



MINUTES
BOARD OF FIRE COMMISSIONERS
Organizational and Regular Meeting - January 10, 2023 - 6:00pm

ATTENDEES: Commissioner George Burns *(via Teams)* Commissioner Barry Ward
Commissioner Marc Komorsky Commissioner Anthony Pignataro *(via Teams)*
Commissioner Richard Sassi *(absent)* Chief Timothy O'Connor
EMS Administrator Michael Benenati Deputy Chief Anthony Champion
Treasurer Mark Pozniak District Secretary Bria Le

At 6:08 pm Secretary Bria Le, as acting Chairman, called the January 10th, 2023 Organizational meeting for the LaGrange Fire District Board of Fire Commissioners to order and led the Pledge of Allegiance.

Le administered the oath of office for new elected Fire Commissioner Barry Ward. She stated for the record that newly elected Fire Commissioner Marc Komorsky has filed his oath of office with the Town Clerk.

Chairman of the Board for 2023

Le asked for nominations for the Chairman of the Board of Fire Commissioners for the year 2023.

Commissioner Barry Ward NOMINATED Commissioner Marc Komorsky for the position of Chairman of the Board of Fire Commissioners and Commissioner George Burns SECONDED the nomination. With the following votes, the Board RESOLVED to appoint Marc Komorsky as Chairman for 2023: Burns – Aye, Pignataro - Aye, Sassi – Aye, Ward – Aye, Komorsky – Abstain. **Motion Carried.**

Le turned the meeting over to newly appointed Chairman Komorsky.

Komorsky expressed his thanks and said they would hold off on appointing a Deputy Chairman until the full Board is present.

Appointments/Designations as read by Chairman Komorsky

- 1.1 BE IT RESOLVED that Mark Pozniak is hereby appointed Treasurer of the LaGrange Fire District with a weekly pay rate of \$503.99 for 2023.
- 1.2 BE IT RESOLVED that Bria Le is hereby appointed Secretary of the LaGrange Fire District with an hourly pay rate of \$31.83 for 2023. Said is also appointed Records Management Officer for the LaGrange Fire District. (Oath of Office to be administered at town clerk's office).
- 1.3 BE IT RESOLVED that Mike Hekle of Jackson Lewis, P.C. be designated as the attorney for the LaGrange Fire District for 2023.
- 1.4 BE IT RESOLVED that NFP Property & Casualty Svcs, Inc. *(formerly Rose & Kiernan)* be designated as the insurance agent for the LaGrange Fire District for 2023.
- 1.5 BE IT RESOLVED that the Poughkeepsie Journal be designated as the Official Newspaper of the LaGrange Fire District for placing legal advertisements, when necessary, for 2023.
- 1.6 BE IT RESOLVED that Tompkins Bank be designated as the official depository for LaGrange Fire District for 2023.
- 1.7 BE IT RESOLVED that Mark Pozniak, George Burns, and Richard Sassi be designated as the authorized signers on the financial accounts.

BoFC Organizational and Regular Meeting 1/10/23

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- 1.8 BE IT RESOLVED that all five commissioners – George Burns, Marc Komorsky, Anthony Pignataro, Richard Sassi, & Barry Ward – be designated as the authorized signers on all of the Prudential, Mass Mutual, and Security Mutual life insurance policies owned by LaGrange Fire District.
- 1.9 BE IT RESOLVED that the District Treasurer prepares monthly financial reports and furnishes a copy to each commissioner at the first regular monthly meeting.
- 1.10 BE IT RESOLVED that the District Treasurer is authorized to submit the annual treasurer's report to the State Comptroller's office.
- 1.11 BE IT RESOLVED that the District Treasurer be authorized by this Board of Fire Commissioners to pay, in advance of an audit by this Board of Fire Commissioners, the telephone, electric, fuel oil, recurring salaries, and contracted health and life insurance bills as they are received, provided they appear to be in order.
- 1.12 BE IT RESOLVED that mileage will be reimbursed, when appropriate, at the current rate as determined by the Internal Revenue Service. Jan. 1, 2023, the standard mileage rate for the use of a car (also vans, pickups, or panel trucks) is: 65.5 cents per mile for business miles driven.
- 1.13 BE IT RESOLVED that the three Commissioners who are not signers on the checks will be the internal audit committee.
- 1.14 BE IT RESOLVED that the Fire District will maintain memberships in the following organizations: Association of Fire Districts of the State of New York (AFDSNY), Association of Fire Districts of Dutchess County, Dutchess County EMS Council, Fire Chief's Council of Dutchess County, International Association of Fire Chiefs (IAFC), National Fire Protection Association (NFPA), New York Association of Local Government Records Officers (NYALGRO) and New York State Association of Fire Chiefs (NYSAFC).
- 1.15 BE IT RESOLVED that the Fire District Policies in place in 2022 be adopted for 2023, including the Purchasing Policy, the Fixed Asset Capitalization Policy, the Investment Policy, the Credit Card Policy, the Fund Balance Policy, and the Indemnification Policy. *(full copies of each policy attached with revisions to the Purchasing Policy as approved below)*
- 1.16 BE IT RESOLVED that the Fire District Treasurer is hereby authorized within sixty days after the end of the fiscal year to submit to this Board of Fire Commissioners a copy of the annual report required by General Municipal Law Section 30, in lieu of a written statement showing his receipts and disbursements for the preceding fiscal year. This authorization shall remain in effect until rescinded by this Board of Fire Commissioners.

Brief discussion held regarding Resolution 1.11 and the authorized payments allowed in advance of an audit. Pozniak asked if the Board was going to update the Purchasing Policy and the Board discussed the clauses to be updated.

Upon a MOTION made by Commissioner Pignataro and SECONDED by Burns, the Board RESOLVED to approve Resolutions 1.1 through 1.16 with the following written and stated changes to the Purchasing Policy: page 2 under Authorized Purchase Order Signers change *Fire Lieutenant assigned Training to Fire Lieutenants* and page 4 under When Bidding is Not Required add (6) *"Piggybacking". As an alternative to soliciting competition or through cooperative purchasing arrangements, the District may "piggyback" on contracts that have been extended to local governments and school districts by certain other governments. Use of these contracts constitutes an exception to the competitive bidding and offering requirements of the law.* Burns – Aye, Pignataro – Aye, Ward - Aye, Komorsky – Aye. **Motion Carried.**

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Board of Fire Commissioners Monthly Meeting Schedule 2023 – Komorsky read the scheduled meeting dates.

Upon a MOTION made by Pignataro and SECONDED by Burns the Board RESOLVED to approve the meeting schedule (attached). Burns – Aye, Pignataro – Aye, Ward – Aye, Komorsky – Aye. **Motion Carried.**

Commissioner Committee Assignments 2023– Komorsky read through the 2023 committee assignments.

Upon a MOTION made by Ward and SECONDED by Burns, the Board RESOLVED to accept the committee assignments (attached). Burns – Aye, Pignataro – Aye, Ward – Aye, Komorsky – Aye. **Motion Carried.**

Brief discussion held regarding whether the lieutenants should be added to the credit card users.

At 6:26 pm, Komorsky stated that the Organizational portion of the meeting has concluded and that regular business would start.

REGULAR MEETING

MINUTES: 12/8/22 Special Meeting

Upon a MOTION made by Ward and SECONDED by Pignataro, the Board RESOLVED to approve the minutes of the 12/8/22 Special Meeting. Burns – Aye, Pignataro - Aye, Ward – Aye, Komorsky – Aye. **Motion Carried.**

CORRESPONDENCE: (none)

ROOM REQUESTS: (none)

OLD BUSINESS/UNRESOLVED ITEMS:

- **EMS Cost Recovery Program Status update** – Tabled until next meeting.
- **Station 2 Transfer Switch project change order work** – Ward said that the project is complete.
- **Station 2 Roof status update** – Ward said the status of the roof project has remained unchanged from the last meeting. He said they will probably do the walkthrough next week.
- **Station 1 Building update** – Ward said he would be getting with Greg (Bolner) probably in the next week to go over the Station 1 project. He noted the only new thing that has been added is a segment leaking over the boiler at Station 2 that will need to be addressed in the capital assessment.
- **ESO Reporting & Scheduling Update** – Fire Chief Tim O'Connor said they have made significant progress within the last week or so. He said that earlier in the day, they rolled out the first end user training on it and they submitted a payroll report using ESO and got feedback on it. He said they are using the existing system and at the same time doing a dummy system with the new downloads in ESO and were able to work out a couple of glitches. He noted they hope to switch over around the end of January.
- **Doors Station 1 status update** – Deputy Chief Anthony Champion said that Joe Devens has stopped at Davies (Hardware) but they still don't have any update on when the door is coming in. Champions said that Devens has indicated that he may cancel the order with Davies and find a different provider to purchase the doors through.

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- **Mechanics Helper status update** – Champion said he would work with Le to post the advertisement to one of the job sites used in the past. He said they are trying to get in touch with DC Civil Service on some clarifications for future reference.
- **Station 3 Gutters** – Burns said he has no updates.
- **Grant Update** – O'Connor said he handed off the manual entry of the equipment for the COVID reimbursement grant to Scott Merritt. Brief discussion held about the process of entering the data into the FEMA spreadsheets. O'Connor said is still waiting on some information needed for the labor entries but he said that data entry process would be much easier. Further discussion followed about COVID grant. O'Connor said that he submitted a request for reimbursement under the Special Teams grant with Arlington (Fire District) for a rope tech class that was attended in Kingston last year. He said the requested reimbursement was just under \$20,000 in labor costs. Short discussion followed regarding the labor hours and the reimbursement process. Chief O'Connor noted that the AFG Grant is now open but that he doesn't have the ability to go after an AFG grant this year. He said there are so many other items the staff is working on, that unless someone else wants to take it on, he feels they should concentrate on the ones the District is currently pursuing. He said they could go after it next year.
- **Door Security** – Ward said he was picking up this project and will work on it as they go through the year.
- **Building Repairs/Repair Requests** – Chief O'Connor reported that the Station 2 kitchen has a mouse problem. He said there are a couple of holes that need to be taken care of and that the exterminator will be back in a couple of days to fill those holes. Short discussion followed regarding the mouse issue and the boiler leak at Station 3.
- **Grant Update (cont.)** – Deputy Chief Champion said that within the next couple of months, the District should be getting reimbursed roughly \$43,000 from the County for the diesel exhaust capture system.
- **Diesel Tank** – DC Champion said he has one quote from Optima Environmental on a replacement diesel tank and he hopes to get another one from United Pump within the week. He said he is still looking for a third one. Brief discussion followed regarding a third vendor.

NEW BUSINESS *(none)*

REPORTS: *by officers present*

- **Treasurer –**
REPORT: Treasurer Mark Pozniak thanked the Board for his appointment. He said the Board has the October and November bank statements for their review. He said he is still working through the December ones and noted there isn't going to be anything that surprises the Board in the financials for the end of the year. He said that the budget transfers done a few months back should cover everything.
- **Chief -**
OUT OF COUNTY TRAINING: Chief Tim O'Connor said he had two things for out of county training – a firefighter I class in Highland for Ken Hinsch and the 2023 Technical Rescue Conference in Ariskany in June. He said the cost of the Technical Rescue Conference is covered by Homeland Security and the District will only need to cover the salaries of those in attendance. He said he has reached out to Arlington to see if the conference would be covered by the MIG grant. Brief discussion followed regarding attendance at the conference.

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Upon a MOTION made by Ward and SECONDED by Pignataro, the Board RESOLVED to approve the out of county training. Burns – Aye, Pignataro - Aye, Ward – Aye, Komorsky – Aye. **Motion Carried.**

NEW HIRES: Chief O'Connor said that everything came back ok for the six new hires. He said four spots are reserved in the Montour Academy starting February 20th, but he doesn't have a date yet for the other two. Discussion followed about the academy scheduling and the Board's meeting on January 17th.

EXECUTIVE SESSION: O'Connor said he had two personnel items for Executive Session. Pozniak said he had an issue for administrative personnel for Executive Session.

- **EMS Administrator -**

LICENSE RENEWALS: EMS Administrator Michael Benenati said that the District's NYS Bureau of EMS Operating Certificate and Controlled Substance license renewal applications were emailed to NYS on 12/23/22. He said that he has receive the new operating certificate vehicle stickers but not yet received the new Operating Certificate or Controlled Substance license.

PURCHASING: Benenati noted that he had two purchasing requisitions. He said the first was a Macgrath video laryngoscope for the flycar that doesn't currently have one, for \$2540.11. Brief discussion followed regarding the laryngoscope. Ward said that the amount was within Benenati's purchasing authorization limit and Benenati agreed to purchase it. Benenati said the second item is a 3-year preventative maintenance agreement for two of the Stryker Powerload systems that have reached the end of their warranty. He reviewed the covered items in the agreement.

Upon a MOTION made by Ward and SECONDED by Pignataro, the Board RESOLVED to approve \$10,302 for the agreement (attached). Burns – Aye, Pignataro - Aye, Ward – Aye, Komorsky – Aye. **Motion Carried.**

UPDATES: Benenati gave the Board a brief update on some of the items he has been working on, including some Quality Assurance work, addressing some warranty work on the ambulances, some upcoming CPR training, and the semi-annual Controlled Substance Report. Brief discussion followed regarding the controlled substance license.

- **Chief (cont.) –**

LIEUTENANT TRAINING: Komorsky asked about the schedule for FLSTP training. Chief O'Connor reported that Lt. Ryan would be going in February, Herring-Trott would be in April, Merritt would be next, and J. Kile would be the final one to go. He said it would be out of county training and requested approval from the Board.

Upon a MOTION made by Ward and SECONDED by Burns, the Board RESOLVED to approve the necessary out of county training for the lieutenants. Burns – Aye, Pignataro - Aye, Ward – Aye, Komorsky – Aye. **Motion Carried.**

FIT TEST MACHINE: O'Connor said that the Board approved the FIT test machine at the last meeting and noted that it would only be four departments involved, not five. He said that the District's share would be \$5027.50 and requested authorization to sign the agreement. He read the agreement. Short discussion followed about cleaning up the language of the agreement. Komorsky said the Board had no problem with the Chief moving forward on a properly edited version of the agreement.

- **Deputy Chief –**

VEHICLES: Deputy Chief Champion gave a brief update on the vehicle repairs as well as the lettering and radio installs on the newly purchased vehicles.

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EQUIPMENT DISPOSAL: DC Champion reported that the hose dryer has not been picked up yet, but that they are coming back Friday with a trailer and a pallet jack to retrieve it. He noted that there will be a 2x2 hole in wall that will be plugged up with some foam board and insulation until the spring when some masonry work can be done.

REPAIRS: Champion said that HO Penn is moving forward with getting parts for the radiator repair for the generator at Station 2. He reported that the slop sink at Station 1 will be repaired later in the week and that the mop sink at Station 2 was repaired earlier in the day. He said the temporary walls for the Station 1 cubicals will be in in early February and Hudson Valley Office Furniture is hoping to have them all installed by mid-February.

- **Department** - *(no report)*

- **Union** –

Union President Kyle Rancourt said that he is working on the Ready Room floor at Station 2. Brief discussion held about a potential heavy-duty flooring as well as other options. Rancourt said he had two contractual items for Executive Session.

ABSTRACT - \$31,852.38

Upon a MOTION made by Ward and SECONDED by Burns, the Board RESOLVED to pay the bills for the month of December as per the abstract of \$31,852.38. Burns – Aye, Pignataro – Aye, Ward – Aye, Komorsky - Aye. **Motion Carried.**

PUBLIC COMMENTS: *(none)*

EXECUTIVE SESSION

At 7:18 pm, upon a MOTION made by Pignataro and SECONDED by Burns, the Board RESOLVED to go into Executive Session to discuss two personnel issues from the Board, two personnel items from Chief O'Connor, one administrative personnel item from Pozniak, two contractual items from Rancourt, and three personnel items and three contractual items from Ward. Burns – Aye, Pignataro – Aye, Ward – Aye, Komorsky - Aye. **Motion Carried.**

REGULAR SESSION AND REMAINING BUSINESS:

Regular session resumed at 8:22 pm.

Deputy Chief Champion informed the Board that there is excess turnout gear that has reached end-of-life per NFPA standards. He asked what information was needed to declare the equipment surplus and brief conversation held about the gear.

Komorsky requested that Le prepare the 1/24/23 meeting agenda and said that the Transfer Switch project can be removed.

Benenati reported that he has received the NYS Operating Certificate and said that the District is valid until 2/28/2025.

Le reminded everyone of the Special Meeting next Tuesday, January 17th, 2023, at 7 pm, for the appointment and swearing in of lieutenants and new hires.

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ADJOURNMENT:

At 8:25 pm, upon a MOTION made by Ward and SECONDED by Burns, the Board RESOLVED to adjourn the meeting. Burns – Aye, Pignataro – Aye, Ward – Aye, Komorsky - Aye. **Motion Carried.**

Respectfully submitted,
Bria Le - District Secretary

Approved by the Board of Fire Commissioners on 1/24/23

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Purchasing Policy

Policy Statement

The District has adopted these internal policies and procedures governing all procurements of goods and services. All such purchases using the funds or credit of the District shall be pursuant to this policy.

Goals of Purchasing Policy

The goals of the District in its purchasing policy are to:

- (1) Assure the prudent and economical use of public moneys in the best interest of the taxpayers of the District
- (2) To facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
- (3) To guard against favoritism, improvidence, extravagance, fraud, and corruption.

Purchasing Bid / Quote requirements

When bidding is not required by statute, and whenever feasible, the District shall obtain alternative proposals or quotations for goods and services by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of this policy.

Should a sufficient number of qualified vendors or suppliers be available, the following shall serve as a minimum number of quotations necessary for any purchase or public works contract.

<u>Estimated amount of Purchase Contract</u>	<u>Pre-Purchase Requirement</u>	<u>Authorized Purchaser</u>
\$0 - \$1000 (Vehicle and Building Repair related)	None	Lieutenants*
\$0 - \$4,999.99	None	Chief, DC, & EMS Admin
\$5,000.00 - \$19,999.99	2 written quotations	BOFC
\$20,000 and Greater	Competitive Bid	BOFC

<u>Estimated amount of Public Works Contract**</u>	<u>Pre-Purchase Requirement</u>	<u>Authorized Purchaser</u>
\$0 - \$9,999.99	None	Chief, EMS Admin
\$10,000.00 - \$19,999.99	2 written quotations	BOFC
\$20,000.00 - \$34,999.99	3 written quotations	BOFC
\$35,000 and Greater	Competitive Bid	BOFC

Note; In the absence of an authorized purchaser contact the BOFC Chairman

Initially adopted by the BoFC on 3/22/16

*Lieutenant purchasing authorization approved by the BoFC on 11/24/20.

**Estimated amount of Public Works Contract changes to amounts approved by the BoFC on 1/11/22.

***Lieutenant PO authorization and "Piggybacking" clause approved by BoFC on 1/10/23

The District may determine, on a case by case basis or for certain types of procurements generally, that the solicitation of alternative proposals or quotations will not be in the best interest of the District.

Authorized Purchase Order Signer

Authorized Purchase Order Signers can sign PO's based on authorization from an Authorized Purchaser. Authorized signers on Purchase Orders shall be the District Secretary, District Book Keeper, District Fire Chief, Deputy Fire Chief, EMS administrator, and Fire Lieutenants***.

Bidding

General Municipal Law 104-a(2)(a) requires that the District prescribe a procedure for determining whether a procurement of goods and services is subject to competitive bidding and documenting the basis for any determinations that competitive bidding is not required by law. In accordance with that requirement, the District has implemented the following policy as guidance.

Instances when Bidding is Required

Bidding shall be required for all contracts for public work involving an expenditure of more than thirty-five thousand dollars (\$35,000) and all purchase contracts involving an expenditure of more than twenty thousand dollars (\$20,000). The contract shall be awarded to the lowest responsible bidder, who meets the bid specifications. The District shall determine what defines "responsible" for purposes of this requirement.

Awarding Bids to other than the lowest Bidder

A contract for public works is defined as including an agreement for the erection, construction, reconstruction or alteration of building or lands.

In those cases where bids have been awarded to other than the lowest bidder (as opposed to lowest responsible bidder), even in those cases where informal bids have been accepted, the District shall document the justification and documentation for such choice, setting forth the reasons such an award furthers the goals of this policy.

In certain limited instances, the District may, in its sole discretion, determine that alternative proposals or quotations will not be in the best interest of the District. The commissioners will make such determinations in the rare instances that such need arises.

The unintentional failure to fully comply with the provisions of this section shall not be grounds to void action taken or give rise to a cause of action against the Fire District or any commissioner, officer, volunteer or employee thereof.

Aggregate Purchases/Items of Similar Nature

Separate purchases of the same or similar item purchased in a reasonable short time or in a single fiscal year that would exceed \$20,000 shall be considered a single purchase for determining whether bidding is required.

[Initially adopted by the BoFC on 3/22/16](#)

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Items of a similar nature should be grouped together for purposes of determining whether bidding is required.

Yearly Service Contracts

A service contract that will likely exceed thirty-five thousand (\$35,000) dollars must be bid.

Service Contracts vs. Purchase Contracts and Professional Service Agreements

The District recognizes the importance of determining whether a contract qualifies as one for the purchase of services or goods, as the purchase of services has a higher monetary threshold to mandate bidding. Additionally, certain professional services might not require bidding at all.

A contract involving both a purchase and professional services may qualify under the professional services exception if two criteria are met: (1) the professional services component of the contract is the primary or predominant part of the acquisition; and (2) there is an inextricable integration of the professional services and the physical components. This means that a contract will only be deemed to constitute professional services when the biddable component of the contract cannot be separated from the professional services. The “total character” of the agreement must be examined to ascertain its essential character or focus.

In the event that a purchase involves both a service and the purchase of goods, the District will determine whether the contract is one for public works or for the purchase of goods and use the appropriate limit to determine whether bidding is required.

A contract is mainly one for public works when the services provided constitute a predominant portion of the contract as to render the equipment purchase merely incidental to the provision of the technical services.

When Bidding is Not Required

- (1) If there is only one “sole” source for the item;
 - Purchases made on State Contract / NYS Office of General services do not require bidding.
 - In this instance, the District shall document the unique benefit of the item as compared to others and its advantage to any similar item in the market.
 - Whether a particular contract involves a true sole source situation is a question of fact and municipal officials should be prepared to factually verify that the goods or services sought may only be obtained from a single source.
- (2) If the item is a “true lease”.
 - A true lease has no nominal fee buyout provision. A true residual value may be permitted for a buyout.
 - The title must always be with the leasing company, not the District.
- (3) Insurance is not subject to bidding under New York State law. However, the District shall make all reasonable attempts to obtain bids for general insurance coverage once every three years.
- (4) Surplus and second-hand supplies, material or equipment may be purchased without competitive bidding from the federal government, the state of New York or from any other

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political subdivision, District or public benefit corporation. Not that a fire company is not considered a municipality.

- (5) Emergency purchases. In case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of the District, require immediate action which cannot await competitive bidding, contracts for public work or the purchase of supplies, material or equipment may be dispensed with for such purchase.
- (6) "Piggybacking". As an alternative to soliciting competition or through cooperative purchasing arrangements, the District may "piggyback" on contracts that have been extended to local governments and school districts by certain other governments. Use of these contract constitutes an exception to the competitive bidding and offering requirements of the law.***

Examples of Services Not Required To Be Bid

Professional services which involve the application of specialized expertise, the use of professional judgment, or a high degree of creativity in the performance of the contract are not required to be bid. Professional service contracts often involve a relationship of personal trust and confidence.

Therefore, the following are professional services:

- Attorneys
- Accountants for other than an audit
- Physicals performed by physicians
- Computer programmers
- Information Technology Services
- Architects
- Printing:

Contracts which only incidentally involve printing, such as the purchase of forms, envelopes or letterheads containing the municipality's name, address and other related matter, are considered purchase contracts for goods. Where the printing is not incidental, however, but represents the major portion of the work and costs, such as in printing of briefs and records on appeal, such services fall into the category of professional services.

Alternative proposals or quotations for goods and services shall be secured by use of written request for proposals, written quotations, verbal quotations or any other method of procurement which furthers the purposes of this section.

Advertising for Bids

Advertisement for bids shall be published in the official newspaper or newspapers for the District chosen for notice of meetings and elections at the organizational meeting in January.

The advertisement shall contain a statement of the time when and place where all bids shall be received.

All bid solicitations shall state that it will not permit electronic bid submission.

[Initially adopted by the BoFC on 3/22/16](#)

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The District will designate an officer to open the bids at the time and place specified in the notice. Such officer shall make a record of such bids including the name of the bidder, the date received, and any other information deemed necessary for each bid.

All bids received shall be publicly opened and read at the time and place specified in the notice.

At least five days shall elapse between the first publication of such advertisement and the date so specified for the opening and reading of bids.

Bidding Process

All bidders shall provide an appropriate bid bond.

All bids shall be sealed until the time when all bids shall be opened together.

In any case where a responsible bidder's gross price is reducible by an allowance for the value of used machinery, equipment, apparatus, or tools to be traded in by a political subdivision, the gross price shall be reduced by the amount of such allowance, for the purpose of determining the low bid.

In cases where two or more responsible bidders furnishing the required security submit identical bids as to price, the District may award the bid to any of such bidders.

The District may reject all bids and re-advertise for new bids if necessary.

Electronic Bid Submission

Although permitted by law, the District shall not permit electronic bid submission.

Developing Specifications

Whenever possible, practical, and feasible and consistent with open competitive bidding, the District may use the stock item specifications of manufacturers, producers and/or assemblers located in New York State in developing specifications for items to be let for bid in its purchasing contracts and may use the data and information contained in stock item specifications forms to assist in his determination of what constitutes a stock item of a manufacturer, producer and/or assembler located in New York State for the purpose of helping to retain jobs, business, and industry presently in the state of New York and attracting expanded and new business and industry to the state of New York so as to best promote the public interest.

Prohibition on Certain Bidders and Vendors

No vendor or seller of goods or services, and no person, firm, partnership or corporation of which such vendor is a member, director or officer, who has refused to:

- (1) Testify in front of a grand jury, head of a state department, temporary state commission or other state agency, the organized crime task force in the department of law, head of a city department, or other city agency, which is empowered to compel the attendance of witnesses and examine them under oath, to testify in an investigation concerning any transaction or contract had with the state, any political subdivision thereof, a public authority or with any public department, agency or official of the state or of any political subdivision thereof or of a public authority.

[Initially adopted by the BoFC on 3/22/16](#)

*Lieutenant purchasing authorization approved by the BoFC on 11/24/20.

**Estimated amount of Public Works Contract changes to amounts approved by the BoFC on 1/11/22.

***Lieutenant PO authorization and "Piggybacking" clause approved by BoFC on 1/10/23

- (2) To sign a waiver of immunity against subsequent criminal prosecution or
- (3) To answer any relevant question concerning such transaction or contract,

Shall be qualified to sell or submit bids to or receive an award from or enter into any contract with the District, for goods, work or services, for a period of five years after such refusal or until a disqualification shall be removed.

Any and all contracts made with the District or official thereof, by such person, and by any firm, partnership, or corporation of which he is a member, partner, director, or officer may be cancelled or terminated by the District without incurring any penalty or damages on account of such cancellation or termination. Any monies owing by the District for goods delivered or work done prior to the cancellation or termination shall be paid.

Statement of Non-Collusion Required

All contracts for work and services shall contain a statement of non-collusion in bids and proposals to the District

Security Bonds

Whenever a security bond is posted by a successful bidder for the faithful performance of a District project, for which state aid is approved, the name and address of the bonding company or person issuing the security bond, the number of such bond, and such other information as may be required by the state department or agency responsible for supervising the aid program regarding the project, shall be transmitted to such department or agency, where it shall be reviewed to determine its authenticity prior to award of such contract. The original of such bond shall remain in the office of the District. Upon request of such department or agency, the superintendent of insurance shall render such assistance as is necessary to determine the authenticity of the security bond.

Bid Mistakes

Where a unilateral error or mistake is discovered in a bid, such bid may be withdrawn after a showing of the following:

- (1) The mistake is known or made known to the District prior to the awarding of the contract or within three (3) days after the opening of the bid, whichever period is shorter; and
- (2) The price of the bid was based on an error of such magnitude that enforcement would be unconscionable; and
- (3) The bid was submitted in good faith and the bidder submits credible evidence that the mistake was a clerical error as opposed to a judgment error; and
- (4) The error in the bid is actually due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, material, goods or services made directly in the compilation of the bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of the original work paper, document, or materials used in the preparation of the bid sought to be withdrawn; and
- (5) It is possible to place the District in status quo ante.

Initially adopted by the BoFC on 3/22/16

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The sole remedy for a bid mistake in accordance with this section shall be withdrawal of that bid and the return of the bid bond or other security, if any, to the bidder. Thereafter, the District may, in its discretion, award the contract to the next lowest responsible bidder or re-bid the contract. Any amendment to or reformation of a bid or a contract to rectify such an error or mistake therein is strictly prohibited.

Recycled Goods

When purchasing products, the District may, wherever recycled products meet contract specifications and the price of such products is reasonable competitive, purchase such products.

“Recycled product” shall mean any product which is manufactured from secondary materials, as defined in subdivision one of section two hundred sixty-one of the economic development law, and which meets the requirements of subdivision two of section 27-0717 of the environmental conservation law and regulations promulgated pursuant thereto.

“Reasonably competitive” shall mean that the cost of the recycled product does not exceed a cost premium of ten percent above the cost of a comparable product that is not recycled product or, if at least fifty percent of the secondary materials utilized in the manufacture of that product are generated from the waste stream in New York State, the cost of the recycled product does not exceed a cost premium of fifteen percent above the cost of a comparable product that is not a recycled product.

Whenever such officer, board or agency shall purchase or cause the purchase of printing on recycled paper pursuant to this section, he or she shall require the printed material to contain the official state recycling emblem if such paper has been approved by the department of environmental conservation as satisfying the requirements of such statute and regulations, or, if such paper has not been so approved, require the printed material to include a printed statement which indicates the percentages of pre-consumer and post-consumer recycled material content of such paper.

Initially adopted by the BoFC on 3/22/16

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LA GRANGE FIRE DISTRICT

504 Freedom Plains Road • Poughkeepsie, NY 12603
Tel (845) 471-4693 • Fax (845) 452-3349



FIXED ASSET CAPITALIZATION POLICY

The LaGrange Fire District will regard its assets (including buildings, land or rights to land, and certain equipment, vehicles and furnishings) as fixed assets and shall regard those assets as capitalized, when all of the following criteria are met:

- (1) The Asset, when purchased, built or leased, shall have a useful life of one year or more.
- (2) The cost of the Asset (including installation) is \$20,000 or more. Multiple identical Assets whose individual cost is less than \$20,000 but the aggregate total of all identical Assets is \$20,000 or more are capitalized, as if they are a single Asset.
- (3) The cost of repairing or renovating the Asset is \$20,000 or more and prolongs the life of the Asset.

The Fire District shall establish an inventory of its Fixed Capitalized Assets. The inventory will include a brief description of the Asset (or group of Assets), the location of the Asset, its original estimated useful life, its remaining estimated useful life, its current condition, and its estimated replacement value.

The Fire District will regard software programs as fixed Assets, subject to the required criteria in this capitalization policy, and will amortize the cost of the Asset over an estimated useful life of three (3) years. Costs associated with software maintenance and customer support are considered expenditures which will not be capitalized.

Other Considerations:

- (1) IMPROVEMENTS are expenditures for additions, alterations and renovations that appreciably prolong the life of the Asset, materially increase its value or adapt it to a different use. The cost of Improvements made to an Asset shall be capitalized.
- (2) REPAIR is an expenditure that keeps the property in ordinary efficient operating condition. The cost of the repair does not add to the value or prolong the life of the Asset. All repair expenditures are charged to the appropriate department and fund and shall not be capitalized.



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Investment Policy

BE IT RESOLVED that the LaGrange Board of Fire Commissioners of the LaGrange Fire District designates the Tompkins Mahopac Bank as the official depository of all Fire District funds and funds to be invested, pursuant to New York State Law, or any other local commercial bank offering the best interest rates.

District Funds shall be invested in certificates of deposits, treasury bills, money markets, and/or repurchase agreements when necessary and prudent, as to provide the appropriate liquidity of funds to meet operating requirements and these funds shall be FDIC insured and collateralized in compliance with Section 10 of the General Municipal Law.

The depository bank shall provide written custodial agreements and written security agreements, which will comply with General Municipal Law. This investment policy shall be reviewed annually at the re-organizational meeting of the LaGrange Board of Fire Commissioners and at any other time deemed necessary by the Board.

The designees assigned for investment management are the Board of Fire Commissioners and the District Treasurer.



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Credit Card Policy:

The LaGrange Fire District shall maintain the following Credit Card(s):

Visa –Tompkins Trust (Mahopac National Bank)

Wright Express (WEX) Fuel Cards

Staples

District credit cards are issued to and may only be used by the following district officials and employees:

Commissioner George Burns as the Authorized Officer, Fire District Secretary, Fire District Officers: Chief, Deputy Chief, Lieutenant (Training), EMS Administrator

1. The Fire District may issue District credit cards to the Chief, Deputy Chief, Lieutenant (Training), and EMS Administrator in their individual name and may revoke same at will. In addition, the District Secretary may be in possession of a District credit card to be used as needed for travel, postage or any other Commissioner approved expense.
2. District issued credit cards are to be used ONLY for official Fire District business.
3. All receipts for credit card purchases must be attached to a Fire District Purchasing form and submitted to the Board of Fire Commissioners for payment approval. Receipts must detail all charges including the name of the individual who incurred the charge, the reason for the charge and the amount of the charge.
4. District issued credit cards are not to be used for the purchase alcoholic beverages.
5. Personal Responsibility-the individual incurring the costs who fails to comply with District procedures will be personally responsible for all sums charged. Any charges made on District credit cards that do not have proper supporting documentation, the individual, not the district, will pay detail.
6. If a charge is determined to be an inappropriate or unauthorized Fire District charge, or if adequate documentation of the charge is not submitted to show it to be an authorized District charge, the individual responsible for the charge shall pay said charge within thirty days of the receipt of invoice from the credit card company.
7. All credit card users have the responsibility to notify both the Credit Card Company and the District Treasurer immediately, in the event the that the card is lost or stolen.
8. The Tompkins Trust Bank service number is 1-866-552-8855.
9. Any expenditure on the District credit card must be pre-approved by a Fire Commissioner, with the exception of the event of an emergency, when the Chief or the officer on the scene would be authorized to make emergency purchases as long as the Board is notified within 24 hours after the event.



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Fund Balance Policy Developed for GASB 54

Purpose

The LaGrange Fire District Board of Fire Commissioners recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the District and is fiscally advantageous for both the District and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the District to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

Definitions

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
- 3) **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the Board of Fire Commissioners. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).
- 4) **Assigned fund balance** – amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the Board of Fire Commissioners or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.



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Policy

The responsibility for designating funds to specific classifications shall be as follows:

Committed Fund Balance – The Board of Fire Commissioners is the District's highest level of decision-making authority, and the formal actions that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Board.

Assigned Fund Balance – The Board of Fire Commissioners has authorized the Treasurer as the official authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

Unassigned Fund Balance Target

It is the goal of the District to achieve and maintain an unassigned fund balance in the general fund at fiscal year-end of not less than 20% and not more than 35 % of annual expenditures. If the unassigned fund balance at fiscal year-end fall outside of the target range, the District shall develop a restoration plan to achieve and maintain the minimum fund balance.



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INDEMNIFICATION POLICY

APPLICABILITY: This policy applies to all personnel.

It is the policy of the Fire District to indemnify every Commissioner, Officer, employee and active member of the District for acts and omissions occurring within the scope of their duty in such capacity. This includes but is not limited to indemnification in accordance with Public Officers Law Section 18, Town Law 178-d, General Municipal Law 205-g, and as otherwise permitted or obligated by common law.

Any person, including an active member, who is served with a summons, petition, hearing notice or other action shall immediately deliver the same to the Chair of the Fire District, along with a written request for defense and indemnification. Pursuant to law, such written request and a copy of the pleadings must be delivered to the District Secretary and/or the Chair of the Board of Fire Commissioners within TEN DAYS of service upon the individual.

Indemnification shall not extend to expenses for punitive damages, fines, or penalties incurred as a result of intentionally harmful conduct.

LaGrange Fire District
Board of Fire Commissioners
2023 Monthly Meeting Schedule

January	10 (Organizational Meeting) 24
February	06 (changed from Feb. 14 th) 28
March	14 28
April	11 25
May	09 23
June	13 27
July	11 25
August	08 22
September	12 26
October	10 17 - Budget Hearing 24
November	14 28
December	05 (Organizational Meeting Prep) 12 – Commissioner Election 26

The first official monthly meeting of the LaGrange Fire District is normally held on the second Tuesday of each month, and the second meeting on the fourth Tuesday of each month unless noted differently above. All meetings will begin at 6:00 PM and be held at Firehouse #2, located at 504 Freedom Plains Road in Poughkeepsie, NY*. A link to join the meeting remotely via Microsoft Teams will be available on the day of the meeting at the Fire District's website - <https://lagrangefireny.us>.

**The location and time of the meeting may be changed by further resolution of the Board of Fire Commissioners upon proper notification to the public, pursuant to New York State Law, of such change.*

COMMISSIONER COMMITTEE ASSIGNMENTS - 2023

ANNUAL BUDGET PREPARATION	<i>All Commissioners</i>
CONTRACTOR LIST UPDATE	<i>All Commissioners</i>
EQUIPMENT and APPARATUS	<i>All Commissioners</i>
INTERFACE WITH: Attorneys Annual Auditors	<i>Komorsky & Ward</i>
INSURANCE	<i>Komorsky & Ward</i>
TELECOMMUNICATIONS	<i>Burns & Pignataro</i>
LIASON TO: Company #1 Company #2 Company #3 Mechanic's Facilities Department President Department Training Local IAFF Company Officers LaGrange Town Hall	<i>Pignataro</i> <i>Burns</i> <i>Ward</i> <i>All Commissioners</i> <i>All Commissioners</i> <i>All Commissioners</i> <i>All Commissioners</i> <i>All Commissioners</i> <i>All Commissioners</i>
LONG RANGE PLANNING	<i>All Commissioners</i>
MONTHLY BANK RECONCILIATION	<i>Komorsky, Pignataro, & Ward</i>
MONTHLY BUDGET REVIEW	<i>All Commissioners</i>
RULES/ POLICIES / REGULATIONS	<i>All Commissioners</i>
EMS COST RECOVERY	<i>Sassi & Ward</i>

Sales Rep Name: Michael Hooper
ProCare Service Rep: Daryl Reich

3800 E. Centre Ave
Portage, MI 49009

Date: 1/17/2023
ID #: 230117072806

PROCARE PROPOSAL SUBMITTED TO:

Billing Acc Num:		Name:	Michael Benenati
Shipping Acct Num:	1173590	Title:	EMS Coordinator
Account Name	LaGrange Fire District	Phone:	(845) 471-4693
Account Address	504 Freedom Plains Rd	Email:	mbenenati@lagrangefireny.us
City, State Zip	Poughkeepsie, NY 12603		

PROCARE COVERAGE

Item No.	Model Number	Model Description	ProCare Program	Qty	Yrs		Total
1	6390	Power-LOAD	EMS Prevent	2	3		\$12,120.00

PROGRAM INCLUDES:**EMS Prevent:**

*Includes parts, labor, travel
*Includes 1 annual PM inspection
*Includes unscheduled service
*Includes battery replacement
*Includes product equipment checklists.
*Replacement parts do not include mattresses, and other Disposable or expendable parts.

Unless otherwise stated on contract, payment is expected upfront.

Annual Payments \$3,434.00

See below for complete payment schedule

ProCare Total	\$12,120.00
Discount	15%
FINAL TOTAL	\$10,302.00

Start Date: 1/16/2023

End Date: 1/15/2026

Stryker Signature

Date

Customer Signature

Date

1/18/2023

The Terms and Conditions of this quote and any subsequent purchase order of the Customer are governed by the Terms and Conditions located at

<https://techweb.stryker.com>

The terms and conditions referenced in the immediately preceding sentence do not apply where Customer and Stryker are parties to a Master Service Agreement.

11886

Purchase Order Number

This is not an invoice. A physical invoice will be mailed.
Remit payment to: P.O. Box 93308 Chicago, IL 60673-3308

If contract is over \$5,000 please send hard copy PO

COMMENTS:

Please email signed Proposal and Purchase Order to procarecoordinators@stryker.com.
All information contained within this quotation is considered confidential and proprietary and is not subject to public disclosure.
**Quote pricing valid for 30 days.

PAYMENT SCHEDULE

<u>Date</u>	<u>Payment</u>		<u>Int Paid</u>	<u>Prin. Remaining</u>		<u>Balance</u>	
Starting Balance						\$	10,302.00
1/1/2023	\$	3,434.00	\$	-	\$ 6,868.00	\$	6,868.00
1/1/2024	\$	3,434.00	\$	-	\$ 3,434.00	\$	3,434.00
1/1/2025	\$	3,434.00	\$	-	\$ -	\$	-

SERIAL NUMBER SHEET

Item No.	Model	Serial Number	Program
1	6390	2112012400280	EMS Prevent
2	6390	2112012400281	EMS Prevent



Fairview Fire District
258 Violet Avenue
Poughkeepsie, NY 12601

Office: (845) 452-7453
Station: (845) 452-8770
Fax: (845) 452-0552

January 9, 2023

Agreement for Shared Services

Between and Among:

Fairview Fire District, 258 Violet Avenue, Poughkeepsie, NY

LaGrange Fire District, 504 Freedom Plains Road, Poughkeepsie, NY

Pleasant Valley Fire District, 1619 Main Street, Pleasant Valley, NY

Roosevelt Fire District 830 Violet Avenue, Hyde Park, NY


In accordance with the provisions of General Municipal Law Section 119-0, each of the above Fire Districts agree to share jointly in the purchase, maintenance, and use of Porta Count Model 8048-T; w/ Tablet and the "5-year Bumper to Bumper Warranty & Annual Service Contract for the purpose of meeting the Respiratory Fit Test standards required by OSHA for the fit testing of Self-Contained Breathing Apparatus (SCBA), masks and accessories. The Quotation number 20243630 of \$14,735.00 for the equipment and \$ 5,375.00 for the warranty, for a total of \$20,110.00, price of said equipment. With this shared services agreement, in agreeing to purchase, maintain, and use one department representatives agrees to the following: jointly, each of the fire districts equally through this per department. The Fairview Fire District shall make the initial purchase and each participating Fire Districts shall reimburse the Fairview Fire District \$ 5,027.50 for its proportionate share as indicated above.

In agreeing to purchase, maintain, and use one department representatives agrees to the following: jointly, each of the fire

- 1. The machine shall be made available to all Districts that are a party to this agreement on an equal time basis.
- 2. Each District shall give a timely notice to the others to use the machine.
- 3. Each District shall equally bear the annual cost of recalibration and certification of the machine on a yearly basis as required.
- 4. Each District shall keep and maintain the equipment in a secure area. It shall be accessible for use, but adequately secured from theft or damage.
- 5. Each District that has the machine in its physical possession shall solely be responsible for the machine when in their possession. Each District shall list the machine on its insured inventory list of equipment.
- 6. Each District shall designate specific individuals who shall be trained in its operation and shall keep and maintain the machine as per the manufacturer's instructions.

Each of the individuals signing below is a representative of their respectable District. Each of the individuals signing below is authorized to enter into this agreement on behalf of their District pursuant to the authorization of the Board of Fire Commissioners of said Fire District and has done so after reading the above information, and agreeing to its content.

_____ (Printed) Fairview Fire District	_____ (Signature)	_____ (Date)
_____ (Printed) LaGrange Fire District	_____ (Signature)	_____ (Date)
_____ (Printed) Pleasant Valley Fire District	_____ (Signature)	_____ (Date)
_____ (Printed) Roosevelt Fire District	_____ (Signature)	_____ (Date)

LFD ABSTRACT		1/10/2023	
V #	VENDOR	AMOUNT DUE	DESCRIPTION
	A & R Security ✓	✓\$300.00	50 Key Fobs for building entry
	Arch Insurance ✓	✓931.70	NYS Disability Benefits
	Bottini Fuel ✓	✓1,820.88	500.2 g N/T clear diesel Station #2
	Bottini Fuel ✓	✓1,073.47	289.5 g N/T clear diesel Station #2
	Central Hudson ✓	✓1,400.40	11/17/22 - 12/20/22 Elec amd Area light charges Stat #1
	Central Hudson ✓	✓2,754.94	Balance due 9/4 - 12/6 including CH adjustments
	Cryo Weld ✓	✓184.14	Compressed Oxygen
	Dell ✓	✓62.34	Additional email licenses for new hires
	Everdixie USA ✓	✓1,201.84	Medical Supplies
	Freihofer Ice & Springwater ✓	✓126.00	Bottled water - Station #1 - \$72.00 Station #2 - \$54.00
	Frontier ✓	✓141.64	Station #1 Telephone - Jan 23
	Hopewell Fire Apparatus ✓	✓296.48	Pressure gauges for tankers
	Kosco Heritage ✓	✓1,085.42	Fuel Oil Station #2
	Kosco Heritage ✓	✓853.49	Fuel Oil Station #1
	Medical Warehouse ✓	✓737.58	Expendable Medical Supplies
	MES ✓	✓226.00	Uniforms
	Poughkeepsie Journal ✓	✓155.86	Legal Notice, notice of annual election
	Premier Fire Apparatus ✓	✓2,417.44	Repairs 47-11
	Redemption Mechanical ✓	✓2,730.00	Piping for pump incl new coupler assembly and gasket
	Royal Carting ✓	✓438.78	Rubbish removal Dec 2022
	Security Mutual Life ✓	✓2,420.25	Life ins - Bullock, Schroeder, Caso, Lane, Daly
	Stryker ✓	✓233.26	Adult Electrodes
	Tompkins ✓	✓1,511.63	Cleaning supplies, ambulance battery, airline tickets
	Town of LaGrange ✓	✓813.78	AHS School taxes
	Town of LaGrange ✓	✓196.93	Property taxes Route 55
	Town of LaGrange ✓	✓1,941.64	Property taxes 504 Freedom Plains Rd
	Trailer King ✓	✓835.00	Adj of the plow sub frame 2018 Chevy
	The Workplace ✓	✓2,394.00	Physicals Dec 2022
	The Workplace ✓	✓696.00	Physicals April 2022 (company did not previously bill)
	Utical National Ins ✓	✓261.00	Added 2016 Chevy Tahoe and 2023 Chevy Silverado
	Veso Life ✓	✓336.83	Life Ins Volunteers Feb 23
	WEX ✓	✓739.01	Fuel for Vehicles
	TOTAL UNPAID BILLS	\$31,317.73	
	Paychex	269.96	Payroll Processing for the week ended 12/25/2022
	Paychex	264.69	Payroll Processing for the week ended 1/1/2023
	TOTAL PAID BILLS	\$534.65	
	TOTAL BILLS TO APPROVE	\$31,852.38	
	Changes		
	Commissioner's Signatures		Commissioner's Signatures
		01/10/23 1/10/23	