



# Arlington Fire District

11 Burnett Boulevard  
Poughkeepsie, NY 12603  
www.afd.org

Business: (845) 486-6300  
Fax: (845) 486-6322

**For Emergencies**  
***DIAL 911***

*“Safeguarding Our Community”*

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## BOARD OF FIRE COMMISSIONERS MEETING MINUTES November 5, 2018

### ATTENDEES:

Comm. Ralph Chiumento – Chairman  
Comm. José Seco  
Comm. Jon Adams  
Comm. Blake Williams  
Comm. Peter Valdez

Chief: Tory Gallante  
Assistant Chief: VACANT  
Director of EMS: David Violante  
District Secretary: Renee O’Neill  
Treasurer: James Passikoff

Chairman Chiumento opened the Arlington Fire District Board of Fire Commissioners’ meeting at 7:00 p.m., took a roll call of the attendees and reminded everyone to silence their cell phones. Everyone stood and recited the pledge of allegiance.

I. **PUBLIC COMMENT PERIOD** - *No action(s) taken by the Board, unless otherwise noted*

II. **COMMENTS FROM THE BOARD** - *No action(s) taken by the Board, unless otherwise noted*

### III. **ABSTRACT**

Abstract 18–11A was reviewed by Comm. Adams and Comm. Valdez.

A motion was made by Comm. Adams to approve Abstract 18–11A for a grand total of \$339,478.79, totaling 53 checks. This consists of \$7,712.77 in paid bills with a total of 7 checks and \$331,766.02 in unpaid bills with a total of 46 checks. Seconded by Comm. Valdez.

- Motion Carried, 5 – 0

IV. **APPROVAL OF PREVIOUS MEETING MINUTES**

A. October 15, 2018 Board of Fire Commissioners' Meeting

A motion was made by Comm. Williams to approve. Seconded by Comm. Valdez.

- Motion Carried, 5 – 0

B. October 16, 2018 Board of Fire Commissioners' Meeting

A motion was made by Comm. Adams to approve the October 16, 2018 Board of Fire Commissioners' 2019 Proposed Budget Hearing minutes. Seconded by Comm. Williams.

- Motion Carried, 5 – 0

C. October 22, 2018 Board of Fire Commissioners' Meeting

A motion was made by Comm. Williams to approve the October 22<sup>nd</sup> Special meeting. Seconded by Comm. Valdez.

- Motion Carried, 5 – 0

V. **MONTHLY COMMITTEE REPORTS** - *No reports given unless otherwise noted.*

A. Service Awards – Comm. Williams & Comm. Valdez

1. Comm. Valdez reported that we are not going to make the 6% target rate of return. We are at a negative, down \$360K. Working on a solution.

B. District Inspections – Comm. Williams & Comm. Adams

C. District Officers / Chief Liaison – Comm. Chimento & Comm. Adams

D. EMS & Paramedic Liaison – Comm. Williams & Comm. Valdez

E. Public Relations – Comm. Williams & Comm. Chimento

F. Equipment Maintenance – Comm. Williams & Comm. Seco

G. Buildings and Grounds – Comm. Valdez & Comm. Seco

H. Capital Equipment – Comm. Williams & Comm. Chimento

I. Union Negotiations & Contract – Comm. Chimento & Comm. Valdez

J. Career Staff Liaison – Comm. Chimento & Comm. Adams

K. Volunteer Recruitment – Comm. Williams & Comm. Seco

L. Volunteer Liaison – Comm. Williams & Comm. Seco

M. District Safety & Health – Comm. Williams & Comm. Adams

N. Strategic Plan – Comm. Adams & Comm. Seco

O. Finance Committee – Comm. Chimento & Comm. Williams

P. IT Operations Committee – Comm. Williams & Comm. Adams

Q. Croft Lease – Comm. Adams & Comm. Valdez

1. Comm. Adams reported that the Croft lease draft is being revised. Recommending that the Board approve an appraiser to ascertain the correct market rent cost.

A motion was made by Comm. Adams to approve and authorize an appraiser to provide that opinion at a cost not to exceed \$1500 and subject to the District's policy in terms of retaining professionals. Seconded by Comm. Valdez.

Short discussion.

- Motion Carried, 5 – 0

R. Rochdale Lease – Comm. Valdez & Comm. Chiumento

VI. **CORRESPONDENCE** – *None unless otherwise noted*

A. E-mail dated October 15, 2018 from Jim Beretta regarding Executive Session.

B. Received “*Fire District Affairs: October – November 2018*”

C. E-mail received October 22, 2018 from Eric Philipp submitting his letter of intent and resume to run for Assistant Chief in the upcoming Department Election in December.

D. E-mail dated October 22, 2018 from Steven Graff submitting the minutes of the meeting of the Special Election for the position of Assistant Chief Eric Philipp received 6 votes; ran uncontested.

A motion was made by Comm. Valdez to accept the nomination of Eric Philipp as Assistant Chief. Seconded by Comm. Seco.

- Motion Carried, 3 – 2 (Comm. Williams and Comm. Adams voted no)

E. Change of Status form dated October 29, 2018 for Brandan Woelfle of Croft Corners Fire Company – drop EMS.

VII. **ACTIONS TO BE TAKEN BY THE BOARD** – *None unless otherwise noted*

A. Received October 24, 2018 from PKF O’Connor Davies, the 2017 Financial Audit for the District.

A motion was made by Comm. Chiumento to accept the financial audit from PKF O’Connor Davies for the 2017 financial audit. Seconded by Comm. Williams.

- Motion Carried, 5 – 0

B. E-mail dated October 13, 2018 from Lisa Jackson, Volunteer Recruitment Coordinator, requesting Alexa Rudolph of Engine Co. #1 be dropped from the roles for no activity.

A motion was made by Comm. Seco to drop Alexa Rudolph of Engine Co. #1 from the District roles. Seconded by Comm. Chiumento.

- Motion Carried, 5 – 0

- C. E-mail dated October 22, 2018 from Jessica Greeney requesting use of ROM for Girl Scout meetings on the following dates from 6:30 p.m. to 8:00 p.m.  
11/2, 11/16, 12/14, 12/28(?), 1/11, 1/25, 2/8, 2/22, 3/8, 3/22, 4/5, 4/19(?),  
5/3, 5/17(?), 6/14

A motion was made by Comm. Williams to approve the Girl Scouts use of the meeting room on the dates stated on the paper. Seconded by Comm. Valdez.

- Motion Carried, 5 – 0

VIII. **DONATIONS** – *None unless otherwise noted*

IX. **COMMISSIONERS ITEMS** - *No reports and/or discussions unless otherwise noted*

- A. Change November 19<sup>th</sup> BOFC meeting start time to 6:00 p.m.

A motion was made by Comm. Chiumento to change the November 19<sup>th</sup> BOFC meeting time to 6:00 p.m. to conduct interviews. Seconded by Comm. Williams.

- Motion Carried, 5 – 0

X. **DISTRICT STAFF ITEMS**

- A. Chief - Tory Gallante  
1. NYS Firefighters Cancer Benefit

Discussion. No action taken by the Board; tabled until next meeting

2. Proposed new Standard Operating Guidelines for consideration  
A. Fireground and Building Designation and Description (5B)  
B. Non-Residential Fires (D2)  
C. Residential Fires (D1)

A motion was made by Comm. Williams to approve D1, D2 as well as 5B as Standard Operating Guidelines for the Arlington Fire District as proposed to the Board tonight, which are “Fireground and Building Designation and Description”, “Non-Residential Fires” as well as “Residential Fires” Standard Guidelines. Seconded by Comm. Valdez.

- Motion Carried, 4 – 0 – 1 (Comm. Seco abstained)

3. Radio Committee recommends hiring a consultant due to so many advances in technology and options to come up with a final spec for radio acquisition. Wants to know if the Board is ok with this idea.

Lengthy discussion. BOFC is ok with getting a consultant.

4. Due to Assistant Chief appointment, recommends the Capital Equipment Committee to get together to discuss vehicles as that changes previous discussions.

B. Director of EMS David Violante

1. Waiting for the State on the ALSFR status – should be within a few days.
2. Agency recertification – going out up to the State this week, which will be followed by inspection of equipment, stations, vehicles, records, etc.

C. Treasurer James Passikoff – (No report)

XI. **SCHOOL REQUESTS**

The following member(s) have been approved by Chief Gallante to attend the course(s) listed below. The training requested is either located in county or is a course to maintain certification and therefore is for Commissioners notification purposes only:

A. “ACLS - EP”, October 17, 2018 at Station 3.

1. Jason Caulfield - (required to maintain certification, is a CME, no costs, not requesting use of District vehicle, 8 hours own time)
2. Alan Ferguson - (required to maintain certification, is a CME, no costs, not requesting use of District vehicle, 8 hours own time)
3. James McGoldrick - (required to maintain certification, is a CME, no costs, not requesting use of District vehicle, 8 hours own time)

B. “PALS”, October 24, 2018 at Station 3.

1. Christopher Weiner - (required to maintain certification, is a CME, no costs, not requesting use of District vehicle, 5 hours District time)
2. Alan Ferguson - (required to maintain certification, is a CME, no costs, not requesting use of District vehicle, 8 hours own time)
3. James McGoldrick - (required to maintain certification, is a CME, no costs, not requesting use of District vehicle, 8 hours own time)

**The following school requests require consideration by the Board of Fire Commissioners:**

- A. Chris Quinby: “ACLS Refresher”, December 7, 2018 at MLSS in New Windsor. (required to maintain certification, is a CME, \$125 registration, requesting use of District vehicle, 6 hours own time)

A motion was made by Comm. Valdez to approve that request. Seconded by Comm. Chiumento.

- Motion Carried, 4 – 1 (Comm. Seco voted no)

- B. “EMS Connections”, November 10, 2018 at Dutchess Community College.  
1. Joseph Palestro - (not required to maintain certification, is a CME, \$55 registration, meals provided, not requesting use of District vehicle, 13 hours own time)

A motion was made by Comm. Valdez to approve. Seconded by Comm. Adams.

- Motion Carried, 5 – 0

2. James Palmatier - (not required to maintain certification, is a CME, \$55 registration, meals provided, not requesting use of District vehicle, 13 hours own time)

A motion was made by Comm. Valdez to approve as read. Seconded by Comm. Chiumento.

- Motion Carried, 5 – 0

Director of EMS Violante submitted an additional school request for Conor Banta, volunteer from ROM for “EMS Connections”. (not required to maintain certification, is a CME, \$55 registration, meals provided, not requesting use of District vehicle, all his own time)

A motion was made by Comm. Valdez to approve as read by EMS Director Violante. Seconded by Comm. Chiumento.

- Motion Carried, 4 – 1 (Comm. Williams voted no)

**XII. ITEMS FOR EXECUTIVE SESSION**

- A. Chief Gallante – employment history of eight (8) individuals

With no further open business to discuss, a motion was made by Comm. Chiumento to adjourn to Executive Session. Seconded by Comm. Seco.

- Motion Carried, 5 – 0

The Board adjourned to Executive Session at 8:06 p.m.

### **XIII. EXECUTIVE SESSION**

The Board came out of Executive Session at 8:34 p.m. and returned to Open Session.

### **XIV. OPEN ITEMS**

As a result of Executive Session, a motion was made by Comm. Williams to approve the Stipulation of Agreement as follows:

WHEREAS, John R. Cox, is unable to perform the essential job functions of a firefighter/paramedic, with or without a reasonable accommodation, due to a non-work related medical condition;

IT IS HEREBY AGREED by and among the Arlington Fire District (hereinafter "District"), the Arlington Professional Firefighters Association, IAFF Local 2393 (hereinafter "Association"), and John R. Cox (hereinafter "Mr. Cox"), collectively referred to as "the parties" as follows:

1. Effective November 6, 2018 Mr. Cox shall perform light duty as assigned by the Fire Chief according to the following schedule:

Monday, Tuesday, Wednesday: 0700 to 1700  
Thursday: 0700 to 1900

The schedule shall be subject change at the Fire Chief's discretion.

2. While serving in a light duty capacity, he shall continue to receive his regular salary. Mr. Cox shall continue to receive the stipend for maintaining his paramedic certification while on light duty, but he shall not be required to maintain any of his medical certifications with the exception of CPR certification. Should Mr. Cox continue his certification(s), he may flex his schedule to accommodate such recertification(s).
3. The Chief or his designee shall collaborate with the Association over the details of the light duty assignment. Any light duty assignment shall be consistent with the medical documentation available to the District at the time the light duty is assigned.
4. Mr. Cox shall not be eligible for overtime with the exception of the two hour overtime provided for in the collective bargaining agreement, unless specifically authorized by the Chief or his designee.
5. After two years, the District maintains the right to evaluate the need for such work to be performed, as well Mr. Cox's medical condition and ability to perform such functions. The District maintains the right to terminate the light duty assignment after the two years provided that a minimum of ninety (90) days' notice is provided to Mr. Cox. The District agrees to discuss with the Union its decision to terminate the light duty assignment prior to any notification being sent to Mr. Cox.

6. Mr. Cox agrees to file for a regular service retirement with the NYSPFRS to be effective as of the date he completes twenty (20) years of service with the District should he remain employed by the District as of that date. Should he fail to file a regular service retirement with the NYSPFRS by the effective date he completes twenty (20) years of service with the District, the District shall be permitted to accept the letter of resignation attached hereto as Appendix "A."
7. Mr. Cox shall not be eligible for the "Early Retirement Incentive" set forth in Article XXXVII of the 2016-2021 collective bargaining agreement. Mr. Cox shall be eligible for a payout of unused sick leave, up to a maximum of 2880 hours, at 25% of its value. There shall be no cash value for any other leave accruals upon separation from service.
8. Any dispute relative to the terms of this Agreement shall be processed as a Step 3 grievance under the collective bargaining agreement, and may be initiated by either the District or the Association.
9. This Agreement shall not be precedent setting and may not be introduced by any party as evidence of a past practice. Additionally, both the Union and the District agree not to raise, in negotiations, that: a) the District provided Mr. Cox with a light duty assignment; or b) the benefits provided for in this Stipulation of Agreement.
10. This Agreement shall be subject to the approval of the Board of Fire Commissioners and the Association.

DATED: November 5, 2018

Seconded by Comm. Adams.

- Motion Carried, 5 – 0

As a result of Executive Session, a motion was made by Comm. Adams that the District enter into Stipulation Agreement with Local 2393 providing that Master Fire Equipment Mechanic Thomas J. Burke Jr. shall be permitted to carryover up to seventy (70) hours of vacation from his 2018 allotment into the 2019 fiscal year. Such carryover hours must be used by no later than December 31, 2019; otherwise, such hours shall be forfeited. The agreement will further provide that both parties agree that the terms of this Stipulation may not be introduced as past practice or precedent and is subject to this Board's approval. Seconded by Comm. Seco.

- Motion Carried, 5 – 0

As a result of Executive Session, a motion was made by Comm. Williams to make a provisional promotion appointment of William Tompkins to Fire Lieutenant at a date to be determined by the Chief, with a leave of absence from his current position as Firefighter. Seconded by Comm. Adams.



- Motion Carried, 5 – 0

With no further business to conduct, a motion was made by Comm. Seco to adjourn the meeting. Seconded by Comm. Williams.

- Motion Carried, 5 – 0

Meeting adjourned at 8:41 p.m.

Respectfully Submitted,

Renee O’Neill  
District Secretary



# BOARD OF FIRE COMMISSIONERS MEETING PUBLIC ATTENDANCE SHEET

NOTE: This sheet will be attached to the Board of Fire Commissioners meeting minutes as part of the official record. If you agree to have your name as part of the official record and published on our website, please legibly print your name below. Thank you.

DATE OF MEETING: 11-5-18

ELI SLOVES	
Tommy FERRARI	
JIM BERETTA	
JOHN RICHARDSON	