

**Minutes of the Regular Meeting of the
Board of Fire Commissioners
Lido and Point Lookout Fire District
Held May 19, 2015**

*****Approved Minutes*****

Meeting was called to order at 7:30 p.m. by Chairman Richter

Present: Comm. Richter, Comm. Thompson, Comm. Naham, Comm. Weitz, Chief Wiener, Chief Guerin, Chief Siegelman, District Treasurer Kelly Fitzsimons and District Secretary Terri Ryan.

Not Present: Comm. Paz, Out of Town

Speakers without appointments: None present

Speakers with appointments: Walter P. Wagner, District Counsel
Harold Wondsel, LOSAP Administrator

Minutes of meeting held May 5, 2015, were approved on Motion by Comm. Thompson, seconded by Comm. Naham. Accepted 4-0.

Communications:

1. Three (3) Tri-Party Collateral Agreement Statements from BNY Mellon/M & T Bank.

Speakers without appointments: (Time allotted three (3) minutes)

None present.

Speakers with appointments:

Harold Wondsel, LOSAP Administrator

1. Waiting for return of beneficiary paperwork for Jim Mazzei.
2. 11 members have been dropped from life insurance for two years of not making points.
3. Jake Kritzberg's LOSAP paperwork has been sent to VFIS.

Daniel Wiener, LOSAP Statistician

1. FireCom was down yesterday. It has been repaired.

Chief's Report:

1. Michael Varricchio and Noam Barazani were sworn in to the Junior Department (Lido Company) by Chairman Richter.
2. Presented paperwork for: Bill Magale, Jr., Osmin Orellana and Vincent Varricchio. All paperwork was found to be in order. (All Co. 1) Motion by Comm. Weitz to accept paperwork and issue PO s for physicals. Seconded by Comm. Naham. Accepted 5-0. District Secretary will issue PO for Department physicals and mask fit tests.
3. Paperwork submitted to admit Anthony Paone into the Junior Department (Lido). All paperwork was found to be in order. Motion by Comm. Thompson to accept paperwork and issue PO s for physical. Seconded by Comm. Naham. Accepted 5-0. District Secretary will issue PO for Junior Department physical.
4. Paperwork was submitted for Nick Zareno to be sworn in at the next meeting (Lido Company). Okay with Board.
5. A vehicle has been donated for a drill, after Memorial Day. Have all paperwork, and have arranged pick-up after drill. Okay with Board.

6. This past weekend we held a decommission meeting at YOF. It is basically emptied out, Just tables and chairs, 256 and racing cart left.
7. Junior Department would like to have a car wash on June 20th at the East Marina. Okay with Board.
8. Asked about check for donations in Dr. Saladino's name. District Treasurer said she will get check to Department.
9. Stated that companies will give financials to District Secretary for DiVenti & Lee. District Secretary was asked if she received anything. Was told she did not receive anything. Bernie Jaffe, Treasurer of Lido Company is in the hospital and will get the paperwork to the accountants when he is back home. Company 2 will bring their paperwork to the accountants directly. Comm. Richter stated that if Companies do not get their information to the accountants, there will be no fund raising.
10. Company 2 would like to thank the Board for the lights in their room.
11. Fire Police is reporting that positions have been switched. Joe Fayden is now Treasurer and Don Kelly is Secretary.
12. Elmont has requested an ambulance stand-by on June 6th for the Belmont Stakes. Okay with Board.
13. Memorial Day Service and Breakfast will be Monday the 25th at 10:00 am at HQ in Point Lookout.
14. Asked about Hurst tool presented at the Dinner. Was told there is no date for delivery.
15. Asked about making room reservations early for the 2016 FDIC Conference. Comm. Thompson suggested reserving 2 rooms at the earliest possible time. They could always be canceled if not needed.
16. Thanked the Board for their cooperation regarding YOF and the new Chiefs' Office.
17. Comm. Richter thanked the Chiefs and the members who helped out with the move and the emptying of YOF. The Board really appreciated it.
18. Comm. Richter asked about chauffeur training. All officers should be qualified chauffeurs. All vehicles must have multiple chauffeurs.

COMMISSIONERS' REPORTS:

Comm. Naham:

1. Discussed the Junior Program. Would like the Board to review information given previously. Will discuss all at work session with the Board, Chiefs and Richard Beckwith and Robin Dunn on Tuesday the 26th.
2. The back door at Lido now has an Abloy lock. However, it does not lock automatically, the key must be used to lock. Quote from Merrick Master Locksmith is for \$277.50 to correct this. The Board agreed that this should be done.

Comm. Richter:

1. Spoke with the YOF demolition contractor he has permit from the State for using parkway to remove asbestos and the permit from TOH for the dumping of the asbestos.
2. Vinnie will PM all rigs. 2571 will have antenna moved. When the on-spots come off 252 they should be stored with the other on-spots.
3. Asked about radio in 254. It has not been done yet.
4. Asked District Secretary to call the container company and tell them we will call them after the holiday.

Comm. Thompson:

1. Motion by Comm. Thompson to go into Executive Session at 7:59 PM regarding legal matters. Seconded by Comm. Naham. Accepted 4-0. Returned to regular meeting at 8:39 PM.

2. Asked that the garage door vendor be contacted to install a keypad at the West door at HQ.
3. Thanked Jake Kritzberg for his help on a call the other night. He has only been in the Department for 4 weeks.
4. Discussed Installation dinner. Stated we have to be a little more prudent about the dinner.
5. Mike Ornauer's retirement dinner will be June 12.

Comm. Weitz:

1. Regarding YOF. Water has been disconnected. Will pick-up a disconnect letter when Comm. Reinhart returns to his office.
2. Thanked Comms. Richter and Thompson for their assistance regarding the electric. It will be disconnected Thursday.
3. Asbestos abatement will begin on Thursday. They will be parking a 30' contained on the East side of Hewlett Ave. Cones should be placed on the West side to hinder parking there so vehicles can get down the street.
4. We have already received the gas disconnect letter.
5. When contractor requests the rodent report, Schloss will be here right away.
6. GPS on 253 is the only one not working at present.
7. Would like to purchase an HP printer for the office. Board authorizes purchase up to \$940.
8. Asked Dan Wiener to contact Susan at Alpine about a responder app which will show all call details and give directions from present location to the scene.
9. Yesterday there were two calls simultaneously. Chief Guerin was the only Chief available and did a very nice job handling the situation.
10. Motion made by Comm. Weitz to pass a Resolution regarding Fire District's application for the demolitions of YOF which is a Type II action not subject to being compliant with SEQRA. Seconded by Comm. Thompson. Accepted 4-0. The Resolution is attached to these minutes.

District Secretary's Report:

1. PCRs were sent to REMSCO on May 6, 2015.
2. Tops ordered for 2561
3. Received Certificate of Title for 2561.
4. Second container to be put at Nike Base has been ordered.
5. NCAFD May Meeting will be held Friday, May 29th in Locust Valley. There will be a run-off between Joel Bearman and Fred Senti to run for 2nd Vice President of the State Association. The vote can only be made by a Commissioner, the Secretary or the Treasurer. The Association has requested that all Districts who have their dues paid to date have someone present to vote on this matter. Discussion followed. Comm. Naham will attend the County meeting on the 29th and will vote for this District.
6. Check for \$5,500 from NYS Dept of Homeland Security, grant reimbursement for 10 Scott bottles, received on May 11 and deposited the same day.
7. Asked about Timmy Collins' report and receipts, etc. from FDIC. Certificates must be sent to Albany.
8. Comm. Weitz signed Island Tech Network Support Agreement which will be increased to \$485 pm due to the Cloud backup.

District Treasurer's Report:

1. After bills tonight, balance in checking is \$231,216.81.

Abstract of bills for week 21 was presented and approved on motion by the Comm. Thompson, seconded by Comm. Naham, accepted 4-0 and notarized by the District Secretary. Abstract will be held in the District files.

Abstract of bills for week 21A was presented and approved on motion by the Comm. Thompson, seconded by Comm. Naham, accepted 4-0 and notarized by the District Secretary. Abstract will be held in the District files.

Meeting adjourned at 9:04 p.m. on motion by Comm. Thompson, seconded by Comm. Naham. Accepted 4-0.

Next Meeting Date: June 2, 2015

Scheduled for next regular meeting: Nothing scheduled at this time.

Minutes respectfully submitted by T. Ryan

RESOLUTION

At a regular meeting of the Board of Fire Commissioners of the Lido and Point Lookout Fire District held at Fire District Headquarters in Point Lookout, New York on the 19th day of May, 2015 at 7:30 P.M.

The meeting was called to order by Chairman Andrew F. Richter, and upon roll being called, the following were

PRESENT: ANDREW F. RICHTER
 CHARLES THOMPSON
 GREGORY NAHAM
 STEVEN WEITZ

ABSENT: BERNARD "JACK" PAZ

The following resolution was offered by Commissioner Steven Weitz who moved its adoption, seconded by Commissioner Charles Thompson, to wit:

WHEREAS, the Board of Fire Commissioners of the Lido and Point Lookout Fire District ("Board of Fire Commissioners") is charged under Section 176 (19) of the New York State Town Law with the exclusive management and control of the property of the Fire District; and

WHEREAS, the building known as Ye Olde Firehouse (the "YOF") is the property of the Fire District; and

WHEREAS, the YOF was extensively damaged during Superstorm Sandy and can no longer be devoted to Fire District purposes; and

WHEREAS, the Board of Fire Commissioners in the summer of 2014 retained the firm of Rabco Engineering, P.C. ("Rabco") to review the structural integrity of the YOF and to give the Board of Fire Commissioners recommendations as to how to proceed in connection with the YOF; and

WHEREAS, by report dated September 7, 2014, Rabco advised the Board of Fire Commissioners as follows:

"Due to the questionable integrity and structural stability of the wall and the old lath and plaster façade [of the YOF], we recommend that the façade and framing structure be removed and reconstructed in its entirety. Alternatively, at a minimum, that a protective sidewalk shed be immediately constructed along the outer exposed common corridors to protect the public."

WHEREAS, McIntyre Contracting, Inc., a local reputable contracting company retained by the District has informed the Board of Fire Commissioners that the cost to repair the YOF and bring it up to code will be at least \$2,700,000; and

WHEREAS, the Board of Fire Commissioners by letter dated February 3, 2015 (the "Substantial Damage Notice") was notified by the Building Department of the Town of Hempstead (the "Building Department") that the damage to the YOF exceeds 50% of its replacement value and therefore that the YOF has been "substantially damaged" within the meaning of Article XXIV, Section 348 of the Town of Hempstead Building Zone Ordinance; and

WHEREAS, the Substantial Damage Notice directed the Board of Fire Commissioners to cause the YOF to be rendered in compliance with all current floodplain management regulations of the Town such that the first floor must either be raised to elevation 8 feet or otherwise be flood proofed to the satisfaction of the Building Department; and

WHEREAS, in response to the foregoing, the Board of Fire Commissioners in February, 2015 secured a building permit from the Building Department authorizing the installation of emergency scaffolding at the YOF for the purpose of protecting the public from falling debris; and

WHEREAS, by contract dated February 20, 2015, the Board of Fire Commissioners engaged Eastern Scaffolding & Shoring, Inc. to erect the required scaffolding; and

WHEREAS, by public notice dated April 20, 2015 and upon completion of all public bidding required by Section 103 of the New York State General Municipal Law, the Board of Fire Commissioners by resolution dated May 8, 2015 voted to retain L&G Ruggiero, Inc. to demolish the YOF at a cost of \$98,000, subject to compliance by the District with all conditions precedent for the issuance of a demolition permit established by the Building Zone Ordinance of the Town of Hempstead; and

WHEREAS, the New York State courts have held that the duty of a building inspector to issue a demolition permit is ministerial in nature; and

WHEREAS, Section 617.5 of the regulations implementing the New York State Environmental Quality Review Act ("SEQRA") declares the following actions to be "Type II Actions" the completion of which do not require compliance with SEQRA:

"(19) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or non-compliance with the relevant local building or preservation code(s);

(20) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment; and

(33) emergency actions that are immediately necessary on a limited and temporary basis for the protection or preservation of life, health, property or natural resources, provided that such actions are directly related to the emergency and are performed to cause the least change or disturbance, practicable under the circumstances, to the environment. Any decision to fund, approve or directly undertake other activities, after the emergency has expired is fully subject to the review procedures in this Part."

NOW, THEREFORE, BE IT RESOLVED, that the Board of Fire Commissioners, based upon all of the foregoing, hereby declares that the application for a demolition permit and the demolition of the YOF constitute a Type II Action the completion of which is not subject to compliance with SEQRA.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

ANDREW F. RICHTER VOTING YES

CHARLES THOMPSON VOTING YES

GREGORY NAHAM VOTING YES

STEVEN WEITZ VOTING YES

The resolution was thereupon declared duly adopted.

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, the undersigned fire District Secretary of the Lido Point Lookout Fire District in the Town of Hempstead, Nassau County, New York, DO HEREBY CERTIFY:

1. That a meeting of the District was duly called, held and conducted on the 19th day of May, 2015.
2. That such meeting was a **regular** (circle one) meeting.
3. That attached hereto is a proceeding of the District which was duly adopted at such meeting by the Board of Commissioners of the District.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of Commissioners of the District had due notice of said meeting.
6. That said meeting was open to the general public in accordance with section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION in the Long Beach Herald, December 18, 2014.

POSTING on PLLFD.ORG and the District's bulletin boards in January, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District this 20th day of May, 2015.

TERRI RYAN, Fire District Secretary

(CORPORATE SEAL)