

Regular Meeting

October 10, 2023

Chairman Brian Ellensohn called the Regular Meeting of the Board of Fire Commissioners of the North Merrick Fire District to order at 8:30 PM. Those present were; Commissioner Brian Ellensohn, Commissioner James McCauley, Commissioner Scott Rockwin, Commissioner James Rogers and Commissioner Paul Wilders. Also present were; District Treasurer Maura Fabian, District Attorney Joseph Pusateri, and District Clerk David Ward.

A salute to the flag led by Commissioner Ellensohn.

A motion by Commissioner Rockwin, seconded by Commissioner Rogers, unanimously passed to accept the following reports: (Commissioner Ellensohn – yes, Commissioner McCauley – yes, Commissioner Rockwin – yes, Commissioner Rogers – yes, Commissioner Wilders - yes).

The Bank Account Book Balances dated October 10, 2023.

The Minutes from the Interim Meeting Minutes dated October 3, 2023.

The Minutes from the Board Business Meeting dated May September 12, 2023.

The “Expenses by Vendor Detail” dated October 10, 2023.

**READING OF COMMUNICATIONS:**

**At this time all correspondence was read; any requiring further action will be handled under new business.**

The Board Meeting Minutes from the Four Towns Training Center Meeting held on Tuesday September 12, 2023.

**APPLICATIONS FOR MEMBERSHIP:**

David Ward reported the status of 2 new applications for membership.

**Lost and Damaged Reports:**

David Ward reported on open work orders.

**Local Government and Community Relations(AC):**

Commissioner Wilders reported on a street naming.

**Building(BE,SR,JR):**

Commissioner Rockwin reported on the building roof.

Commissioner Rockwin reported on building air conditioning.

Commissioner Rogers reported on the building parking lot replacement.

**Chief's and District Vehicles (BE,SR, PW):**

Commissioner Rockwin reported the following;  
The 2007 Chevrolet Tahoe was serviced at Jerry's Car Care.  
The 2022 Chevrolet Tahoe will need to back to Van Buren for programming.

**Equipment (BE,SR):**

**Fire Department Personnel (JM,PW):**

A discussion was held on personnel.

**Uniforms (BE, JR,PW):**

Commissioner Wilders reported on uniform equipment.

**Fire Apparatus and Ambulance Repairs (BE, SR, PW):**

Commissioner Rockwin reported the following:  
The 2004 Spartan (Unit 671) foam pump will be re-installed in the vehicle.  
Commissioner Ellensohn reported on the replacement 674 truck committee meeting.

**Utilities (BE, PW):**

Commissioner Wilders reported on utilities.

**Auditing (KB, MF):**

Maura Fabian reported on progress.  
Patrick Cunningham reported on the Long Term Capital Asset plan.  
Patrick Cunningham reported on the NY Class high interest accounts.

**Legal (JP):**

A discussion was held on the North Merrick Fire Department by-laws. It was decided the requested by-law changes will be reviewed.  
At this time 2130 Joseph Pusateri requested the Board go into Executive Session to discuss legal matters, and returned at 2145.  
A motion by Commissioner Rockwin, seconded by Commissioner Rogers unanimously passed to go into Executive Session.

**(Commissioner Ellensohn – yes, Commissioner McCauley – yes, Commissioner Rockwin – yes, Commissioner Rogers - yes, Commissioner Wilders – yes).**

**Insurance (JM, JR):**

Commissioner McCauley reported on insurances.

**Computers and Web Site (BE,PW):**

Commissioner Ellensohn reported on computers and the website.

**Training (Fire and Administrative) (PW):**

Commissioner Wilders reported on training.

**Four Towns (JM,PW):**

Commissioner Wilders reported on the Four Towns Training Center.

**Radio (JM,SR):**

Commissioner Rockwin reported on radios.

**Purchasing Policies & Procedures (SR,JR):**

Commissioner Rockwin reported on purchasing.

**Medical Equipment (JM, JR):**

Commissioner Rogers reported on medical equipment.

**District Employees (C.O.B, SR,JR):**

Commissioner Rockwin reported on District Employees.

**District Policies and Procedures (AC):**

Maura Fabian reported the following Account Transfer/Electronic Debit:

Date	From	To	Amount
10/10/2023	FNBLI	FNBLI (General Account Transfer)	\$ 100,000.00
10/6/2023	FNBLI	FNBLI (General Account Transfer)	\$ 140,000.00
10/4/2023	FNBLI	ADP	\$ 13,597.44
9/29/2023	FNBLI	ADP	\$ 128.85
9/20/2023	FNBLI	ADP	\$ 13,877.23
9/15/2023	FNBLI	ADP	\$ 126.75

**Inventory Control (SR,JR ):**

David Ward reported the following changes to inventory;

Firefighter boots, reached end of life discarded s/n 00138044

3 com 24 port switch, broken, not working, discarded b/c 00620.

A motion by Commissioner McCauley, seconded by Commissioner Wilders unanimously passed for the disposal/surplus of the inventory listed above.

(Commissioner Ellensohn – yes, Commissioner McCauley – yes, Commissioner Rockwin – yes, Commissioner Rogers - yes, Commissioner Wilders – yes).

**Installation Dinner (AC):**

Commissioner McCauley reported on the Installation Dinner.

**Length of Service Awards Program (BE,JM,):**

Commissioner McCauley reported on the Length of Service Awards Program.

A discussion was held on changes to the Length of Service Awards Program.

**EMS Certifications and Ambulance Narcotics (C.O.B, BE,JR):**

Commissioner Ellensohn reported progress.

**Old Business:**

**New Business:**

A motion by Commissioner Rogers, seconded by Commissioner McCauley unanimously approved to transfer monies from fire district regular accounts to the NY Class high interest accounts listed below:

- Transfer directly from CR Apparatus & Equipment account to the designated NYCLASS CR Apparatus & Equipment account: \$500,000.
- Transfer directly from CR Buildings & Grounds account to the designated NYCLASS CR Buildings & Grounds account: \$250,000.
- Transfer from the General Operating Fund to the designated NYCLASS General Operating Fund account:
  - \$590,000. Note, in December 2023, the district will need to transfer these funds in NYCLASS from the General Operating Fund account to the CR Apparatus & Equipment account.
  - \$100,000. Note, in December 2023, the district will need to transfer these funds in NYCLASS from the General Operating Fund account to the CR Buildings & Grounds account.
  - \$424,765. Note, this is equal to the amount of the district's contingency reserve as of 12.31.2022. Also note, the district may need to transfer funds back from the NYCLASS to the FNBLI account to cover bills for January-February 2024.
- Transfer directly from the Employee Benefit Fund to the designated NYCLASS Employee Benefit Fund account: \$176,800.

Total amount of the above transfers to be submitted to NYCLASS: \$2,041,569.

(Commissioner Ellensohn – yes, Commissioner McCauley – yes, Commissioner Rockwin – yes, Commissioner Rogers - yes).

A motion by Commissioner Rockwin, seconded by Commissioner McCauley unanimously approved changes to the Length of Service Awards Program extending the program from 40 years of service to 50 years of service. This item requires voter approval, and will be placed on the ballot for voter approval at the December 12, 2023 Election. See page 4,5 & 6 of these minutes.

(Commissioner Ellensohn – yes, Commissioner McCauley – yes, Commissioner Rockwin – yes, Commissioner Rogers – yes, Commissioner Wilders - yes).

A motion by Commissioner Rogers, seconded by Commissioner Wilders unanimously approved the election committee for the Fire District Election to be held on Tuesday December 12, 2023, David Ward Chairman, Peter Adragna and Kathleen Thompson Election Tellers. (Commissioner Ellensohn – yes, Commissioner McCauley – yes, Commissioner Rockwin – yes, Commissioner Rogers – yes, Commissioner Wilders – yes.)

With no further business, the meeting was adjourned at 10:55 PM

Respectfully Submitted  
David M. Ward  
District Clerk

NORTH MERRICK FIRE DISTRICT  
RESOLUTION AMENDING THE LENGTH OF SERVICE AWARDS PROGRAM

*In the matter of amending the Length of Service Award Program*

WHEREAS, eligible voting residents of the North Merrick Fire District approved a referendum to establish a defined benefit Length of Service Award Program (a "LOSAP") for active volunteer firefighters of the North Merrick Fire Department in accordance with Article 11- A of the New York State General Municipal Law (GML); and

WHEREAS, the Fire District is the LOSAP Sponsor and Program Administrator; and

WHEREAS, GML § 216 authorizes the Fire District, as LOSAP Sponsor, to amend the LOSAP; and

WHEREAS, an active volunteer firefighter member currently earns a \$20 monthly Service Award benefit for each year of Service Credit, payable at the Entitlement Age of sixty (60); and

WHEREAS, a participating active volunteer firefighter obtains a nonforfeitable right to a service award upon earning five (5) years of Service Credit, the attainment of the Entitlement Age, death, or total and permanent disability; and

WHEREAS, under the current LOSAP provisions, the maximum number of years of Service Credit for which an active volunteer firefighter may earn a Service Award is 40 years which represents a maximum monthly Accrued Service Award of \$800; and

WHEREAS, a year of Service Credit is earned for each calendar year during which the active volunteer firefighter earns 50 or more points. Points are awarded for such things as attending training sessions, participating in drills, responding to calls, being an officer, and other activities; and

WHEREAS, Chapter 400 of the Laws of 2021 amends GML § 219 to allow a LOSAP sponsor to extend the maximum number of years of Service Credit for which a participating active volunteer firefighter may earn a Service Award from 40 to 50 years maximum; and

WHEREAS, the Board of Fire Commissioners desires to amend the LOSAP to extend the maximum years of Service Credit for which a participating active volunteer can earn a Service Award from 40 to 50 years; and

WHEREAS, this amendment will not increase the current cost of the LOSAP, but will extend the current cost longer into the future; therefore, the amendment will not require the Fire District to increase its annual LOSAP budget; and

WHEREAS, this amendment is consistent with the intent of the LOSAP to recruit, retain and reward volunteer firefighters; NOW, THEREFORE BE IT RESOLVED, that the Board of Fire Commissioners of the North Merrick Fire District, Town of Hempstead, County of Nassau, State of New York, as authorized by Article 11-A of the GML, approves an amendment to the LOSAP pursuant to Chapter 400 of the Laws of 2021 to extend the maximum years of Service Credit that may be earned under its LOSAP from 40 to 50 years, and therefore the maximum Accrued Monthly Service Award from \$800 to \$1,000, effective January 1, 2024. The calendar year 2023 contribution was calculated to be about \$250,000. Of this total contribution, the component attributable to each participating volunteer firefighter that earns Service Credit averages about \$1,900. The total annual contribution due and the average cost per volunteer firefighter that earns Service Credit will not increase as a result of this amendment. The Fire District pays an additional \$7,900 annually in administrative expenses, which will not change as a result of this amendment.

BE IT FURTHER RESOLVED that this resolution is subject to a mandatory referendum of qualified voters of the North Merrick Fire District and said referendum shall be held on December 12, 2023, between the hours of 2:00 PM and 9:00 PM (prevailing time) at 2095 Camp Avenue, North Merrick, NY 11566.

BE IT FURTHER RESOLVED that the proposition placed before the qualified voters read as follows:

THE BOARD OF FIRE COMMISSIONERS OF THE NORTH MERRICK FIRE DISTRICT, TOWN OF HEMPSTEAD, COUNTY OF NASSAU, STATE OF NEW YORK, IN A RESOLUTION ADOPTED OCTOBER 10, 2023, APPROVED AN AMENDMENT OF THE DEFINED BENEFIT LENGTH OF SERVICE AWARD PROGRAM, ADMINISTERED BY THE FIRE DISTRICT AND ESTABLISHED FOR ACTIVE VOLUNTEER FIREFIGHTERS OF THE NORTH MERRICK FIRE DEPARTMENT, TO EXTEND THE MAXIMUM YEARS OF SERVICE CREDIT FOR WHICH A PARTICIPATING ACTIVE VOLUNTEER FIREFIGHTER MAY EARN A SERVICE AWARD FROM 40 TO 50 YEARS, AND THEREFORE THE MAXIMUM PROJECTED ACCRUED MONTHLY SERVICE AWARD FROM \$800 TO \$1,000, EFFECTIVE JANUARY 1, 2024. THE CALENDAR YEAR 2024 CONTRIBUTION DUE FOR THE PROGRAM IS ABOUT \$250,000, WHICH INCLUDES AN AVERAGE CONTRIBUTION FOR EACH PARTICIPATING VOLUNTEER FIREFIGHTER THAT EARNS SERVICE CREDIT OF

APPROXIMATELY \$1,900. THE ANNUAL CONTRIBUTION FOR THE AMENDED PROGRAM WILL NOT INCREASE AS A RESULT OF THIS AMENDMENT. THE DISTRICT PAYS ADDITIONAL ANNUAL ADMINISTRATIVE COSTS OF ABOUT \$7,900 WHICH WILL NOT CHANGE AS A RESULT OF THIS AMENDMENT. SHALL THE STATED RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS BE APPROVED ?

BE IT FURTHER RESOLVED that the Length of Service Awards Program shall continue to be administered by the North Merrick Fire District and that all other provisions of the LOSAP shall remain the same.

A motion by Commissioner Ellensohn, seconded by Commissioner Rogers unanimously approved to adopt this resolution: Commissioner Ellensohn – yes, Commissioner Rockwin – yes, Commissioner Rogers – yes, Commissioner Wilders – yes.

The adoption of the foregoing resolution was duly put to a vote and upon roll call the vote was as follows:

The resolution was thereupon duly declared to have been adopted.

Chairman Ellensohn- YES  
Commissioner Rogers - YES  
Commissioner McCauley - YES  
Commissioner Rockwin - YES  
Commissioner Wilders - YES

Dated: October 10, 2023, New York