

JONESVILLE FIRE DISTRICT
Special Meeting

Date: October 18, 2018

Time: 8:07 p.m.

Present: Commissioners Byrnes, Miller, Murphy, and Ford; Judy Bayer, District Manager; and Breann Parseghian, Treasurer.

Guests: Tim Hannigan

Discussion was held on the mandated Enhanced Cancer Disability Program on the following items:

- Estimated costs.
- Options available for funding.
- Creation of an insurance reserve fund.
- Administration duties.
- Likelihood of a claim.
- Parameters for insured firefighters.

JONESVILLE FIRE DISTRICT

**RESOLUTION TO ESTABLISH AN INSURANCE RESERVE FUND
FOR THE FUNDING OF ENHANCED CANCER DISABILITY BENEFITS**

WHEREAS, pursuant to General Municipal Law Section 205-cc the Jonesville Fire District is obligated to provide certain benefits to eligible firefighters of the Fire District under the Enhanced Cancer Disability Benefit Program; and

WHEREAS, pursuant to 9 NYCRR 210.2(a) the Board of Fire Commissioners of Jonesville Fire District is designated as the authority having jurisdiction that possesses the legal responsibility for providing fire protection; and

WHEREAS, pursuant to 9 NYCRR 210.2(c) a "Benefit Provider" is defined as an insurance company or the authority having jurisdiction that is self-funding an Enhanced Cancer Disability Benefit Program; and

WHEREAS, the Board of Fire Commissioners of Jonesville Fire District has by resolution determined to act as the "benefits provider" of a self-funded Enhanced Cancer Disability Benefit Program as mandated by General Municipal Law Section 205-cc; and

WHEREAS, the Board of Fire Commissioners of Jonesville Fire District has by resolution agreed to certify by a satisfactory showing of proof required by Subdivision 5 of General Municipal Law Section 205-cc, 9 NYCRR 210 and 11 NYCRR 52.22(c)(1) that it has the ability to pay such compensation to ensure adequate coverage under the Enhanced Cancer Disability Benefit Program for all of the Fire District's eligible volunteer firefighters; and

WHEREAS, pursuant to General Municipal Law Section 6-n, the governing board of a fire district may establish a reserve fund from which it may make expenditures for any loss, claim, action or judgment for which the fire district is authorized or required to purchase or maintain insurance, with the exception of certain enumerated risks under Section 1113(a) of the Insurance Law, or for payments in lieu of contributions under article eighteen of the labor law; provided however, that no fire district shall make an expenditure from such fund for any loss, claim, action or judgment for which the municipal corporation has established a reserve fund under any other provision of law; and

WHEREAS, an expenditure may be made from such insurance reserve fund for the payment of all or part of the cost, including interest, of: a. Judgments; b. Actions that have been compromised or settled and that have been approved by the court in which the action or proceeding is pending; c. Claims that have been settled or compromised and that have been approved by a justice of the supreme court of the judicial district in which the municipal corporation is located; d. The uninsured portion of any loss to property owned by the municipal corporation if such loss arises out of a kind of risk described in Subdivision 2 of General Municipal Law Section 205-cc, and e. Expert or professional services rendered in connection with the investigation, adjustment or settlement of claims, actions or judgments; and

WHEREAS, pursuant to Subdivision 9 of General Municipal Law Section 6-n and notwithstanding any other provision of law to the contrary, the governing board of the Fire District may, without judicial approval, compromise or settle any action or claim and make an expenditure from this fund where the amount of such settlement or compromise does not exceed twenty-five thousand dollars.

WHEREAS, pursuant to Subdivision 4 of General Municipal Law Section 6-n, during any fiscal year, a fire district may pay an amount into such reserve fund that shall not exceed the greater of thirty-three thousand dollars (\$33,000) or five per centum (5%) of the fire district's total budget for such fiscal year; and

NOW THEREFORE, BE IT RESOLVED, that pursuant to Section 6-n of the General Municipal Law, the Board of Fire Commissioners of the Jonesville Fire District hereby establishes an insurance reserve fund for accumulating reserves for the payment of any loss, claim, action or judgment for which the municipal corporation is authorized or required to purchase or maintain insurance pursuant to General Municipal Law Section 205-cc; and

BE IT FURTHER RESOLVED, that the Treasurer of Jonesville Fire District is hereby directed to deposit moneys of this reserve fund in a separate account to be known as the **"Insurance Reserve Fund for the Enhanced Cancer Disability Benefit Program"**; and

BE IT FURTHER RESOLVED, that the Treasurer of Jonesville Fire District is authorized to invest the moneys from this fund and to otherwise comply with General Municipal Law Section 10 and with Subdivision 5 of General Municipal Law Section 6-n; and

BE IT FURTHER RESOLVED, that this resolution is subject to approval by the affirmative vote of a majority of the electors of the Jonesville Fire District, qualified to vote at an annual election of the Fire District Officers, which will be held on Tuesday, December 11, 2018 between the hours of 6:00 p.m. and 9:00 p.m. at the Jonesville Fire

District Fire Stations located at 953 Main Street, Clifton Park, New York 12065 and 629 Route 146A, Clifton Park, New York 12065.

BE IT FURTHER RESOLVED, that at the time and place aforesaid, the following Proposition, in substantially the same form, shall be considered:

“PROPOSITION 1

Shall the Jonesville Fire District establish an Insurance Reserve Fund for accumulating the reserves of the Fire District for the payment of any loss, claim, action or judgment for which the Fire District is authorized or required to purchase or maintain insurance for the Enhanced Cancer Disability Program, as required by law?”

AND BE IT FURTHER RESOLVED, that the Secretary of the Jonesville Fire District shall publish and give notice as required for such mandatory referendum.

18.10.18.270 Motion to approve the resolution made by Commissioner Miller and seconded by Commissioner Byrnes.

On the motion:

Commissioner Tobin	Aye	<input type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input checked="" type="checkbox"/>
Commissioner Miller	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Commissioner Byrnes	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Commissioner Ford	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>
Commissioner Murphy	Aye	<input checked="" type="checkbox"/>	Nay	<input type="checkbox"/>	Absent	<input type="checkbox"/>

The resolution was adopted.

Dated: October 18, 2018

Breann A. Parseghian, Secretary
BOARD OF FIRE COMMISSIONERS
JONESVILLE FIRE DISTRICT
953 Main Street
Clifton Park, NY 12065

Discussion was held on the Public Hearing for the Proposed 2019 Budget. Breann Parseghian, Treasurer, reported that she submitted the 2% Tax Cap Form online to the NYS Comptroller’s Office following the close of the Budget Public Hearing and prior to the start of the Special Board Meeting.

Commissioner Miller inquired if there were any questions, or changes to the Proposed 2019 Budget.

18.10.18.271 Commissioner Byrnes moved, and Commissioner Ford seconded the motion to adopt the 2019 Budget as submitted. **APPROVED.**

Breann commented that the deadline to submit the approved budget to the Town of Clifton Park is Nov. 4, 2018 and she will hand deliver it to the Town before the deadline.

18.10.18.272 Commissioner Ford moved, and Commissioner Murphy seconded the motion to approve of use of the Station 1 driveways for use by the Boy Scouts Food Drive Committee to distribute bags on Nov. 10, 2018. **APPROVED.**

18.10.18.273 Commissioner Miller moved, and Commissioner Ford seconded the motion to enter executive session at 9:01 p.m. for discussing matters leading to employment of a particular person. **APPROVED.**

18.10.18.274 Commissioner Ford moved, and Commissioner Miller seconded the motion to exit executive session at 9:13 p.m. **APPROVED.**

No Action Taken

Commissioner Ford moved, and Commissioner Murphy seconded the motion to adjourn the meeting at 9:14 p.m. **APPROVED.**

Next meeting:

Board Meeting Nov. 13, 2018 7:00 p.m. Station 1

Note: All motions unanimously passed unless otherwise noted.

Respectfully submitted,

Judith S. Bayer
District Manager

Not Yet Approved

JONESVILLE FIRE DISTRICT
2019 Proposed Budget

Appropriations for 2019		\$1,350,698
Less Estimated Revenues:		
Interest on Deposits		(\$1,200)
To Be Raised By Real Property Taxes		<u>\$1,349,498</u>
 Tax Rate		 \$1.40
Personnel Services		\$271,030
Equipment		\$141,250
Maintenance & Operating Expenses		\$578,730
NYS Employee Retirement		\$29,635
Social Security		\$18,000
Accident Insurance		\$12,000
Service Award Program		\$105,534
Administration Fees		\$6,700
Audit Fees		\$5,000
Bond Redemption		\$129,819
Contingency		\$0
Insurance Reserve		\$25,000
Apparatus Reserve		\$7,000
Building Reserve		\$7,000
Equipment Reserve		\$7,000
Repair Reserve		\$7,000
 Total Budget		 <u><u>\$1,350,698</u></u>
 Town of Clifton Park 2017 Full Valuation		 \$1,721,298,113

Not Yet Approved