

REGULAR MEETING

SOUTHAMPTON FIRE DISTRICT

AUGUST 9, 2007

A Regular Meeting of the Board of Fire Commissioners of the Southampton Fire District was called to order by Chairman Grisnik in the Library of the Tuckahoe School, 468 Magee Street, Southampton, New York, in accordance with the notice provided to the news media, copy of which is attached hereto. The meeting opened at 7:32 PM with the salute to the flag followed by a moment of silence.

**PRESENT:** Commissioners Robert Grisnik, W. Mark Press, David Price, Harald Steudte, Tom White, Treasurer Michael Hadix and Secretary Nicole Hadix

**GUESTS:** Southampton Fire Department Chief Joe Corr, 1<sup>st</sup> Assistant Chief Roy L. Wines IV and 2<sup>nd</sup> Assistant Chief Rodney C. Pierson. Also in attendance were Samuel Dimon, Rodney B. Pierson, Bill Mulvey, Teri Westerhoff, Matt Shimkus, Danielle Raynor, Pete Kirwin, Robin Owens, Tristan Glanz, Fred Andrews, Pat & Herb Raynor, plus 3 other guests.

**Chief's Report** – Chief Pierson supplied 3 reports for this month. He reported 67 calls for the month and 525 calls to date for the year. He said this has been a very busy year so far. The third report breaks down the calls for the month between the village (30 calls), the town (34 calls) and the reservation (0 calls), and 2 mutual aid calls.

Commissioner Press discussed an issue regarding the Secretary hand delivering a message to Village Hall for the Chiefs. He stated the message was received on July 6<sup>th</sup> and as per the policy of the Fire District it was put in writing and delivered to the clerk's office at Village Hall on July 9<sup>th</sup>. Commissioner Grisnik asked for a copy of the Chief's report in writing. He asked, in the future the board be supplied with a copy at the meetings. Chief Pierson gave us his copy for our records.

**Public Participation** – Robin Owens asked if the Fire District was established for the purpose of improving fire protection and decreasing cost to taxpayers. Commissioner Grisnik stated the purpose was to form a new Fire District. Ms. Owens asked how the District is saving taxpayer's money when we have a contract with the Village. Commissioner Grisnik answered the tax rate is the same; there has not been an increase. The District has been able to negotiate a contract with the Village that saves the District money and has excess funds in the treasury. Ms. Owens asked about the District hiring a PR firm, purchasing property and drawing plans for a new fire house; how is that saving money. Commissioner Grisnik stated there are no plans to build a fire house. The District is in contract to purchase a piece of property for the future. He stated again the District is holding the tax rate the same and accumulating money for the District to use for other purposes. If the District finds a surplus of money at the end of the year, that could affect

the tax rate. Ms. Owens said the public voted no on the purchase of property. Commissioner Grisnik said a vote to float a bond to purchase property was turned down. Ms. Owens stated she doesn't feel the board has the right to purchase the property. Commissioner Grisnik stated the board voted to purchase the property which it has the right to do and at this time has the money to do. At the time of the bond vote, the District did not have the funds to purchase the property. He stated when the board passed the resolution to purchase the property there was a 30 day period of time for the public to object to the resolution via petition. Legally the District had to notify the public which it did by submitting a legal notice to the Southampton Press. Ms. Owens then asked how the District plans to man a fire department. Commissioner Grisnik stated there are no plans to man a fire department or even have a fire department at this time.

Bill Mulvey asked if there was an increase in tax money the first year the District was in place. Commissioner Grisnik stated there was a slight increase then due to the town's mistake in the way they calculated the figures. It was not due to the Fire District.

Rodney Pierson asked what meetings have taken place with the village. Commissioner White stated they met two weeks ago with the three Fire Chiefs and Mr. Robinson, as a representative of the Village. The month before the Board and the three Fire Chief met at Tuckahoe school. The Fire District Board and the Fire Chiefs have agreed to meet on the 4<sup>th</sup> Thursday of each month. Commissioner White said he emailed the list of questions from the Chiefs to the District's attorney for answers to the Chief's concerns. Next the attorneys for the Village, Town, and Fire District have to meet and discuss changes which are necessary for unification. Then the legislators have to become involved, Mr. Thiele and Mr. Lavalley have been notified. The plan is for all the meetings to take place this fall so the legal work can be done in the spring. Mr. Pierson stated he was glad to hear the District is making progress but asked why the information wasn't being made more public. Commissioner White said this board has always been open to the public, he suggested if there was a problem with communication it was within the ranks of the fire department. He stated it was time to have a meeting with the membership in the near future as soon as the Chiefs are satisfied with the answers to their concerns.

Fred Andrews asked about the lawsuit which the Board has pending against the Village and how this ties into unification. His view is if unification is ultimately going to succeed, good will is necessary among all parties. This lawsuit is not conducive to creating good will. He stated if the lawsuit were dropped that would be a positive gesture of the part of the Fire District. Commissioner Grisnik said the Board would take his suggestion into consideration. He agrees there has to be a cordial relationship between the two boards for unification to succeed.

Bill Mulvey asked about land in Water Mill. Commissioner Grisnik stated the Board is looking into property in Water Mill.

Peter Kirwin asked if the District had obtained its own radio frequency. Commissioner Press said he researched the local frequency and found it is owned by the Village and cannot be transferred to the District. He stated the Board has asked Eastern Long Island Electronics for the procedures regarding how to get frequencies if needed for the District. Commissioner Press said Eastern Long Island Electronics informed the Village that one of the frequencies they are using is the highway department frequency as an emergency channel and the better alternative would be for the frequency to be solely used for the fire

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service. Chief Wines said they no longer use that frequency. Chief Pierson said Eastern Long Island Electronics should not be talking to the Board regarding the fire departments frequencies. Mr. Kirwin asked if the Fire District had building plans for a fire house. Commissioner White stated there were no plans. Commissioner Grisnik stated the board had no formal plans but Commissioner Steudte would explain recent happenings. Commissioner Steudte explained the District is involved with the community service worker program. He recently came across a gentleman with 47 hours of service who was an architect. He asked if he could draw a plan for a firehouse, he did. The District does have an outline of a floor plan, a general working plan. Commissioner Steudte said he mentioned at a public meeting at the fire department about having some plans. However, he said the entire Board has not seen them at this time.

Robin Owens asked why that wasn't considered a plan for a fire house, why one Board member is saying there are no plans and another is saying there are plans. She feels the Board is hiding something. Commissioner Steudte said he is not hiding anything, all of the Board members have not seen the plans at this time. He will be happy to bring them to the next meeting for everyone to view. Peter Kirwin said he wasn't trying to stir up trouble; the end result he is hoping for is to keep the fire department together. Commissioner Steudte said that is what the Board wants too. One fire department and the Village removed from the fire business altogether.

Rodney Pierson questioned Mr. Steudte's comment regarding the Village. Commissioner Grisnik said he isn't talking about dissolving the Fire Department just that the Village would not run the Fire Department. If the new District is formed the five new Commissioners would run the Fire Department, not the Village Trustees. Mr. Pierson said that made sense but he doesn't see the Village giving up the fire department. It will require many hard negotiations with this Board, the three Chiefs and the Village Trustees. Commissioner Grisnik said there are still many questions to be answered, and then the Board can ask the Village if they would have a vote in the village for unification. Mr. Pierson asked if the Village Trustees are shooting straight or are they just placating the Board. Commissioner Grisnik stated at this time this Board has not spoken to the Village Board, only the Village Fire Trustee. Mr. Pierson asked if it would be advantageous to have a few fire department members approach the Village and ask them to get the process going. He said he could see this drag on for the next 2 ½ years. Commissioner Grisnik stated the Board has not discussed that option and has not formed that opinion at this time. Commissioner Grisnik said the Board is still getting information from the lawyers and hope to have formal talks between the two Boards in the fall. The Board is waiting for the answers to the Chief's questions from the lawyer for the next meeting in two weeks. He said there have been too many miscommunications; we need to move slowly and cordially to negotiate this deal. Some people are concerned about the lawsuit holding up this deal that is something this Board will consider.

Chief Wines asked if this Board will have a vote with District members for unification. Commissioner Grisnik stated they will do whatever the law says. Chief Wines said if the law says you do not have to do it, will this board do it? Commissioner Grisnik said this issue has been discussed but no formal decisions have been made.

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Danielle Raynor asked what will happen to the property the District is in contract to purchase if unification does not happen. Commissioner Grisnik said the property will be owned by and be an asset to the Southampton Fire District.

Chief Wines speaking as a taxpayer asked are there plans to lower the tax rate for next year and in the future. Commissioner Grisnik said that is something the Board will decide at budget time. It will be decided what money is needed to run the Fire District, if we can decrease the tax rate, the Board will consider that. Chief Wines asked if the public can be involved in that budget. Treasurer Hadix stated the District is required by law to have a public budget hearing.

Chief Pierson speaking as a tax payer asked what is the breakdown between the Fire District and the Town of Southampton; who is responsible for what. Commissioner Grisnik stated the Southampton Fire District is a self controlled entity; the five Commissioners make all the decisions for the Fire District. As far as unification, the Town and the Fire District and the Village have to get together. Commissioner White stated the new fire district would have to be approved by the Town Board and Town attorneys. Commissioner Grisnik stated since the Town is the governing body of this area, the Town must be involved in formulation of the new District. Commissioner Price said if the Village votes to unify, then this board dissolves, the Town then creates a new Southampton Fire District Board with the boundaries inclusive of the Village. Therefore the idea of a District vote may not have to take place. Chief Wines said his concern is if the Village votes no for unification would this Board take the voice of the taxpayer into consideration. Commissioner Price said that in his opinion, the Board has done that. That is why the District is building reserves so that if the time comes, then the Fire District can supply cheaper fire protection to the District residents. Commissioner Price said this board has been fighting the Village through negotiations and we have been able to save money and build reserves for the District. The Village charges of 1.2, 1.3 million dollars keeps going up. Chief Wines stated we are still paying 1.6 million dollars in taxes. Commissioner Price said yes but in the few years the District has been in existence you now have equity in a piece of property, the Fire District Board has built those reserves for the District taxpayers. The District is now looking into property in Water Mill. In the same number of years, what has the Village done for the fire department and the taxpayers? Commissioner Price suggested asking the same questions to the Village Board.

Robin Owens asked if we are planning for the future and have a fire department that works fine, why have another fire house. Wouldn't affordable housing be a better plan for this site then another fire house? Commissioner Price stated the Village has its own plans for affordable housing. There is another 3 acre parcel next to the one in contract. If all plans fall into place, as far as long term planning goes, the District thinks it would be a good idea to have housing there. However, that would be easier to accomplish if the District's tax base was inclusive of the Village. Commissioner Price said if the Village taxpayer is charged the same tax rate as the District, the budget would double. He also stated the tax rate is basically the same as North Sea.

Commissioner Steudte stated one concern for the future is from the presentation Chief Wines made regarding the new fire house. The cost would be 5 to 8 million dollars. That cost will be passed onto the Fire District taxpayers by the Village increasing the tax rate.

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This District is trying to provide a more stable tax rate. Chief Pierson said you can't prove that, the Village might not pass on the cost. Commissioner White said history can prove that they will pass on the cost. Chief Pierson stated they don't have to pass it on. Commissioner Price stated it is their job to pass on the cost.

Tristan Glands asked if the Village and Fire District do not unite within the 2 ½ years, what will happen. Will the District negotiate a new contract with the Village or separate? Commissioner Grisnik said they do not have an answer at this time. The Board will make a decision before the current contract expires. The Board will make plans based on what they feel is best for this Fire District.

Chief Corr apologized for being late, he was at another meeting. He supplied a letter to the Board and stated the Chiefs are moving forward with unification. Commissioner Grisnik read the letter out loud. (A copy is included herein). Commissioner Grisnik said the Board is awaiting information from its lawyer and hopes to answer the Chiefs questions at their next meeting in two weeks. Commissioner Stuedte asked about the LOSAP program; which was raised in the letter from Chief Corr. Are the retroactive points for fire department members about the points themselves or about the monetary value of the points? Chief Corr said he is currently talking to Maran Insurance about this issue and doesn't have the answers at this time. Commissioner Steudte said he heard of a lawsuit filed by over 65 year olds regarding LOSAP and believes the plaintiffs won, stating they were entitled to money retroactively. He feels due to this court decision, the Village would have to pay. Chief Corr stated he doesnt know of any lawsuit within the Village area regarding this issue.

Herb Raynor questioned his entitlement benefits Annual Summary of Benefits. He claims the information on the paperwork is not correct. He doesn't understand the forms and would like some help. Commissioner Grisnik said he needs to talk to the Chiefs and the Village administrator. Chief Corr stated he has to go to his company representative with his questions.

Chief Corr apologized, he understands Chief Wines has talked to Maran and has some updated information. Chief Wines said last year the Village approved raising the points to 30 dollars. They also approved to raising the entitlement age to pass 65, so there is no limit on the age at which you can accumulate points. Next, through Maran insurance and the Village, each fire department member will be contacted and they will be given the correct dollar amounts for past years (\$20) and for present years (\$30). So all fire dept members will get dollars for their points, past and present.

A motion was made by Mr. White and seconded by Mr. Press to accept the minutes of the Regular Meeting of July 12, 2007. The motion was approved by the following vote:

Mr. Grisnik	Aye	Mr. Steudte	Aye
Mr. Press	Aye	Mr. White	Aye
Mr. Price	Aye		

VH4-74

A motion was made by Mr. Steudte and seconded by Mr. Price to approve the eighteen vouchers presented by Treasurer Hadix for payment. The motion was approved by the following vote:

Mr. Grisnik	Aye	Mr. Steudte	Aye	
Mr. Press	Aye	Mr. White	Aye	
Mr. Price	Aye			<u>VH4-75</u>

The Treasurer's Report was reviewed (a copy attached herein). A motion was made by Mr. Price and seconded by Mr. Steudte to accept the Treasurer's Report as presented. The motion was approved by the following vote:

Mr. Grisnik	Aye	Mr. Steudte	Aye	
Mr. Press	Aye	Mr. White	Aye	
Mr. Price	Aye			<u>VH4-76</u>

The Treasurer noted that current funds maintained in the General District Fund are intended to be used towards the purchase of property on North Sea Road; that is currently in contract.

The Secretary reviewed the correspondence sent and received over the last month. A list is attached herein.

#### Committee Reports

Fire District Budget – Treasurer Hadix stated the Board is required to have a budgetary hearing in October. The budget would be due to the town in November.

Fire Protection Contract – Within the first year of a 3 year contract.

Long Range Planning – Currently working with Chiefs and Village on long range planning for this District.

Wells, Hydrants & Water Mains – Commissioner Press said most of the wells and hydrants have been painted and cleaned. Four electric deep wells have been removed. The project on Rose Hill Road will begin within the next 60 days; the project is to install water mains on Rose Hill Road, Rose Hill Lane, and Rose Hill Court to the end. There is a homeowner on Crescent who wishes to have public water installed. This Board has asked the Planning Board to install water on Halsey Lane to David's Lane to Crescent Lane. There is a problem in this area with contaminated wells. The SCWA has installed filters on six homes in this area which are contaminated with MTBE. The town may have to step in and insure this area gets public water.

The Board has on file a proposal to extend the water main on North Magee Street by 350 feet. We also have a proposal from the SCWA for the District to add another 350 feet to this main on North Magee bringing the water closer to Whites Lane.

Commissioner Press said the hydrants on Country Club Drive, Knollwood Drive, Overlook Drive, Underhill Drive and Terrace Drive are all operational.

Commissioner Press stated SCWA is having trouble on Cold Spring Point Road. A hydrant was placed on homeowner's property rather than on the road. The SCWA has an agreement with the homeowners association that the association would maintain the hydrants within the development. This has not been done so the SCWA is stepping in and will also have to move the hydrant which is on private property.

Commissioner Press said the District only has six blue and white posts left; more will have to be ordered for any new hydrants to be installed within the District.

Chief Wines asked about information regarding the college. Commissioner Press said the District wrote a letter to the college asking them for a meeting and we have not received a response at this time. The SCWA is supplying water to the college system. Chief Wines asked what size mains are on the college property. Commissioner Press said he believes they are 6 or 8 inch. He said Mr. Miller told him the hydrants are connected to public water without an RPC valve. Chief Corr said he was told by the company which maintains the valve that there is an RPC valve used at the college. Commissioner White said maybe the RPC valve is used to supply the buildings; not the hydrants. Commissioner Press said there are two systems at the college, he will double check the information.

Commissioner Press asked if any of the Chiefs had a chance to test the electric deep well on Highland Road. The Chiefs responded not at this time but they will.

Commissioner Grisnik asked if the Board needed to pass a resolution tonight for the water main extension on North Magee. Commissioner Press said we were waiting on the proposal from Mr. Glass. He asked the Secretary if we had received it yet. The Secretary responded no. That proposal will be held off until next month.

Chief Wines asked if there was any news on the North Sea Mecox / Majors Path plan. Commissioner Press said the SCWA has extended the time to keep the quoted price. Commissioner Steudte said he has been going from door to door starting at corner of North Sea Road and North Sea Mecox. Some homeowners said they are moving other just put in a new well so they are not interested. Next he will work on east side of Major's Path. Commissioner Steudte said most people's responses have been positive. He feels we are close to the number needed to bring public water to this area. He stated the tapping fee for this project is \$950 and \$425 to initiate the process. Then the homeowner has to pay to get the water to their house. He will keep the Board updated.

Old Business – Commissioner Grisnik said the Board would review and compare the adopted version of the Code of Ethics with the recommendations from Mr. Glass for next months meeting.

New Business – The Treasurer stated he received a notice of an upcoming seminar sponsored by New York State entitled "What's New and Important". The seminar is scheduled for Thursday September 6, 2007. Items included in the seminar are budget process and LOSAP regulations and requirements. The Commissioners will decide if they can attend this seminar. Commissioner Press stated the town recently passed a resolution to change the name of Shinnecock Hills Road. The new names are Shinnecock Hills Road, Shinnecock Hills Road

West and Shinnecock Hills Road Extension. There are other roads with the same problem that the town is going to address.

Commissioner Steudte stated he attended the Planning Board meeting earlier this evening. Chief Pierson asked if the Districts financial report could be made available to the public at the meetings. Commissioner Girsnik stated the reports would be made available after they have been approved by the Board.

A motion was made by Mr. Steudte and seconded by Mr. Price at 9:00 PM to recess to executive session to discuss budgetary matters. The motion was passed by the following vote.

Mr. Grisnik	Aye	Mr. Steudte	Aye	
Mr. Press	Aye	Mr. White	Aye	
Mr. Price	Aye			<u>VH4-77</u>

A motion was made by Mr. Steudte and seconded by Mr. Press at 9:31 to adjourn the executive session and return to the regular meeting. The motion was passed by the following vote.

Mr. Grisnik	Aye	Mr. Steudte	Aye	
Mr. Press	Aye	Mr. White	Aye	
Mr. Price	Aye			<u>VH4-78</u>

A motion was made by Commissioner White, seconded by Commissioner Press, and carried unanimously, that the following resolution be adopted, effective immediately:

WHEREAS, the Southampton Fire District initially adopted a budget for fiscal year 2005 during September, 2004; and

WHEREAS, the budget then adopted, contained the budgeted sum of \$300,000.00 for the Capital Reserve Funds of the Fire District; and

WHEREAS, the budget, as adopted, did not take into consideration the additional sum of \$467,132.00, which sum represented the balance of funds (or surplus) from the 2004 fiscal year; and

WHEREAS, the Board of Fire Commissioners, as permitted by law, did deposit said sum into the Fire District Capital Reserve Funds during 2005;

NOW THEN, BE IT RESOLVED, that pursuant to the General Municipal Law and the Town Law of the State of New York: The Southampton Fire District budget for fiscal year 2005 is hereby amended and modified, *nunc pro tunc*, to reflect the modified budgetary amount for Capital Reserve in the amount of \$767,132.00.

VH4-79



A motion was made by Commissioner Steudte, seconded by Commissioner Price, and carried unanimously, that the following resolution be adopted, effective immediately:

WHEREAS, the Southampton Fire District initially adopted a budget for fiscal year 2006 during September, 2005; and

WHEREAS, the budget then adopted, necessarily was based upon estimated expenses and revenues; and

WHEREAS, during the course of fiscal year 2006 certain budget lines were deviated from in the normal course of business; and

WHEREAS, the Board of Fire Commissioners desires that its fiscal reporting, at all times, be accurate and correct;

NOW THEN, BE IT RESOLVED, that pursuant to the General Municipal Law and the Town Law of the State of New York: The Southampton Fire District budget for fiscal year 2006 is hereby amended and modified, *nunc pro tunc*, to reflect the modified budget amounts as set forth in the document annexed hereto, titled: "Southampton Fire District Budgetary Comparison Schedule Year Ended December 31, 2006."

VH4-80

Treasurer Hadix stated the Board is required to review yearly their investment and procurement policies. At this time the Treasurer does not recommend any changes take place.

A motion was made by Mr. Press and seconded by Mr. White to continue the investment and procurement polices as the Board has done in the past year.

Mr. Grisnik	Aye	Mr. Steudte	Aye
Mr. Press	Aye	Mr. White	Aye
Mr. Price	Aye		

VH4-81

Chairman Grisnik declared the meeting adjourned at 9:35 PM.

Respectfully submitted,  
Nicole Hadix  
Secretary