, age, disability, pregnancy, citizenship, marital status, familial status, veteran or military status, status as a victim of domestic violence, or any other characteristic protected by law. The purpose of this policy is to ensure that our employees are free from all forms of harassment in the workplace, since such behavior has a negative impact on both the employee and the Fire District. If you believe that you or another employee is being harassed by a supervisor, employee, client, vendor, or other third parties with whom you interact as a part of your job, in violation of our policies, you are directed to bring the matter to the Fire District's attention immediately in the manner set forth below.

Harassment is any conduct that: (1) has the purpose or effect of creating an intimidating or hostile working environment; or (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Examples include vulgar conversation or jokes; unwelcome comments about an employee's physical characteristics, religious beliefs, ethnic background, medical condition, or disability; slurs, threats, or other similar verbal, non-verbal or physical conduct directed toward a person, which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

All employees have a duty to report any instances of harassment in violation of this policy, whether the harassment is directed toward you or another employee. If you feel that you have been subjected to harassment, or if you witness conduct that you believe is harassment, report the matter immediately to your immediate supervisor. If you are not sure to whom you should speak about an issue of harassment, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, immediately contact the Chief at 845-452-4999, located at 504 Freedom Plains Road Poughkeepsie, NY 12603 and they will ensure that an investigation is promptly conducted. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate.

Any employee who engages in conduct, which violates this policy will be subject to disciplinary action, up to and including termination of employment. It is against the Fire District's policy to retaliate against an employee for filing a harassment complaint or for cooperating in an investigation of a harassment complaint; such retaliation is also grounds for disciplinary action up to and including termination.



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Information resulting from complaints filed under this procedure will be kept confidential by the Fire District to the extent possible.

SMOKING POLICY

APPLICABILITY: This policy applies to all personnel and visitors

This policy has been established in compliance with the New York State anti-smoking law in order to provide a safe, smoke-free environment for all staff members, including Commissioners, Officers, and all paid and volunteer personnel.

Smoking is defined as smoking cigars, pipes or cigarettes and includes the use of any electronic smoking device and or vaping and the use of snuff or chewing tobacco.

All offices, vehicles and buildings and grounds of the Fire District are off limits to smoking.

Smoking, as defined in this Policy, is prohibited;

- at any training session
- “stand-by” events
- while “on-duty”
- at any Dutchess County Division of Emergency Response dispatched emergency events.