

Minutes of the Regular Meeting, Monday, February 5, 2024

The Chairman, Commissioner Raymond, called the Meeting to order at 7:00 P.M with a salute to the flag led by the District Secretary.

**PRESENT WERE:** Commissioner Ralph Raymond, Commissioner Robert Schmidgall, Commissioner James Maroldo, Commissioner Sean Abrams, Commissioner Frank Nocerino, District Superintendent Edward Kraus, Secretary Nicholas Paolucci, Treasurer Kevin Frank, Deputy Treasurer Lisa-Lang Gross, Fire District Attorney Joseph Frank, Chief Frascella, Chief Licata, and Chief Ferrante. Excused was Chief Timpano.

**ALSO PRESENT WAS:** Captain Schmidgall, Lieutenant Archipolo, and Lieutenant Gentile.

Upon motion made by Commissioner Maroldo and seconded by Commissioner Abrams it was:

**RESOLVED** that the minutes of the Organizational meeting on Monday, January 3, 2024 be accepted as printed and submitted by the secretary.

The motion was voted upon and carried.

Upon motion made by Commissioner Maroldo and seconded by Commissioner Abrams it was:

**RESOLVED** that the minutes of the Regular meeting held on Monday, January 3, 2024, be accepted as printed and submitted by the secretary.

The motion was voted upon and carried

Upon motion made by Commissioner Abrams and seconded by Commissioner Schmidgall it was:

**RESOLVED** that the schedule of unpaid bills, claim/check #'s as listed below and prepared by the secretary, Have been audited for the period January 1, 2024, to February 5, 2024, and the fiscal officer has approved to pay such claims.

BNB Gen Checking – Check #'s 45007 thru 45089

BNB Payroll – Check # 141

BNB Cr# 1 – Check #'s None

BNB Cr# 2 - Check #'s 115 thru 117

FB Gen Checking – Check #'s 51 thru 52

Headquarters Bond - None

The motion was voted upon and carried.

Two proposed member(s) for the North Massapequa Fire Department appeared before the Board:

Steven Zacharevitz Firefighter Company 3, North Massapequa

Timothy Gilroy Fire-Medic Company 3, North Massapequa

Members of the Board of Fire Commissioners explained to the prospective members their duties and Obligations as a member of the Volunteer Fire Service.

Commissioner Nocerino explained to the prospective members the insurance benefits as offered by the district along with an explanation of the districts LOSAP program. District's Insurance Coverage. Details of personal automobile insurance were also explained.

Upon motion made by Commissioner Maroldo and seconded by Commissioner Abrams it was:

**RESOLVED** that the application of Steven Zacharevitz Firefighter Company 3, North Massapequa, be accepted for membership and be assigned in accordance with the district's policy and procedure.

The motion was voted upon and carried.

Upon motion made by Commissioner Abrams and seconded by Commissioner Nocerino it was:

**RESOLVED** that the application of Timothy Gilroy Fire-Medic Company 3, North Massapequa, be accepted for membership and be assigned in accordance with the district's policy and procedure.

The motion was voted upon and carried.

**Commissioner Raymond** New referendum date 3-19. Landscape trailer sold and gone. Large trailer sold needs to be picked up. New Polaris trailer picking up this week. Old Chiefs car Auction International. New 661 progress color submitted no issues thus far. 665 deficiency list send to Frank and I. Video wall installed Furniture be in this week for EOC room. EMS On boarding complete follow-up this month.

Upon motion made by Commissioner Raymond and seconded by Commissioner Nocerino it was:

**RESOLVED** that the NORTH MASSAPEQUA FIRE DISTRICT in the Town of Oyster Bay, County of Nassau, State of New York, calling for a mandatory referendum on the proposed purchase of One Spartan Pumper and One Pierce Ladder Truck Fire Apparatus through the use of an installment purchase contract in accordance with Section 109-b of the General Municipal Law to be held on Tuesday, March 19, 2024, directing publication of notice of election, and determining other matters in connection therewith; and

**WHEREAS** the NORTH MASSAPEQUA FIRE DISTRICT finds it necessary to purchase One Spartan Pumper and One Pierce Ladder Truck Fire Apparatus using an installment purchase contract due to the firefighting and emergency service needs of the Fire Department and Fire District and the funds available to purchase such equipment; and

**WHEREAS**, the BOARD OF FIRE COMMISSIONERS has determined that such purchase will enable the Fire District to better serve the firefighting and emergency service needs of the residents and taxpayers of the NORTH MASSAPEQUA FIRE DISTRICT; and

**WHEREAS** the BOARD OF FIRE COMMISSIONERS previously in 2023 obtained voter approval to enter into an installment purchase contract to purchase One Spartan Pumper and One Ferrara Ladder Truck Fire Apparatus, and later entered into a contract based upon that authorization, and

**WHEREAS** the BOARD OF FIRE COMMISSIONERS was later advised that the Ferrara Ladder Truck could not be delivered in a timely matter and that it would be necessary to substitute a Pierce Ladder Truck for the Ferrara Ladder Truck after negotiating a change in terms of the contract to purchase the vehicle and the contract to finance the purchase, and

**WHEREAS**, the BOARD OF FIRE COMMISSIONERS of the NORTH MASSAPEQUA FIRE DISTRICT has obtained a quote for the purchase of such equipment from Spartan and Pierce manufacturers based upon piggyback bidding permitted under General Municipal Law §103 through the Houston Galveston Area Council purchasing cooperative and for the financing of an installment purchase contract from 911 Leasing.com/ Republic First National, and

**WHEREAS**, the down payment for the purchase of the two vehicles will remain the same but the financing will change such that first installment financing total for April 4, 2023 will be for \$1,293,982.00 and the additional installment financing will be for an additional \$523,132.00 both financed over a ten (10) year period such that the payment every six (6) months will change from \$85,762.21 to \$120,529.97 based upon a blended interest rate considering the rate for the new sum to be 5.4% subject to market fluctuation that may occur in the time it takes to complete the mandatory referendum process, same being based upon the following:

One Spartan Pumper:

Purchase Price:	\$ 818,114.00
Down Payment:	<u>\$ 300,000.00</u>
Balance to be financed:	\$ 518,114.00

One Pierce Ladder Truck:

Purchase Price:	\$2,199,000.00
Down Payment:	<u>\$ 900,000.00</u>
Balance to be financed:	\$ 1,299,000.00

Total Cost:	\$3,017,114.00
Total Down Payment:	<u>\$1,200,000.00</u>
Total to be financed:	\$1,817,114.00

The cost of the One Spartan Pumper and One Ferrara Ladder Truck Fire Apparatus prior to financing being \$3,017,114.00 with an offer from 911 Leasing.com/Republic First National to finance \$1,817,114.00 of the purchase price through an installment purchase contract based upon a plan to pay \$1,200,000.00 as a down payment from reserves and to finance the remaining cost of the two trucks in the amount of \$1,817,114.00 with the pricing stated above.

**WHEREAS** the BOARD OF FIRE COMMISSIONERS of the NORTH MASSAPEQUA FIRE DISTRICT previously employed Munistat to evaluate the financing terms in 2023, but must adjust the terms of financing as stated above in accordance regulations adopted under Section 109-b of the General Municipal Law, and

**BE IT RESOLVED**, that the NORTH MASSAPEQUA FIRE DISTRICT shall purchase the above-described One Spartan Pumper and One Pierce Ladder Truck Fire Apparatus by use of an installment purchase contract based upon the lump sum purchase price of \$3,017,114.00 submitted by Spartan and Pierce through the Houston Galveston Area Council purchasing cooperative and shall utilize an installment purchase contract over a Ten (10) Year Term based upon the quote provided by 911 Leasing.com/ Republic First National which takes into account a plan to finance a part of the purchase price totaling \$1,817,114.00 by the installment purchase contract or such other lender offering more favorable terms subject to applicable financial market forces since such quotes may be subject to renegotiation given the time required to hold this mandatory referendum; and

**BE IT FURTHER RESOLVED** that the BOARD OF FIRE COMMISSIONERS of the NORTH MASSAPEQUA FIRE DISTRICT reserves the right to purchase all or a portion of the equipment directly under

the purchasing cooperative lump sum price without the use of installment purchase financing, and that to the extent that it does so, the equipment amount, and cost may be reduced for this installment purchase contract, and the corresponding annual installment payment will be reduced; and

**BE IT FURTHER RESOLVED** that the NORTH MASSAPEQUA FIRE DISTRICT shall conduct a mandatory referendum on March 19, 2024, between the hours of 6:00 p.m. and 9:00 p.m. to determine whether the Board of Fire Commissioners may purchase such One Spartan Pumper and One Pierce Ladder Truck Fire Apparatus by use of an installment purchase contract; and

**BE IT FURTHER RESOLVED**, that such mandatory referendum of the registered voters of the NORTH MASSAPEQUA FIRE DISTRICT, in the Town of Oyster Bay, County of Nassau, State of New York, shall be held at the North Massapequa Fire District Building located at 960 Hicksville Road, Seaford, New York, commencing at 6:00 p.m., prevailing time, on March 19, 2024, and the polls shall remain open until 9:00 p.m., prevailing time, that evening or as much longer as may be necessary to enable the voters then present to cast their votes; and

**BE IT FURTHER RESOLVED** that the Proposition to be submitted to the registered voters shall be by voting machine or by paper ballot and the Fire District Secretary is hereby authorized and directed to have the necessary machines and ballot strips and/ or paper ballots prepared for said use; and

**BE IT FURTHER RESOLVED** that the Fire District Secretary is hereby authorized and directed to give notice of said mandatory referendum; and

**BE IT FURTHER RESOLVED** that the Chairman, Election Inspectors, and Ballot Clerks for said mandatory referendum (hereinafter referred to as Election Board) shall be the resident electors of the fire district named to serve in those capacities in the separate resolution adopted by the Board on this same date, and that they shall receive as compensation that amount specified in said resolution described above; and

**BE IT FURTHER RESOLVED** that the Election Board shall meet at the North Massapequa Fire District Building, located at 960 Hicksville Road, Seaford, New York on March 19, 2024, between the hours of 3:00 p.m. and 6:00 p.m., to commence preparation of the rolls of registered voters for said mandatory referendum; and

**BE IT FURTHER RESOLVED**, that in preparing such register, the Inspectors of Election shall comply with the following procedure:

- (a) They shall adopt, use, or copy from, the registration list certified and supplied by the County Board of Elections the names appearing thereon of all persons residing in the Fire District and qualified to vote in such forthcoming Fire District election.
- (b) The register for the Fire District shall include as a minimum the space for the name of the voter, his address within the Fire District and a space for his signature to be signed by the voter on election day; and
- (c) The Fire District Secretary shall furnish the Inspectors of Election, at Fire District expense, with all necessary registration books, papers, equipment, and supplies.

**BE IT FURTHER RESOLVED** that the Proposition to be submitted to the voters of the NORTH MASSAPEQUA FIRE DISTRICT shall be in the following form:

"SHALL THE RESOLUTION OF THE NORTH MASSAPEQUA FIRE DISTRICT IN THE TOWN OF OYSTER BAY, COUNTY OF NASSAU, STATE OF NEW YORK, ADOPTED BY THE BOARD OF FIRE COMMISSIONERS OF THE NORTH MASSAPEQUA FIRE DISTRICT ON FEBRUARY 5, 2024 AUTHORIZING AND EMPOWERING THE PURCHASE OF ONE SPARTAN PUMPER AND ONE PIERCE LADDER TRUCK FIRE APPARATUS BASED UPON AN INSTALLMENT PURCHASE CONTRACT CALLING FOR THE PAYMENT OF THE SUM \$1,200,000.00 FROM THE FIREMATIC EQUIPMENT CAPITAL RESERVE FUND AND FINANCING THE BALANCE SUM OF \$1,817,114.00 BY FINANCING SAID AMOUNT OVER A TEN (10) YEAR TERM OF LEVEL PAYMENTS AT A BLENDED INTEREST RATE OF 3.99 % FROM THE PRIOR APPROVED FINANCING AND THE NEW INTEREST RATE OF 5.40% RESULTING IN TEN (10) ANNUAL PAYMENTS EACH IN TWO INSTALLMENTS OF \$120,529.97 WITH THE SAID ANNUAL PAYMENT AND INTEREST RATE SUBJECT TO CHANGES AS FINANCIAL MARKET FORCES WILL REQUIRE GIVEN THE TIME NECESSARY TO HOLD THIS MANDATORY REFERENDUM IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 109-B OF THE GENERAL MUNICIPAL LAW AND FURTHER EVALUATION OF FINANCING ALTERNATIVES, AND THAT THE ANNUAL SPENDING LIMITATION OF THE FIRE DISTRICT SET UNDER SECTION 176 OF THE TOWN LAW BE RAISED BY THE AMOUNT OF SUCH ANNUAL PAYMENT FOR SUCH TEN (10) YEAR PERIOD, BE APPROVED?"

**BE IT FURTHER RESOLVED** that the Secretary shall publish and post legal notices as required by law and that such a proposition be submitted to the registered voters at such a special election.

The motion was voted upon and carried.

Upon motion made by Commissioner Nocerino and seconded by Commissioner Raymond it was:

**RESOLVED**, the regulations adopted by the Office of the State Comptroller under Section 109-b of the General Municipal Law require that a Board of Fire Commissioners in a Fire District shall conduct an analysis or an evaluation of financing alternatives before it shall adopt a resolution authorizing an installment purchase contract; and

**WHEREAS** these regulations further provide that such evaluation shall set forth the financing alternatives considered, and the criteria used to evaluate these alternatives, and that the evaluation shall also contain written documentation substantiating the estimates required to be included in the evaluation pursuant to this section; and

**WHEREAS**, at a minimum, the evaluation of financing alternatives must contain the following:  
(a) a statement indicating the estimated cost of each capital improvement to be financed, exclusive of the cost of financing.

(b) a statement indicating whether the proposed capital improvements may be financed with indebtedness issued under the Local Finance Law and if not, the specific reasons why such financing is not authorized;

(c) if the capital improvements may be financed with indebtedness, a statement indicating the estimated total cost of the capital improvements, inclusive of the cost of financing, if financed pursuant to the Local Finance Law.

(d) a statement indicating the estimated total cost of the proposed capital improvements, inclusive of the cost of financing, if financed pursuant to an installment purchase contract.

(e) a comparison of the estimated total costs required by subdivisions (c) and (d) of this section; and

(f) a recommendation as to whether it is in the best interests of the political subdivision to finance the capital improvements pursuant to the Local Finance Law or pursuant to an installment purchase contract and the specific reasons for such recommendation.

**IT IS HEREBY DETERMINED AND RESOLVED AS FOLLOWS:**

1. Under Section 11.00 of the Local Finance Law, a period of probable usefulness is set for fire apparatus [20 years] and exceeds the Ten (10) years proposed for the installment purchase contract to acquire this apparatus.
2. The proposed project relates to the purchase of a One Spartan Pumper and One Pierce Ladder Truck Fire Apparatus from Spartan and Ferrara fire apparatus manufacturers, respectively, at a total cost of \$3,017,114.00 if the fire apparatus were to be purchased outright without any form of financing. The Board of Fire Commissioners proposed to purchase the One Spartan Pumper and One Pierce Ladder Truck Apparatus by paying the sum of \$1,200,000.00 from capital reserve funds and from financing the remaining balance of \$1,817,114.00.
3. The Board of Fire Commissioners employed the firm of Munistat to perform a financial analysis of the installment purchase contract entered into by the Board after the 2023 mandatory referendum to purchase a Spartan Pumper and a Ferrara Ladder Truck it in light of other financing alternatives available.
4. Munistat provided a report a 2023 summarizing the various financing alternatives and the cost of the project over time for each alternative.
5. Subsequent to entering into the contract the Board learned that Ferrara could not deliver the ladder truck and the Board was forced to substitute a Pierce ladder truck and negotiate a revised installment purchase contract to amend the contract to which it was already obligated subject to a mandatory referendum to amend such contract. In light of the fact that the Board is forced to renegotiate and amend an existing installment purchase contract, there is no adequate financing alternative.

The motion was voted upon and carried.

Upon motion made by Commissioner Abrams and seconded by Commissioner Schmidgall it was:

**RESOLVED, WHEREAS** Section 175-a of the Town Law provides for a system of registration for Fire District elections; and

**WHEREAS** a register of eligible Fire District voters must be prepared prior to the Fire District holding a mandatory referendum; and

**WHEREAS** such a register shall be prepared from names of persons who have registered with the County Board of Elections.

**NOW, THEREFORE, BE IT RESOLVED**, that the following resident electors of the North Massapequa Fire District, are hereby appointed to constitute the North Massapequa Fire District Board of Elections for the mandatory referendum to be held on March 19, 2024.

, Chairperson Geralyn Nocerino  
, Election Inspector Nicholas Paolucci  
, Election Inspector Edward Kraus

**AND BE IT FURTHER RESOLVED** that the Chairman, Election Inspectors and Ballot Clerks be compensated in the amount of seventy (\$70.00) dollars for their services in preparing the registration records and seventy (\$70.00) dollars for attendance at the mandatory referendum.

**AND BE IT FURTHER RESOLVED**, that in case any of the members appointed herein are unable or refuse to assume or perform the duties required of them, this Board of Fire Commissioners will appoint alternates who are resident electors.

**AND BE IT FURTHER RESOLVED**, that if clerical help is deemed necessary, this Board of Fire Commissioners will consider the appointment of such clerical persons upon request of the Chairman of the Fire District Board of Elections.

The motion was voted upon and carried. (Commissioner Nocerino abstained from the vote)

Upon motion made by Commissioner Maroldo and seconded by Commissioner Abrams it was:

**BE IT RESOLVED**, that the Board of Fire Commissioners of the NORTH MASSAPEQUA FIRE DISTRICT, having heretofore appointed a Board of Elections to comply with the registration and voting procedures set forth in Section 175 and 175-a of the Town Law, does hereby designate the 19<sup>th</sup> day of March, 2024, as the date of the meeting of the Board of Elections to prepare registration rolls for the mandatory referendum to be held for authorization to enter into an installment purchase contract to purchase One Spartan Pumper and One Pierce Ladder Truck Fire Apparatus;

**AND BE IT FURTHER RESOLVED** that such meeting take place at the North Massapequa Fire District Building, located at 960 Hicksville Road, Seaford, New York, between the hours of 3:00 p.m. and 6:00 p.m. on that date;

**AND BE IT FURTHER RESOLVED** that a legal notice informing the resident electors of the NORTH MASSAPEQUA FIRE DISTRICT of this mandatory referendum be published by the Fire District Secretary in the official newspaper of the NORTH MASSAPEQUA FIRE DISTRICT.

The motion was voted upon and carried.

**Commissioner Schmidgall** all matters are in order.

**Commissioner Maroldo** Stated he was in contact with Mike Phillips for First Responder mental health. Spoke to Carl Sheets about 9/11 steel and is going to meet with him. Uniform fitting is Thursday 7pm.

Upon a motion made by Commissioner Maroldo and seconded by Commissioner Abrams it was:

**RESOLVED** to give Anil Vora a \$500.00 gift card for his retirement.

The motion was voted upon and carried.

**Commissioner Abrams** advised that there was a bomb threat at Plainedge HS and wanted to know if the Department was aware of it. The Chief said no and will investigate it. Chief thanked Commissioner Abrams for the recruitment banners.

**Commissioner Nocerino** doing away with \$150.00 deposit for installation dinner. Going to have DJ and Photo booth for dinner. 6634 on the way. Physicals to be done by doctor Fogel starting 2024. Attending Hurricane Symposium 3/24 thru 3/26, attending Commissioner Maroldo, Chief Frascella, Superintendent Kraus.

Upon motion made by Commissioner Nocerino and seconded by Commissioner Abrams it was:

**RESOLVED** that if a person says they are coming to the Inspection dinner and does not show up and does not give an acceptable excuse they will not be invited to the following years dinner.

The motion was voted upon and carried.

**District Superintendent Kraus** E-665 back in service from repairs at Hendrickson. Now working out some of the equipment/mounting changes. L-661 front end repairs are completed from LI Spring. Mechanical siren repair was also completed by Gabrielli. E-663 transfer valve replacement completed by Gabrielli. Now waiting for ladder rack repairs. New EMS-6634 Explorer at Sagamore for lights/sirens installation. Should be finished this week then to CMJ for command box install. 6600 vehicle still at Extreme Auto Body. Should be completed this week. Monitors installed in EOC room. Furniture to be delivered Thursday. Relle is working on replacing one of the LED light fixtures in the truck room at HQ. Holborn is working on bay door/signal 5 system at HQ. Welsbach to come in a move signal 5 lines from old telephone poles as per PSEG. L-I Roof to come and give an estimate for roof repairs in the radio room. Window to be installed in Superintendents Office on 2/13. Fred Strohm coming on 2/14 for annual fixed asset inventory. The small landscaping trailer was sold to Cardinal Landscaping. Large one to go soon as well. Old 6603 Expedition listed on Auctions International.

### **Chiefs Letter**

Upon motion made by Commissioner Nocerino and seconded by Commissioner Schmidgall it was:

**RESOLVED** to:

- 1, Approve the drivers list for drivers 65 years old and above.
2. Approved to sign the MOU for Nassau County.
3. Approve the Fund Drive letter with Insurance notification addition.

Motion was voted upon and carried.



**Treasurer Frank** Per the attached document included in this month's Bill Schedule, all North Massapequa Fire District bank accounts have been reconciled for the month of December 2023 and there are no differences or discrepancies identified. December 2023 bank reconciliation was completed, and no differences, errors or discrepancies were identified. HQ additional expenses are being paid out of the NMFD CR# 2 Building project (802.044). Expenses paid to date total \$517,807.34 with a remaining balance of \$332,192.66 for this project. Received \$1,250.00 payment for sale of District small landscaping trailer. Motion to move funds to Capitol Reserve # 1. Internal accountant (Patrick Cunningham) left Gentile, Brengel & Lin. The accountant supporting us will be Kyle Brengel \$450k was transferred from the Flushing Bank General Fund account as a loan for payment of bills until we receive the first property tax payment from the Town of Oyster Bay.

**Deputy Treasurer Gross Deputy Treasurer:** Reconciliations of monthly statements are conducted upon request. The "Related Party Questionnaire" was completed for Craig, Fitzsimmons & Meyer, LLP audit and submitted on 1/29/24 via email. EMS Billing QA no report. **Grants Administrator: Pending: FEMA Grants NOFO** has opened as of 1/29/24 and will close on 3/15/24. Radios: We will need at least two estimates, as requested in the email dated 1/23/24, to continue. **DASNY** – Pended **until 4/15** 150K awarded by Assembly John Mikulin. a. A letter was submitted to append this award consideration due to vendor change for the Ladder Truck. DASNY approved the extension for information until 4/5/24. i. Need the updated budget for the Ladder Truck ii. The new invoice. **NYS V-Fire Grant** Funding request was submitted on 1/23/24 for 50 new SCBAs totaling \$483,000. **Tasks Completed:** 1. FEMA funding review conducted. 2. Access granted for SCM-To review existing inventory. 3. Access granted for ESO – To prepare for Billing QA once launched.

**District Attorney Frank** spoke about the Firefighter Training Stipend proposed by OFPC. Also spoke about fire brigades.

Upon motion made by Commissioner Schmidgall and seconded by Commissioner Nocerino it was:

**RESOLVED** to go into executive session to discuss employment at 8:15 PM.

The motion was voted upon and carried.

Meeting reconvened at 8:30pm.

Upon motion made by Commissioner Abrams and seconded by Commissioner Nocerino it was:

**Resolved** raise the insurance stipend from \$1500.00 a year to \$4000.00 to be paid out twice (2X) a year once in June and Once in December.

The motion was voted upon and carried.

Minutes of the Regular Meeting, Monday, February 5, 2024

There being no further business to come before the Board a motion was made by Commissioner Raymond and seconded by Commissioner Maroldo, it was:

**RESOLVED** that the meeting be adjourned at 8:40 pm.

The motion was voted upon and carried.

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Chairman Raymond

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Vice-Chairman Schmidgall

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Commissioner Maroldo

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Commissioner Abrams

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Commissioner Nocerino