



**VESTAL FIRE DISTRICT
BOARD OF FIRE COMMISSIONER
REGULAR MEETING - MINUTES**

Date: December 6, 2023

The meeting was called to order at the conclusion of the Town Board Meeting at 5:33 pm by Chairman J. Schaffer.

Present: Commissioners: Other Present:

J. Schaffer-Chairman
P. Fitzgerald
S. Messina
S. Donnelly
J. Fletcher - Absent

S. Bowen- Fire District Secretary
P. Willes - Director of Purchasing
J. Farley – Treasurer/Deputy Town Comptroller
J. Paffie – Fire Chief
C. Paffie- Asst. Chief ST4
D. Kirchheimer- Dept. President

Governance Committee:
T. McCartney- Chair
D. Harrington- Vice Chair

D. Rose- Asst. Chief ST1
15 members of the Public

Pledge to the Flag was conducted during the Town Board Meeting.

Motioned by S. Messina, seconded by S. Donnelly to approve the minutes of the November 15, 2023 Meeting. 4 ayes 1 absent. Carried

Correspondence:

- Received and File Warrant 2023-44G, 2023-46F, 2023-48F
- Received and File October 16, 2023 Fire Advisory Board Minutes
- Received and File November 20, 2023 Fire Advisory Board Minutes

Bid Openings

None

Chief's Report

J. Paffie:

- 1) Equipment
- 2) Apparatus – Tower 32-1 is currently out of service at Tracey Road Equipment due to a failed fuel tank and fuel tank straps.
- 3) Radio Communications
- 4) Stations
- 5) Training
- 6) Special Events
- 7) Miscellaneous

Treasurer's Report:

Presented Vouchers to be paid.

R39F-2023 Motioned by S. Messina, seconded by S. Donnelly to approve Vouchers for payment. 4 ayes. 1 absent Carried.

Budget & Finance:

- 1) **R40F-2023** Motion to approve by P. Fitzgerald, seconded by S. Donnelly the transfer of funds from the Fire District Assigned Unappropriated Fund Balance to F3410.2255 for Guard Rails for New Station 4 Property in the amount of \$6,700. 4 ayes. 1 absent Carried.
- 2) **R41F-2023** Motion to approve by P. Fitzgerald, S. Donnelly the purchase of various office supplies through Staples and Amazon for the Administration Office and the Governance Committee in the amount of \$2,073. 4 ayes. 1 absent Carried.
- 3) **R42F-2023** Motion to approve by P. Fitzgerald, seconded by S. Donnelly for Empire Access to provide Dark Fiber Connection from 116 South Jensen to 320 Vestal Parkway E for \$380.00 per month for 60 months. 4 ayes. 1 absent Carried.
- 4) **R43F-2023** Motion to approve by P. Fitzgerald, seconded by S. Messina for Assist Chief Kahl Miller and Apparatus Consultant Keith Purdy to Travel to HME in Wyoming, Michigan for final inspection of New Engine 32-2 and Engine 32-3. Assistant Chief Miller will be using Chief 32-3 Vehicle. All meals, lodging and fuel will be covered under F3410 4030. 4 ayes. 1 absent Carried.
- 5) **R44F-2023** Motion to approve by P. Fitzgerald, seconded by S. Donnelly to do the following Budget transfers to cover over drafted lines:

From F3410.4060 to F3410 2100 - \$4,400 to Cover the cost of the Smoke Generator (moved from operational to asset operational)

From F3410.4060 to F3410 2101 - \$2,800 to cover Chief 32 P25 Mobile Radio

From F3410.4060 to F3410 4040 - \$15,000 to Vehicle Maintenance Repairs

From F3410.2220 (\$1000)

F3410.4030 (\$1000)

F3410 4060 (\$3830) to F3410 4190 - \$5,830 to cover fuel expenses

4 ayes, 1 absent. Carried.

- 6) **R45F-2023** Motion to approve by P. Fitzgerald, seconded by S. Donnelly to spend \$75,000 pending permissive referendum from the Capital Equipment Reserve Fund to purchase a replacement vehicle for Chief 32 as follows:

2023 Chevrolet Tahoe From DeNooyer Chevrolet	\$52,497.50
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Piggyback from Fabius Fire District

Quote 1 from Bush for Up-Fit Package	\$17,800.00
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Quote 2 from DeNooyer Reimaged for Up-Fit Package	\$18,430.00
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Quote of Graphics from Bush	\$ 1,500.00
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Change Control as needed	\$ 3,200.00
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4 ayes. 1 absent Carried.

Chief J. Paffie open the discussion that he would like to use the quote from Bush as they have due to the lifetime warranty on the installation, local field service in the event of a failure,

continuity in equipment install for all Chief cars (Bush did the installation on the 2020 model year Chief cars), and standard user interface among chief officers. DeNooyer Chevy is in Albany whereas Bush is in Syracuse.

The Chief 32 vehicle will become the training vehicle and the training vehicle will be sold.

- 7) **R46F-2023 RESOLVED**, that the Board of Fire Commissioners of the Vestal Fire District, in the Town of Vestal, pursuant to the provisions of Section 64 of the Town Law, hereby to spend from the Fire District's Capital Equipment Reserve Fund for the purchase of a 2023 Chevrolet Tahoe and incidental expenses in connection therewith, at a maximum cost of \$75,000.

BE IT FURTHER RESOLVED that this Resolution is subject to a Permissive Referendum, notice of which shall be posted and published in accordance with Section 90 of the Town Law.

A vote was then taken upon the motion for adoption with the following results:

JOHN SCHAFFER, Chairman	VOTING	Aye
STEPHEN DONNELLY, Fire Commissioner	VOTING	Aye
PATTY FITZGERALD, Fire Commissioner	VOTING	Aye
JOHN FLETCHER, Fire Commissioner	VOTING	Absent
SUE MESSINA, Fire Commissioner	VOTING	Aye

- 8) **R47F-2023** Motion to approve by S. Messina, seconded by S. Donnelly the publication of the Resolution for Permissive Referendum in the Binghamton Press and Sun-Bulletin, posting to the Town of Vestal Website under Fire District and Posting copy to the Town Clerk's Office for the Town Bulletin Board on Wednesday, December 13, 2023. 4 ayes. 1 absent Carried.
- 9) **R48F-2023** The following resolution was offered by Commissioner S. Messina, who moved its adoption, seconded by Commissioner S. Donnelly, to-wit:

BOND RESOLUTION DATED DECEMBER 6, 2023.

A RESOLUTION AUTHORIZING THE PURCHASE OF A TOWER FIRE-FIGHTING VEHICLE, FOR THE VESTAL FIRE DISTRICT IN THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,040,000, AND AUTHORIZING THE ISSUANCE OF \$2,040,000 SERIAL BONDS OF SAID FIRE DISTRICT TO PAY THE COST THEREOF.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, T
HEREFORE

BE IT RESOLVED, by the Board of Fire Commissioners of Vestal Fire District in the Town
of Vestal, Broome County, New York, as follows:

Section 1. The purchase of a tower fire-fighting vehicle, including original apparatus, and
incidental expenses in connection therewith, in and for Vestal Fire District in the Town of
Vestal, Broome County, New York, is hereby authorized at a maximum estimated cost of
\$2,040,000.

Section 2. **SEQRA DETERMINATION:** Said capital project has been determined to
constitute a Type II Action for purposes of the State Environmental Quality Review Act which,
as such will not result in any significant adverse environmental impacts.

Section 3. The plan for the financing of such maximum estimated cost is by the issuance
of \$2,040,000 serial bonds of said Fire District hereby authorized to be issued therefor pursuant
to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid
specific object or purpose is twenty years pursuant to subdivision 27 of paragraph a of Section
11.00 of the Local Finance Law.

Section 5. The faith and credit of said Vestal Fire District in the Town of Vestal, Broome
County, New York, are hereby irrevocably pledged for the payment of the principal of and
interest on such bonds as the same respectively become due and payable. An annual
appropriation shall be made in each year sufficient to pay the principal of and interest on such
bonds becoming due and payable in such year. There shall annually be levied on all the taxable
real property in said Fire District, a tax without limitation as to rate or amount sufficient to pay
the principal of and interest on such bonds as the same become due and payable.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the
issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the
serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Fire
District Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents,
and shall be sold in such manner, as may be prescribed by said Fire District Treasurer, consistent
with the provisions of the Local Finance Law.

Section 7. All other matters except as provided herein relating to the serial bonds herein
authorized including the date, denominations, maturities and interest payment dates, within the
limitations prescribed herein and the manner of execution of the same, including the
consolidation with other issues, and also the ability to issue serial bonds with substantially level
or declining annual debt service, shall be determined by the Fire District Treasurer, the chief
fiscal officer of such Fire District. Such bonds shall contain substantially the recital of validity
clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such

forth and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Fire District Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- a) Such obligations are authorized for an object or purpose for which said Fire District is not authorized to expend money, or
- b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in full in the official newspaper of said Fire District for such purpose, together with a notice of the Fire District Secretary in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. This resolution is adopted subject to approval at a special election of said Fire District to be held on January 16, 2024.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

JOHN SCHAFFER, Chairman	VOTING	AYE
STEPHEN DONNELLY, Fire Commissioner	VOTING	AYE
PATTY FITZGERALD, Fire Commissioner	VOTING	AYE
JOHN FLETCHER, Fire Commissioner	VOTING	ABSENT
SUE MESSINA, Fire Commissioner	VOTING	AYE

The resolution was thereupon declared duly adopted.

10) **R49F-2023** The following resolution was offered by Commissioner S. Messina, who moved its adoption, seconded by Commissioner S. Donnelly, to-wit:

RESOLUTION CALLING A SPECIAL ELECTION DATED DECEMBER 6, 2023

WHEREAS, the Board of Fire Commissioners of the Vestal Fire District in the Town of Vestal, Broome County, New York has heretofore at this meeting adopted a bond resolution authorizing the purchase of a tower fire-fighting vehicle, including original apparatus, and incidental expenses in connection therewith, at a maximum estimated cost of \$2,040,000, which is subject to the approval of the qualified voters of said Fire District, NOW, THEREFORE,

BE IT RESOLVED, by the Board of Fire Commissioners of Vestal Fire District in the Town of Vestal, Broome County, New York, as follows:

Section 1. A special election of the qualified voters of Vestal Fire District in the Town of Vestal, Broome County, New York, is hereby authorized to be held on the 16th day of January, 2024, at the Vestal Fire Department Station #3, in Vestal, New York, in said Fire District, between the hours of 12:00 o'clock P.M. and 9:00 o'clock P.M., Prevailing Time, to vote **BY PAPER BALLOT** upon the adoption or rejection of the bond resolution heretofore adopted at this meeting.

Section 2. The notice of such special election shall be in substantially the form, attached hereto as Exhibit A and hereby made a part hereof.

Section 3. The Secretary of said Fire District is hereby authorized to give notice of such special election by publication once in the *Binghamton Press and Sun Bulletin*, a newspaper published in Binghamton, New York, and having a general circulation in said Fire District, the first publication to be not less than twenty-seven (27) nor more than thirty-four (34) days prior to the date of such election.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

JOHN SCHAFFER, Chairman	VOTING	AYE
STEPHEN DONNELLY, Fire Commissioner	VOTING	AYE
PATTY FITZGERALD, Fire Commissioner	VOTING	AYE
JOHN FLETCHER, Fire Commissioner	VOTING	ABSENT
SUE MESSINA, Fire Commissioner	VOTING	AYE

The resolution was thereupon declared duly adopted

11) **R50F-2023** The following resolution was offered by Commissioner S. Messina, who moved its adoption, seconded by Commissioner S. Donnelly, to-wit:

RESOLUTION DESIGNATING ELECTION PERSONNEL

WHEREAS, the Board of Fire Commissioners of Vestal Fire District, Broome County, New York, has called a special election of the qualified voters of said Fire District to be held on the 16th day of January, 2024; and

WHEREAS, it is now desired to provide for the appointment of a permanent chairman, inspectors of election and assistant clerks for said special election; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Fire Commissioners of the Vestal Fire District, Broome County, New York, as follows:

Section 1. Janet Cole, a duly qualified voter of said Fire District is hereby appointed as the permanent chairperson of the special election referred to in the preambles hereof, and Cora Walter as alternate in the event of inability to serve as permanent chairperson.

Section 2. The following named qualified voters of said Fire District are hereby appointed to act as inspectors of election of said special election, so that there shall be at least two inspectors for each ballot box or voting machine to be used thereat:

Cora Walter
Allen Kirchheimer
Mairin Kirchheimer

Section 3. Janet Cole is hereby designated as chief election inspector.

Section 4. The following named qualified voters of said Fire District are hereby appointed as assistant clerks of said special election (including alternates as so indicated): NONE

Section 5. Each inspector of election and assistant clerk appointed for said special election, as herein provided, shall be entitled to compensation at the rate of \$15.20 per hour as chairperson and \$14.20 per hour for inspectors, actually and necessarily spent on the duties of his or her office. The Secretary of said Fire District is hereby authorized and directed to give written notice of appointment to the persons herein respectively appointed as permanent chairman, inspectors of election and assistant clerks for said special election.

Section 6. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

JOHN SCHAFFER, Chairman	VOTING	AYE
STEPHEN DONNELLY, Fire Commissioner	VOTING	AYE
PATTY FITZGERALD, Fire Commissioner	VOTING	AYE
JOHN FLETCHER, Fire Commissioner	VOTING	ABSENT
SUE MESSINA, Fire Commissioner	VOTING	AYE

The resolution was thereupon declared duly adopted.

- 12) **R53F-2023** The following resolution was offered by Commissioner S. Messina, who moved its adoption, seconded by Commissioner S. Donnelly, to-wit:

**RESOLUTION
SETTING TIME AND PLACE OF MEETING OF
INSPECTORS OF ELECTION**

RESOLUTION DATED DECEMBER 6, 2023.

RESOLUTION SETTING THE TIME AND PLACE OF A MEETING OF THE INSPECTORS OF ELECTION OF VESTAL FIRE DISTRICT IN THE TOWN OF VESTAL, BROOME COUNTY, NEW YORK, FOR THE PURPOSE OF PREPARATION OF THE FIRE DISTRICT ELECTION REGISTER.

WHEREAS, the Board of Fire Commissioners of Vestal Fire District in the Town of Vestal, Broome County, New York, heretofore resolved on December 6, 2023 to call a special election of said Fire District, such special election to be held at the Vestal Fire Department Station #3, in Vestal, New York, in said Fire District, on the 16th day of January, 2024, between the hours of 12:00 o'clock P.M., and 9:00 o'clock P.M., Prevailing Time; and

WHEREAS, pursuant to Section 175 a of the Town Law, only persons registered with the Broome County Board of Elections on or before December 26, 2023, the date 23 days prior to the date of the election (the 23rd day itself being a Sunday, and the following day being a holiday, the following Tuesday is so treated), shall be entitled to vote in such special election; and

WHEREAS, such Section 175 a requires that a resolution setting the time and place of the meeting of the election inspectors appointed by said Board of Fire Commissioners of said Fire District for the aforesaid special election be adopted at least thirty days prior to such special election; NOW, THEREFORE,

BE IT RESOLVED, by the Board of Fire Commissioners of Vestal Fire District in the Town of Vestal, Broome County, New York;

Section 1. The inspectors of election approved by resolution duly adopted by said Board of Fire Commissioners on December 6, 2023, shall meet at Vestal Fire District Administration Office located at 601 Vestal Parkway West, in Vestal, New York, in said Fire District, on the

3rd day of January, 2024 at 3:00 o'clock P.M. to commence preparation of the register of those persons eligible to vote in such special election. In accordance with said Section 175 a of the Town Law, only those persons registered with the Board of Elections of Broome County on or before December 26, 2023, will be entitled to vote at such special election.

Section 2. This resolution shall take effect immediately, and neither publication nor posting is required.

- 13) **R54F-2023** The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

JOHN SCHAFFER, Chairman	VOTING	AYE
STEPHEN DONNELLY, Fire Commissioner	VOTING	AYE
PATTY FITZGERALD, Fire Commissioner	VOTING	AYE
JOHN FLETCHER, Fire Commissioner	VOTING	ABSENT
SUE MESSINA, Fire Commissioner	VOTING	AYE

The resolution was thereupon declared duly adopted.

- 14) Posting of said Election to the Town of Vestal Website under Fire District and Posting copy to the Town Clerk's Office for the Town Bulletin Board will take place 15 to 20 days prior to the Special Election.

Personnel:

- 1) The Fire Advisory Board Officers of Company's 4 have reviewed the Vestal Fire Department Applications and conducted interviews with the applicants below. Each has been voted on and be accepted by the members of their companies at their regular company meeting on November 13, 2023. The Fire District Administration Office conduct through the Broome County Sheriff's Volunteer Firefighter Inquiry Form for Arson and Sex Offender for each member listed below with no records found.

R55F-2023 Motion to approve by P. Fitzgerald, seconded S. Donnelly, for Richard Allen and Ean Conti to become members of Station # 4. 4 ayes. 1 absent Carried.

Old Business:

None

New Business:

- 1) **R56F-2023** Motion to approve by J Schaffer, seconded by S. Messina for the Vestal Fire Department Membership for Station #2's "Breakfast with Santa" for Sunday, December 10th from 7:30am to 11:00 am. Coverage is for the membership and auxiliary members that work before, during and after the breakfast for VFBL purposes. A sign in sheet will be used to track personnel at this event.

A reminder for fund raising events that all companies should be submitting a written notice of intent to the Fire District Secretary. This is covered in General Municipal Law 204-a (8) (a).

Public Comments:

None

Commissioners Comments:

None

Future Meeting Dates:

Fire District Meeting: Wednesday, December 13, 2023 at the conclusion of the Town Board Meeting.

Chairman J. Schaffer requested motion to adjourn, seconded by P. Fitzgerald, meeting was then adjourned at 5:55pm.

Respectfully Submitted,

Susan Bowen
Fire District Secretary

Paige Willes
Director of Purchasing