

TOWN OF CLAYTON FIRE DISTRICT  
Meeting Minutes  
August 12, 2015

**Regular Meeting**

Meeting called to order at 7:00 PM by Chairman Lynn Schnauber at the Depauville Social Hall.

Commissioners present: Ray Lowe, Deb Farmer, Jim Kenney, Hal Matthews, Lynn Schnauber, Tom Grant, Dale Harvey, Lucianne LaPierre (Sec/Treas)

Others Present: Clayton Chief Chris Barton, Depauville Ass't Chief Steve Ainsworth, Curtis Harvey, Franny Bearup, Jake Angus & Scott Nortz

**Approval of the minutes:** Motion made by Commissioner Kenney to accept the minutes of July 8, 2015 as presented, 2<sup>nd</sup> by Commissioner Grant. Motion carried.

**Approval of abstract:** Motion made by Commissioner Harvey to pay as presented with additions, 2<sup>nd</sup> by Commissioner Grant. Motion carried.

**Financial Report:** Provided in board packets.

**Correspondence:** Letter from Clayton Chamber of Commerce for use of Clayton building for 18th Annual Vintage & Classic Street Meet, September 19 & 20. Motion made by Commissioner Harvey to approve use of building, 2<sup>nd</sup> by Commissioner Grant. Motion carried.

**Chiefs' Report:**

Clayton FD: Chief Chris Barton reported on the following:

20 calls for July

Solar Energy Reading 8/1/2015 EZ Meter Total 8172

Motion made by Commissioner Grant to approve the transfer of a new member from Theresa Dept, Chester Rathbun, 2<sup>nd</sup> by Commissioner Harvey. Motion carried.

DEC Grant was declined.

Purchase Requests:

1. Hose-36 lengths-Jerome \$6,194.80; Darley \$6,744.20; The Fire Store \$7,391.64. Motion made by Commissioner Matthews to approve purchase of 36 lengths of hose from Jerome at a cost of \$6,194.80, 2<sup>nd</sup> by Commissioner Harvey. Motion carried.
2. Minitor VI Pagers-15-Mueller Sound \$6,000.00; Finger Lakes Comm \$6,353.00; Wells Communication \$6,415.20 (Prices are after rebate). Motion made by Commissioner Harvey to approve purchase of 15 Minitor VI Pagers from Mueller Sound at a cost of \$6,000.00, 2<sup>nd</sup> by Commissioner Farmer. Motion carried.

Depauville FD: Asst Chief Steve Ainsworth reported the following:

16 calls for July

Purchase Requisitions: None

**Use of building:** See correspondence

**Old Business:**

- A. TIERS-Bobby Cantwell-nothing to report
- B. TIERS-Resolution 2015-4-reviewed and voted. Motion made by Commissioner Lowe to adopt Resolution 2015-4, 2<sup>nd</sup> by Commissioner Harvey. All in favor. Resolution adopted by roll call vote. (see attached)
- C. Depauville Social Hall-Transfer to the Town of Clayton Fire District is complete
- D. Grants-Ben Barton- nothing to report

- E. Rescue Truck 14-6-1-Resolution 2015-6- reviewed and voted on. Motion made by Commissioner Lowe to adopt Resolution 2015-6, 2<sup>nd</sup> by Commissioner Harvey. All in favor. Resolution adopted by roll call vote. (see attached)
- F. Rescue Truck 14-6-1-Resolution 2015-5 reviewed, revised and voted on. Motion made by Commissioner Matthews to adopt Resolution 2015-6 as revised, 2<sup>nd</sup> by Commissioner Harvey. All in favor. Resolution adopted by roll call vote (see attached)

**New Business:** None

**Public Comment:** None

**Other Business:** None

**Adjourn:** Motion made by Commissioner Harvey, 2<sup>nd</sup> by Commissioner Farmer to adjourn. Motion carried. Meeting adjourned 8:45 PM

Respectfully submitted

A handwritten signature in black ink, appearing to read 'L. LaPierre', with a long horizontal flourish extending to the right.

Lucianne LaPierre, Secretary

Attachments:

- Resolution 2015-4
- Resolution 2015-5
- Resolution 2015-6

**RESOLUTION 2015 - 4**  
**OF**  
**THE TOWN OF CLAYTON JOINT FIRE DISTRICT**

WHEREAS, the Town of Clayton Joint Fire District (District) is the owner of certain real estate located on Graves Street within the Village of Clayton; and

WHEREAS, the Town of Clayton and behalf of the Town of Clayton Ambulance District (Town) has requested that the District donate a parcel of land for the construction of a new facility to provide Ambulance Service to the Town of Clayton; and

WHEREAS, the Fire Commissioners (Commissioners) of the District have determined that it is in the best interest of the residents of the Town to convey such land for the construction of such Facility; and

WHEREAS the Commissioners have determined that the value of the land to be conveyed (description is attached as Exhibit "A") is less than \$10,000; and

WHEREAS the Commissioners have determined that the property described on Exhibit A attached hereto is no longer needed for Fire District Purposes;

NOW, it is hereby resolved:

1. The District shall, for the sum of ONE DOLLAR (\$1.00), convey a parcel of land as described on Exhibit A attached, to the Town of Clayton on behalf of the Town of Clayton Ambulance District;
2. The Chairman of the Board of Fire Commissioners is authorized to execute such deed and other paperwork as is necessary to process this conveyance; and
3. The said premises shall perpetually be used for provision of emergency services.

SUCH resolution was passed by a vote of seven (7) members of the Board, this 12th day of August, 2015.

**Lucianne LaPierre, District Secretary**  
**By order of the Board of Fire Commissioners**  
**Town of Clayton Joint Fire District**  
**PO Box 237**  
**Clayton, NY 13624**

The question of adoption of the above Resolution was duly put to a vote on roll call, resulting as follows:

Commissioner Farmer	Aye
Commissioner Matthews	Aye
Commissioner Harvey	Aye
Commissioner Kenney	Aye
Commissioner Schnauber	Aye
Commissioner Grant	Aye
Commissioner Lowe	Aye

**Exhibit A is available for viewing at [www.claytonfiredistrict.com](http://www.claytonfiredistrict.com) located in “Public Notices”**

**RESOLUTION 2015 - 5**  
**OF**  
**THE TOWN OF CLAYTON JOINT FIRE DISTRICT**

**RESOLUTION 2015-5:** To authorize the Town of Clayton Joint Fire District, Town of Clayton, County of Jefferson, State of New York to execute and pay for a lease purchase agreement for a fire fighting vehicle including apparatus for the extinguishment and prevention of fires in the Town of Clayton Joint Fire District, consisting of a new Heavy Rescue vehicle at a maximum estimated cost of \$615,000.00 plus interest in the amount of approximately \$39,175.80.

**BE IT RESOLVED,** by the Board of Commissioners of the Town of Clayton Joint Fire District, Town of Clayton, Jefferson County, New York, as follows:

Section 1. The Resolution is to authorize the Town of Clayton Joint Fire District to execute and pay for with a lease purchase agreement for a new fire-fighting vehicle including apparatus for the extinguishment and prevention of fires in the Town of Clayton Joint Fire District, consisting of a new heavy rescue vehicle.

Section 2. The plan for financing the lease purchase agreement for this vehicle is for the Town of Clayton Joint Fire District to obligate itself in the lease for an amount up to \$315,000.00 as an obligation of the Clayton Joint Fire District. \$615,000.00 is estimated to be the maximum cost of the fire-fighting vehicle. The total expenditure will be \$615,000.00 plus interest in the amount of approximately \$39,175.80. The Town of Clayton Joint Fire District will own the vehicle at the end of the lease. The Board hereby authorizes a one-time expenditure of the sum of Three Hundred Thousand Dollars (\$ 300,000.00) from the Type Reserve Fund toward the total cost of the lease purchase.

Section 3. The Board of Fire Commissioners, prior to the adoption of this resolution, has critically evaluated the financing alternatives available to it under §109-b of the General Municipal Law and the Local Finance Law. The Board of Fire Commissioners has determined that it is in the best interests of the Town of Clayton Joint Fire District to acquire the vehicle through lease purchase financing

- (a) The estimated total cost of the vehicle acquisition, inclusive of the cost of financing, if financed pursuant to the Local Finance Law would be more than if the vehicle were to be acquired by lease purchase financing.
- (b) Since the Board is acquiring a new vehicle with warranties, repair costs to this vehicle will be nominal or non-existent during the warranty period.

Section 4. The Board of Fire Commissioners, in the procurement of the lease purchase agreement will comply with the competitive bidding requirements of article 5-a of the General Municipal Law or any other general, special or local law or,

if such competitive bidding requirements are not applicable, the policies required to be adopted pursuant to General Municipal Law, section 104-b.

Section 5. It is hereby determined that the period of probable usefulness of this fire fighting vehicle with apparatus for the extinguishment and prevention is twenty (20) years. (Subdivision 27, Paragraph A of Section 11.00 of the Local Finance Law). The lease purchase agreement will not exceed ten (10) years.

Section 6. The power to authorize the expenditure of such sums and issuance of this obligation of the Town of Clayton Joint Fire District is hereby expressly delegated to the Fire District Treasurer, the chief fiscal officer, pursuant to Section 50.00 of the Local Finance Law. Such lease shall contain such terms, form and contents, as may be prescribed by the Fire District Treasurer consistent with the provisions of the Local Finance Law, subsequent to the approval by the Town of Clayton Joint Fire District Board of Fire Commissioners.

Section 8. The lease obligation pursuant to this Resolution shall be signed by the Fire District Treasurer and shall have such terms and provide for the payment of principal and interest upon such terms as shall be determined by the Board of Commissioners after public bidding of the lease terms. Payment of the principal of and interest on such lease obligation shall be made as those payments become due.

Section 9. The faith and credit of the District is hereby irrevocably pledged for the lease payments. An annual appropriation shall be made in each year sufficient to pay the lease payments becoming due and payable in such year.

Section 10. The validity of this lease and obligation of the Town of Clayton Joint Fire District Town of Clayton Joint Fire District may be contested only if:

(a) Such obligations are authorized for an object or purpose, for which the Fire District is not authorized to spend money,

(b) The provisions of law which should have been complied with at the date of the publication of this resolution were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of a notice that the referendum has approved the District to execute and pay for a lease purchase agreement for a new fire-fighting vehicle.

(c) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This Resolution shall be published once in full in the official newspaper of the District.

Section 12. This Resolution is subject to a mandatory referendum, and shall, before becoming effective, be approved at a Special Election of the qualified electors of the Town of Clayton Joint Fire District to be held at the Clayton Volunteer Fire Dept Meeting Room, 855 Graves Street, Clayton,

New York and the Depauville Social Hall, 15191 School St, Depauville, on September 15, 2015, between the hours of 6:00 p.m. and 9:00 p.m. The District Secretary is hereby authorized and directed to prepare ballots in substantially the following form:

**SHALL THE RESOLUTION:**

**RESOLUTION 2015 -5:** To authorize the Town of Clayton Joint Fire District, Town of Clayton, County of Jefferson, State of New York to execute and pay for a lease purchase agreement for a heavy rescue vehicle including apparatus for the extinguishment and prevention of fires in the Town of Clayton Joint Fire District, consisting of a new heavy rescue vehicle at a maximum estimated cost of \$615,000.00 plus interest in the amount of approximately \$39,175.80,

**BE APPROVED?**

\_\_\_\_\_ **YES**

\_\_\_\_\_ **NO**

**Adopted: August 12, 2015**

**Lucianne Lapierre , Secretary**

**BY ORDER OF THE BOARD OF FIRE COMMISSIONERS**

**TOWN OF CLAYTON JOINT FIRE DISTRICT**

**PO Box 237**

**Clayton, New York 13624**

The question of adoption of the above Resolution was duly put to a vote on roll call, resulting as follows:

Commissioner Farmer	Aye
Commissioner Matthews	Aye
Commissioner Harvey	Aye
Commissioner Kenney	Aye
Commissioner Schnauber	Aye
Commissioner Grant	Aye
Commissioner Lowe	Aye

*Subject to the mandatory referendum described in Section 9, the Resolution was thereupon declared duly adopted.*

**RESOLUTION 2015-6  
OF  
THE BOARD OF FIRE COMMISSIONERS  
OF  
THE TOWN OF CLAYTON FIRE DISTRICT**

It is hereby resolved that Resolution 2015-2 of the Board of Commissioners of the Town of Clayton Joint Fire District, passed April 8, 2015, is hereby rescinded.

SUCH resolution was passed by a vote of seven (7) members of the Board, this 12th day of August, 2015.

**Lucianne LaPierre, District Secretary  
By order of the Board of Fire Commissioners  
Town of Clayton Joint Fire District  
PO Box 237  
Clayton, NY 13624**

The question of adoption of the above Resolution was duly put to a vote on roll call, resulting as follows:

Commissioner Farmer	Aye
Commissioner Matthews	Aye
Commissioner Harvey	Aye
Commissioner Kenney	Aye
Commissioner Schnauber	Aye
Commissioner Grant	Aye
Commissioner Lowe	Aye