



# GATES FIRE DISTRICT



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*Serving Territory in the Towns of Gates and Chili, N. Y.*

**Gates Fire District  
Board of Fire Commissioners  
Regular Commission Meeting  
Thursday, February 9, 2023  
6:30 PM**

## APPROVED MINUTES

### Attendance

Louis Comenale, Jr., Chairman  
Daniel Cox, Vice Chairman  
David Hancock, Commissioner  
James Werth, Commissioner *via zoom, not present for quorum or voting*  
David DiCaro, Commissioner  
Alan R. Bubel, District Fire Chief  
Timothy D. Goole, District Assistant Fire Chief  
Brittany Gould, Treasurer  
Donna Capone, District Secretary  
Mark C. Butler, Esq., Legal Counsel

### Guests

**\*\*see attached sign in sheet**

### Absent

Julie Spencer, Deputy District Treasurer-excused

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**Chairman Cox called the Regular Commission Meeting of the Gates Fire District to order at 6:30 p.m.**

**Pledge of Allegiance was led by Commissioner Comenale.**

**Chairman Cox identified all the emergency exits within the building.**

**Guests-would any of the guests like to address the Board at this time?  
(Please state your name and address)**

**Charles Johnson addressed the Board.**

**Don Ioannone addressed the Board.**

**Cherie Stuhler addressed the Board.**

**Joe Antonio addressed the Board.**

**Approval of Prior Meeting Minutes:**

Motion to approve the January 26th, 2023, Commission Meeting Minutes made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

**Treasurer's Report – presented by Brittany Gould:**

Treasurer's Report presented.

Motion to approve the Treasurer's Report as January 31<sup>st</sup>, 2023, made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Treasurer wanted to discuss permissive referendum 2022.11.10.2 for the response vehicle cost of \$48,000.00 that should have been delivered in 2022 but was not. That was the reason we did the permissive referendum. We budgeted for that vehicle in 2023 and it is expected to be delivered sometime in March. Wanted to discuss with the Board whether we still wanted to take that money from 6-G or to just use the budgeted money. Treasurer recommends using the budgeted funds. Commission discussed.

Motion to approve using the budgeted monies (\$48,000.00) to purchase the response vehicle made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Monthly Check List Report presented.

Motion to approve the Monthly Check List Report made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Profit and Loss Report presented.

Motion to approve the Profit and Loss Report made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Accounts Payable Report: Bills to be paid since the last meeting in the total amount of \$24,484.35 were presented by the Treasurer and were audited by the Board of Fire Commissioners. All Commissioners in attendance signed the attachment to the Treasurer's Office list of vouchers approved to be paid.

Motion and Resolution to approve the Accounts Payable Report for the February 9th, 2023, bills and ordering the Treasurer to pay such audited and approved vouchers in the amount of \$24,484.35 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

NY Class-CD interest rates received from Tompkins Community Bank, Treasurer recommends putting the money in a 9-month CD. It will provide us with an additional \$10,000.00 or \$11,000.00 dollars in interest monies.

Motion to approve going with Scenario 1 allowing to change if needed to made by Commissioner Cox and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

**District Secretary's Report –Donna Capone:**

Assistant Chief Goole distributed General Order 23-002 to All Personnel regarding Additions to CAD Recommendations.

A Legal Notice was received from the Chili Planning Board regarding the application of TAOUK Development for a recommendation to rezone from RA to RA with incentive zoning at property located at 296 Fisher Road in RA-10 district.

A request from Master Sargent Timothy J. Wheeler with a request to park his National Guard vehicle behind the administration building to better assist the National Guard in time traveled for his recruiting duties.

Motion to approve letting Master Sargent Timothy J. Wheeler to park his National Guard vehicle on our premises made by Commissioner Cox and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

We received a request from the Board of Elections regarding 2023 June 27<sup>th</sup> and November 7<sup>th</sup> elections from 5:00 am until 10:00 pm.

Motion to approve letting the Board of Elections to use our facilities made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Mutual of Omaha Insurance Company Annual Policy Holders meeting to elect Directors.

**Chief's Report – Alan R. Bubel:**

January 2023; 426 Calls for service with 1,236 members attending.

New 4522 was put in service at Station 2 last Friday at noon.

March webinar by the National Fire Protection Association Community Risk Reduction “Kitchen Table” session. They have asked our Fire District to be the special speaker to discuss our use of the Craig 1300 platform.

FEMA and Monroe County grant application status, in December we submitted to 3 grant projects to FEMA for COVID expenses that had already not been reimbursed. Beginning at the Presidentially declared public health emergency until July 21<sup>st</sup>, 2022, those projects totaled \$19,000.00. Tomorrow we will be submitting a grant application Bring Back Monroe recovery plan, we submitted to cover the cost of the new dispatch base radios, the total for that project is \$407,000.00.

2022 NFIRS Submission has been submitted to New York State as we do every year.

Judge Pisaturo (Town of Gates Judge) Funeral detail. Funeral Mass next Friday at Parish of the Holy Family Church. We have been asked by the Town to provide an aerial ladder with a flag.

Motion to approve providing an aerial ladder with a flag for the funeral service made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

We have been invited to the East Rochester FD 125<sup>th</sup> Anniversary parade to be held on Saturday July 22<sup>nd</sup>. Request to send one engine company.

Motion to approve participation in the East Rochester FD 125<sup>th</sup> Anniversary parade made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-

approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Website upgrade expenditure (2 quotes received) Code3 Creative website reconfiguration cost of \$1,100.00 and an annual support fee of \$1,080.00 a year; second quote First Arriving website reconfiguration cost of \$3,495.00 and an annual support fee of \$1,540.00 a year. From account line 521-101 computer consulting.

Motion to approve fire district website upgrade and yearly support fee totaling \$1,962.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Training Expenditures.

Request permission to send three members to Improving Company Level Training in Geneva, New York at a cost of \$75.00 from account 541-800, also request use of a district vehicle. Start date February 18<sup>th</sup>.

Motion to approve sending three members to Improving Company Level Training and use of a district vehicle at a cost of \$75.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Request permission to send two members to Company Officer Leadership Training put on by New York State Association of Fire Chiefs hosted in Hilton, New York; total cost \$400.00 from account 541-800. Seminar is February 17<sup>th</sup> and 18<sup>th</sup>.

Motion to approve two members to attend Company Officer Leadership Training in Hilton, New York at a cost of \$400.00 made by Commissioner Hancock and seconded by Commissioner Comenale. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Request for one member to attend High Hazard Flammable Training in Montour Falls on April 29<sup>th</sup> and 30<sup>th</sup>, at a cost of \$96.00 from account 541-800 and request use of a district vehicle.

Motion to approve one member to attend High Hazard Flammable Training in Montour Falls at a cost of \$96.00 and request use of a district vehicle made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Request to send two members Fire Instructor 2 in Montour Falls at a cost of \$432.00 from account 541-800, start date June 5<sup>th</sup> through the 9<sup>th</sup> and request use of a district vehicle.

Motion to approve sending two members to Fire Instructor 2 in Montour Falls at a cost of \$432.00 and use of a district vehicle made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Request to send one member to Rope Rescue Operations in Montour Falls at a cost of \$176.00 from account 541-800 and request use of a district vehicle. Start date is June 6<sup>th</sup> through 9<sup>th</sup>.

Motion to approve sending one member to Rope Rescue Operations training in Montour Falls at a cost of \$176.00 and use of a district vehicle made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Health and Safety Officer is looking for permission to send five members to Fit to Thrive through the International Association of Firefighters (IAFF) at a cost of \$5,000.00 from account 518-300 there are sufficient funds. Can either attend in person or virtually.

Motion to approve sending five members to attend Fit to Thrive training at a cost of \$5,000.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-abstained, Commissioner Cox-approved.

Permission to spend \$121.30 for Nalgene water bottles for upcoming academy from account 541-650.

Motion to approve the purchase of Nalgene water bottles at a cost of \$121.30 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Permission to spend \$175.00 for a Flag Center for the fire academy from account 541-650.

Motion to approve the purchase of a Flag Center at a cost of \$175.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission

polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Health and Safety Expenditures.

Requesting to spend up to \$90.00 from account 518-300 for the purchase of three eight-pound (one for each station) Medicine balls.

Motion to approve the purchase of three Medicine balls at a cost of \$90.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Request to spend up to \$40.00 for backpack sprayer batteries for Station 2 and Station 3, \$20.00 from account 532-200 and \$20.00 from 532-300. Funds are sufficient.

Motion to approve the purchase of backpack sprayer batteries for Station 2 and Station 3, at a cost of \$40.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Amerks Hometown Heroes game Friday, February 10<sup>th</sup>. Proceeds for each ticket sold will go to the Elvis Reyes Memorial Scholarship Fund, through the Rochester Fire Department.

World's Largest Snowball Fight has been postponed until further notice.

Thank you received from homeschool students Jackson and Henry for the tour of the fire station given by Kalli and Laurie and firefighters on duty.

Thank you from UPK-5 Imagination Childcare. They had a visit from the fire truck. Kalli and Laurie and some of our firefighters attended.

**Assistant Chief's Report –Timothy D. Goole:**

Purchase Requests

Per Commissioner Werth's request, permission requested to purchase the two apparatus lifts from ARI hetra lifting systems for \$24,978.00. The expected delivery time frame is 4-6 months from the time of the order. This is a budgeted request and is below the budgeted amount.

Motion to approve the purchase of the apparatus lifts from ARI hetra at a cost of \$24,978.00 made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner

Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

**Chairman Cox's Report:**

No Report

**Vice Chairman Comenale's Report:**

Addressed the public regarding a statement made.

**Commissioner Hancock's Report:**

LOSAP review for 2022 completed.

**Commissioner Werth's Report:**

No Report

**Commissioner DiCaro's Report:**

Building work-Station 1 Emergency Repair on the Roof \$621.62 done by Upstate Roofing.

Motion to approve the Station 1 Emergency Repair work on the roof done by Upstate Roofing, in the amount of \$621.62 made by Commissioner DiCaro and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

**Mark C. Butler, Esq.**

Request for Executive Session for Legal Counsel to address the Board several matters including a legal matter for potential litigation.

Statewide Partial Tax Exemption Law Modification for Volunteer Firefighters-The Board can decide to either make it a minimum of 2 years or 5 years of service to obtain the partial tax exemption and there was a modification to the 20 years of service, a surviving spouse (as long as they stay in the residence) is now eligible to claim that exemption after death of an active volunteer firefighter. The Board has until the end of next year to adopt this change. Legal Counsel will provide those Resolutions. This applies to Town, School District and Fire District taxes.

**Executive Session:**

Motion made at 7:15 p.m. by Commissioner Comenale and seconded by Commissioner Hancock to enter Executive Session for the purpose of discussion regarding *the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation and for potential litigation*. Roll Call Vote: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.



A motion to exit Executive Session made by Commissioner Hancock and seconded by Commissioner DiCaro. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

The Board exited Executive Session and returned to Open Session at 8:03 pm. **The Board took no action in Executive Session.**

**Open Session:**

No motions were made.

**Adjournment:**

Motion to adjourn the February 9<sup>th</sup>, 2023, Regular Commission Meeting at 8:03 p.m. made by Commissioner Comenale and seconded by Commissioner Hancock. Commission polled: Commissioner Comenale-approved, Commissioner Hancock-approved, Commissioner Werth-not present for voting, Commissioner DiCaro-approved, Commissioner Cox-approved.

Respectfully submitted,

Donna Capone  
District Secretary