

EAST BLOOMFIELD FIRE DISTRICT

Meeting Minutes

Date: December 19th, 2022

Meeting may be recorded for note keeping purposes with the number in attendance

Phil Rhoda 3 year	George Heissenberger 12/2020	Jeff Kachmaryk	Zach Legters	Ryan Duvall
2022	2023	2024	2025	2026

Called to Order: Meeting was held in the community room and was called to order by Chairperson Heissenberger at 6:30PM.

Attendance:

	Present	Absent
Chairperson George Heissenberger	X	
Commissioner Zach Legters	X	
Commissioner Phil Rhoda	X	
Commissioner Ryan Duvall	X	
Commissioner Jeff Kachmaryk		X

Chief Pete Koppmann __X__

Secretary Heather Barbaro __X__

Additional guests: Bruce Treat __X__ Joann Long __X__ Mike Long __X__ Derrick Legters __X__ Steve Murnan __X__ Seth Jonas __X__ Geoff Breeze __X__ Joyce Koppmann __X__ Scott Murnan __X__ Tricia Breeze __X__ Mike Long __X__ Joann Long __X__ Amy Duvall __X__ George Duvall __X__ Seth Jonas __X__ Bill Lang __X__ Andrew Duvall __X__ Nick Van Orman __X__ Korbyn Simmons __X__ Michelle Rhoda __X__ Rebecca Rhoda __X__ Richard Nicholson __X__ Vic Rauscher __X__ Joyce Koppmann __X__ Deborah Charlebois DeCooke __X__ Judd Rockcastle __X__

Public Comment: Chairperson Heissenberger opened the meeting with the request from Commissioner Duvall to move public comment to the end of the meeting. He asked if there would be a motion for that.

-Commissioner Duvall made a motion to move public comment to the end of the meeting. Seconded by Commissioner Rhoda.

Discussion: Chairperson Heissenberger asked Commissioner Duvall why he wanted to move it to the end of the meeting.

-Commissioner Duvall responded" So we can handle our district business"

-Commissioner Rhoda added "so we can escape."

-Commissioner Duvall continued" Well everybody has questions as we go through things so let's handle our district business and if people have questions they can wait until the end."

-Chairperson Heissenberger asked" Its not to delay the public comment to the point where some people may get tired and leave early?"

-Commissioner Duvall responded "No why?"

-Chairperson Heissenberger" because I feel that could be one of the reasons why."

-Commissioner Duvall added "it's so we can handle our district business and keep this meeting moving."

-Chairperson Heissenberger then asked the other commissioners if there was any further discussion.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger		X		
Commissioner Zach Legters		X		
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

Chairperson Heissenberger shared "Per Roberts Rules of order when there is a deadlock the motion doesn't pass"

To those in the room Chairperson Heissenberger reminded those present we would be following Roberts Rules of Order. Everyone has a chance to speak, and to please be respectful. There are people with different opinions and people that want to be heard. Every person would be given no more then 2 minutes to speak and then after they have had their chance it could be opened up so they could speak again for a second time. He also said he would entertain a motion from the commissioners if they wanted to set a time limit on it

-Commissioner Rhoda shared the 2-minute time should be followed.

-Chairperson Heissenberger asked if there should be a maximum time allowance overall and suggested 20 minutes.

-Motion to speak individually for 2 minutes and overall, for 20 minutes made by Chairperson Rhoda. Seconded by Commissioner Duvall.

-President Steve Murnan from the Fire Department asked for clarification that it was 20 minutes for the whole group of those in attendance and it was confirmed that was the proposed motion for the total public comment period.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

-Chairperson Heissenberger then opened the floor to public comment.

-Deborah Charlebois DeCooke was offered to speak first. She said " I live at 3330 Bailey Road in the town of East Bloomfield. I pay taxes every year to the East Bloomfield Fire Department. I attempted to vote on 12/13 and I was turned away. Initially I was told I was not a registered voter. I am certainly a registered voter and I have been in the East Bloomfield District since 1976 and at my current residence since 2006. And I have voted in every election including fire elections since that time. In fact, I voted in 2021. I was turned away. I was looked upon rudely by surrounding voters. I gave my name and my number to Heather. The following day Heather called me and told me that our house had been quote redistricted and that East Bloomfield Fire Department was no longer serving our home. Upon checking with fellow neighbors to the north and the south of us they had received the same story. And I was actually told you have no fire department servicing you. What?! So Mr. Commissioners here is my concern: Why? Why is this info been given. 2) Where did my taxes go that I have paid to the East Bloomfield Fire Department? Because I would like it back if you don't service my home. And 3) Who services me? So I have called the Board of Elections. I am on the list of registered voters, and they show my fire district is East Bloomfield. Who removed that information? Also, per the board of elections and the Ontario County Fire Commissioner, redistricting can only happen if: 1) All five commissioners meet for that specific reason. 2) Non-partial registered democratic representatives attend the meeting. 3) Any and all affected areas to be redistricted will have alternative coverage put in place with the neighboring fire departments that you are all in conjunction with. So again, how did this happen? Where are the meeting minutes that this happened? Or if it didn't happen then why such roads as Bailey, Cherry and Brace Road could not vote in this election? I myself have very close to 23 names that have private messaged me. And that's just me. And at this point I will tell you I don't care who wins this election. My concern is I get a letter for donations from this fire department, and I can't vote for it. This is become kind of a sham. Actually, it is kind of a farce with the fire department and it kind of borders of fraudulent. You have paper ballots, you have people standing around,

people can't vote. I am concerned. How did this happen? Where is the list? All I know is it was posted on Facebook by your secretary that she was waiting for the Board of Elections to give her an answer. But they gave me one immediately and said that the list that they give you showed that I had this fire department code. So I want to know how that code disappeared, And I would also like to know how you 5 commissioners are going to rectify this. Thank you."

-Chairperson Heissenberger "Thank you. I have in my hand here a letter from Michael J Northrup who is the head of the Board of Elections for the County of Ontario. This states that there was through the board of Elections they provided the fire district with an incorrect list. Y street and my name was also not able to vote. And this was in error of the Board of Elections. The Board of Elections provides the list once a year to us. We are required by law to obtain the list from the Board of Elections. We don't create the list. The list is provided to us. They had 107 addresses within the fire district of East Bloomfield that they have omitted in the list that they have provided to us. They are recognizing that this was their omission and that it has been corrected on their end as of today. I have in my hands also a statement saying that my street and my own uh Fishbrook Run on Brace Road is now part of the district, always has been but was omitted from the list along with the others they had said. So, they are accepting responsibility for this. They also provided for us an option in the future should this occur. There is an affidavit that can be signed, that was questionable up to the tie of the election that it's a legal instrument. That people who were rejected to vote but have proof they are a registered voter can put in a vote to a paper ballot, sign an affidavit, attesting that they are. That can then be presented to the Board of Elections to then be researched the next day. It was contested whether it was a legal actual thing until I got approval by our lawyer today. Because I did follow up on that. We are going to have these affidavits available. However, per the Board of Elections they are only available to be used that day. The day of election. It can't be used afterwards, it can't be used before. So we aren't able to go back in time and change that. But they did acknowledge that was their mistake. We do have 23 names that were taken by Heather. Who were identified that they were turned away. However, the margin of the amount of votes that were for Commissioner Rhoda and that were for Mr. Long was more than 23."

Deborah" And I understand that"

-Chairperson Heissenberger "It was about 70 I believe. And we don't know if all 23 were going to vote one way or the other. They could have all been split up. So that was their mistake, they have corrected that as of today. All those addresses are identified as being in the East Bloomfield Fire District. And they always did have fire protection, the chief will tell you there was never a time when Bailey Raod was not covered. If you did call there was a difference between the 911 run cards that are used to dispatch the fire department and this mapping that was done through the offices of the board of elections through Ontario County. And this occurs once every ten years based on the census. That is an analyzed and processed in 2021. And in 2022 it gets applied. And this was the first incidence where this actually went into play and they discovered there was an error. They also said that they mail cards out once a year. Yellow and white cards to voters to confirm what district you are in. And if you were in one of those contested areas you may or may not have gotten a card."

- Deborah Charlebois DeCooke said from the crowd "I got one."

- Chairperson Heissenberger continued "It may or may not reflect the fire district. It may say you are in district two of East Bloomfield for whatever, but it may or may not reflect the fire district. That's why they didn't catch it. So that's what transpired. Again, I do have that document from Michael Northrup and it's been corrected."

- Deborah Charlebois DeCooke added "That's a lot though. 107 names, this is a small community."

- Chief Koppmann responded "Deb it looked like from what I have seen it looked like they omitted all of Bailey Road from county road 40 to Townline. Just based on what I had seen. And there was a section on Cherry Street. It looks like the town line and the fire district line on Cherry Street run right down the center of the road. And it looks like they had everybody on, so the north side is the victor fire district, and the south side is the East Bloomfield fire district. Looks like they had everybody on the north listed backwards and vice versa. It appeared to be a Board of Elections, which turned out to be an issue."

- Chairperson Heissenberger commented "That's exactly right. So any questions or any complaints would have to be directed to the Board of Elections. We are required by law, town law 175A that we must get our list from the Board of Elections. So we have to depend on them. We can't create our own list. It has to be from there. And so we have to depend on that. Unfortunately, there wasn't a way to determine there were mistakes in it until the actual election occurred. We do know now that we have permission now by our lawyer to use those affidavits that this should occur in the future, we have a mechanism to capture those votes and analyze them. It doesn't mean, well it still has to be proven they are in the district. But we would have a way to capture it. But it was even as the day of the election not verified that it was legal for us to apply that mechanism. Even if we had called the Board of Elections and said what do we do? SO that's the answer to your question. And I appreciate it. Like I said I wouldn't have been able to vote either. Any other comments?"

Chairperson Heissenberger recognized Mr. Geoff Breeze to speak next.

- Geoff Breeze "I have a couple questions dating back to the 9th when we had the emergency meeting here. It was brought to our attention that this form was handed out. Were these collected by the other commissioners after the night of the emergency meeting?"

- Commissioner Rhoda "Not by me."

- Commissioner Duvall "I don't have a copy."

- Geoff Breeze "They were collected. They were given to you, I have it right on video."

- Commissioner Rhoda "I have seen one, but I don't have any."

- Geoff Breeze "They put them right to you and gave them to you on the table that night."

- Commissioner Rhoda "I don't have any."

-Geoff Breeze "So they disappeared?"

-Commissioner Rhoda "Apparently. It would be in the recording and seen it then, but I don't have any."

-Geoff Breeze "So we will go to the email list. I want to just bring that up real quick. This is stated from the video that I took from the minutes. 8:25 Jeff Kachmaryk said the concern was brought to them by a person in the public. There is a list generated of names and names to avoid and it was made by an active fire person. And the concern was, there are names on that list and what the ramifications are of this. Mike Long had asked I am not sure I heard something correctly. I think that someone got a hold of the list. That it was not sent to and got a hold of the list and commissioners circulated to everyone on the petition is that correct? On the recording Ryan Duvall answered that is not correct. Mike Long asked who circulated it? Ryan Duvall said he did not know where it began. Phil Rhoda also did not know who sent it. Rhan Duvall said there were multiple people who knew about it before it got to us. I have the email and I have a signed statement from a public citizen that says" Ryan and Kim Duvall met this person at Home Depot brought it up to Ryan Duvall to get an understanding of what happened. Ryan then asked to see if he could see the phone to see if he could send himself the email. Which he did. I have the time and date that was sent. Any answers on that? Because its right on video that you two guys said you knew nothing about where this list came and who sent it out. I have the email. I have the email sent from the person's phone."

-Secretary Barbaro informed those in attendance the two-minute speaking time was reached.

-Commissioner Rhoda replied "You have been heard thank you very much."

-Chairperson Heissenberger confirmed there was no other comments from the members of the board. He then asked if there were any other public comments. Michelle Rhoda was then selected to speak.

-Michelle Rhoda "Commissioners and secretary, I brought my mom out to vote on December 13th and we had to walk past a group of people in Fire Department coats. My mom was told she couldn't vote. No provisional ballots were available to her. Or even known about the person supervising the vote. When I left with my mom we had to walk past those same people. And no one was enforcing or following the 100 foot loitering signs within the election area that were clearly posted around the building."

-Chairperson Heissenberger added" Can I stop you for just a second? The 100 foot is for electioneering not loitering."

-Michelle Rhoda continued "I thought the sign said loitering also. So my mother was in tears when I drove her home. Wondering if she had done something wrong or wouldn't ever be able to vote again. And I'm just very shameful on whoever was in charge of the vote. Later I went to vote with my family and those same fire people were still in the same place. It appeared that there no true control. I did not have any issue voting. I did contact the Board of Elections with the concerns about my mom. And I was told by the Board of Elections they do not run, conduct or facilitate Fire District Elections. They are conducted by the clerk, treasurer or secretary of the fire district, and they were

investigating Brace Road and Bailey Road residences. When I asked about a map of the district I got an email back that they do not have such a map, and are currently working with the county planning department,⁹⁹ and the county property tax office. So my 85 year old mother was told she is not in the district which is up to the discretion of whom to decide who the district is. But I have alluded to that earlier. I think as commissioners and secretary that you should have a better way of in the future votes to control the flow and the mob like sense when people walk in from the public. And if I knew the names of those people I would have them listed. But I have reported this to the attorney general because state and federal laws it is illegal for anyone to intimidate, threaten or coerce voters in an effort interfere with their right to vote. I believe in though we did not have the loitering if it has said loitering just having people in East Bloomfield jackets standing in a row just inside the door..."

-Secretary Barbaro informed those in attendance the two-minute speaking time was reached.

-Chairperson Heissenberger "Thank you for your comments. I have addressed the situation about how the list got generated and again I'm falling in the same bucket. I would not have been able to vote. This has been corrected by the Board of Elections. We will have a mechanism to address it next year. Unfortunately, it was not proven it was a legal to even use this year. It had to be approved by our lawyer, and so we are addressing everyone we can. In terms of the firemen and things like that was there anything verbal made or instances?"

-Michelle Rhoda responded, "No but they were in a row standing shoulder to shoulder just inside the door and my mother almost turned around and walked out because she was so afraid."

-Chairperson Heissenberger then tried to recognize Joyce Koppmann to speak. As Joyce began to introduce herself Michelle spoke up. She said "Point of Order. I don't believe the point of order should be taken that I need the response from the commissioners and not another person in the room."

-Chairperson Heissenberger "well I was not here; I was 2,000 miles away on another continent so I cannot address the situation because I was not here."

-Michelle Rhoda replied, "I'm just doing a public comment."

-Chairperson Heissenberger stated "Comment is noted, thank you. Same answer as these gentlemen I understand and appreciate what you are saying."

-Michelle Rhoda "I don't need someone from the public comment area to talk to me."

-Chairperson Heissenberger confirming "You don't, or you do I didn't hear.?"

-Michelle Rhoda "No I do not! I am addressing you not the people behind me."

-Chairperson Heissenberger asked if the other commissioners had any comments on that.

-Commissioner Rhoda responded, "No you have been heard thank you very much."

-Chairperson Heissenberger then recognized Joyce Koppmann to speak.

-Joyce Koppmann "I wasn't involved with these things so um I personally did not want to be near that family as they voted. I waited until they were done and left. I was also discussing other fire department business as I am also the fire department secretary. And I do multiple other things around here. So yes we were standing down there , but as they left they were standing in the hallways and looking at pictures and such. I'm just stating a fact."

-Chairperson Heissenberger responded "ok thank you." He then recognized Rebecca Rhoda to speak next.

-Rebecca Rhoda " I would like to reiterate what my mother said about my grandmother. This is something she wrote herself. When I went to vote on December 13th I walked into the firehouse and was met with a wall of fire people. I could tell by their jackets. I wanted to turn and leave but my daughter encouraged me to keep going. I waited in line for ten minutes to get my ballot. I was asked my name and the man could not find it listed. The lady next to him said you are not in the district; you cannot vote. I was puzzled I said I have lived in the same place for 58 years. Did I do something wrong? I was told no but I could not vote. Even though I have been able to vote in the past my daughter asked about the provisional ballot that should be available. They did not have one. They took my name, phone number and my daughters phone number for an explanation later. When I had left, I had walked by the same fireman standing in the hallway. Why am I not in the district? I got a letter asking for a donation to the fire department. I can't vote in. I am in the Victor district so what will happen if I have a fire at my house? Who will come for me?"

-Chairperson Heissenberger "Thank you. I would like to address that again that was the error of the Board of Elections, and you are in the fire district. If you are one of those addresses that was identified, and it never was dropped off the run card from 911 so that is not an issue of an actual response. The error lied in the translation from the data with the federal to state to county level at the Board of Elections. They have identified it was their error. And they have corrected it. So, I do apologize for those situations. And once again I was in the same situation because my address and my whole street was left off. I was not here to witness anything that went on in terms in of intimidation but I do appreciate those comments thank you."

-Commissioner Rhoda "The 20 minutes for public comment is over."

-Time was confirmed. Meeting moved on and Chairperson Heissenberger asked if there was anything from the fire department.

Fire Department: Steve Murnan President of the Department thanked the board for the meal they provided for the department on the meeting on December 3rd.

-Chairperson Heissenberger asked if everything was good and ok.

-Steve Murnan said there was a lot of food. Others in the rooms said no.

Minutes: Meeting minutes from November 21st the regular district fire meeting and the December 9th meeting were all provided to the board. Chairperson Heissenberger wanted to approve the November 21st meeting and asked if there was any corrections, comments or discussion.

-Motion to approve the November minutes made by Commissioner Rhoda. Seconded by Commissioner Legters.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

-December 9th minutes there was asked for a motion to approve those meeting minutes and Chairperson Heissenberger said he was not there but asked for a motion.

-Motion made by Commissioner Legters to approve the meeting minutes of December 9th. Seconded by Chairperson Heissenberger.

-Chairperson Heissenberger then asked the other commissioners if there was any discussion for the minutes.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda		X		
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall		X		

-Chairperson Heissenberger let the room know there are two "ayes" and two "nay" votes. There was no discussion on why they were not approved. Per Roberts Rule of order the motion fails. However, they will be available in draft form until such time they do get approved.

-Secretary Barbaro " I have extra copies printed up here."

-Chairperson Heissenberger said this can be discussed at a future meeting.

Membership: Chief's Report: Commissioner Rhoda " Due to the membership meeting cancellation last month, for whatever reasons. There must be something else."

-Chairperson Heissenberger "What were the reasons by the way?"

-Steve Murnan let him know it was due to the dinner being provided by the commissioners before the monthly department meeting. The dinner started at 6."

-Commissioner Rhoda had spoken to Pete on the phone and it was confirmed that there was nothing on the agenda as the annual points letters and physical reminders had been sent out.

Chiefs Report:

Letters for the points and physicals have been sent out.

November 2022 Incident Report	Total
EMS Assist	5
MVA	1
Automatic Alarm	1
CO Detector Activation	1
Fill-In/Stand-By (E. Avon)	1
Mutual Tanker (Naples)	1
Lawn Mower Fire	1
Odor of Gas	1
Water Problem	2
EMS ECHO	1
TOTAL	15

Calls year to date:177

Last year this time:209

-Participated in Holiday convoy December 3rd with nearly 50 vehicles at its peak around the county.

Tree Lighting apparatus, traffic control, and fire police for the Bloomfield Christmas tree lighting on Sunday December 4th.

-Additional member needing to be added to the LENS program, Geoff Breeze. He was approved for the brush truck. Chief Koppmann handed Chairperson Heissenberger the needed photocopy of his license to file.

-Chief explained this program for LENS.

-Commissioner Rhoda asked Chairperson Heissenberger to see the picture of member Geoff Breeze's photocopy of his license.

-Chief Koppmann shared with the board there was members interested in participating in the Good Night Lights program put on by the Golisano Children's Hospital event. It would be the last one before Christmas. It is an emergency line up and parade in front of the Golisano Children's Hospital. Date is December 21st. Discussion about taking 752 and to see if commissioners would be ok with this as the department has participated in the past with no issues. 712 was taken last year but Chief was thinking of taking 752 and going with a smaller crew.

-Chairperson Heissenberger said he had no problem with that and asked if Chief Koppmann needed that in a form of a motion.

-Commissioner Rhoda "I think in light of the gas budget and the overages you guys are always claiming, I think we ought to put one of those to rest one year. I think that's the discussion"

-Chairperson Heissenberger made a motion to send a truck to the Golisano Lights for the sick children, sending 752, made a motion that we do. Seconded by Commissioner Legters.

-Chairperson Heissenberger asked the commissioners if there was any discussion.

-Commissioner Rhoda "I think with everybody commenting on the gas budget we can save on gas for something that is not saving anybody's lives or anything like that."

-Chairperson Heissenberger confirmed if there was any further discussion and moved forward with the vote.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda		X		
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

-Chief Koppmann confirmed this was approved by the board. And it was.

Training:

-Two training sessions coming up. One is in February 17-18 in Hilton. Up to 4 people to attend. Cost is \$200 Per person. Company officer training. This has been attended in the past.

-Second is November 8th of 2023. Series on truck work with forceable entry, search and rescue. It is \$35 per person.

-He brought it up now as seats fill up quickly.

-Does not meet the requirements for the state as it is a seminar. This was confirmed by Chairperson Heissenberger.

-Commissioner Legters asked if there was a number Chief had in mind for the November seminar.

-Chief said 6-10 people potentially at the most.

-Chairperson Heissenberger made a motion to send 4 people to the training officer seminar in Hilton at \$200 each, and up to lets say 6th for the November 2023 training at \$35 each. Seconded by Commissioner Legters.

-Chairperson Heissenberger asked if there was any discussion from the other commissioners. Seeing none he moved to the vote.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda		X		
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall		X		

-There were two "nay" votes against the seminar training cancelling it out. It was not approved.

Procurement – Chief: Bruce Treat was introduced again to those present and he has already been given some assignments to help.

DATE	Vendor	Description	Total
12/5/22	National Inst. Cardiovascular Ed.	AED Batteries and Pads	\$1,274.00

Procurement For Approval:

A	B	C	D	E	F	G	H	I	J	K	L	M
VENDOR/SOURCE	ITEM DESCRIPTION	UNIT PRICING	QUANTITY	EXTENDED PRICING	DATE	LINK	PURCHASE ORDER					
Nice Heart (Nationwide Instruction for Cardio Education)	Adult Pads	\$48.00	6	\$288.00	12/5/2022	N/A						
"	Main Lithium Battery	\$128.00	3	\$384.00	"	"						
"	Pediatric Pads	\$89.00	6	\$534.00	"	"						
"	Lithium 9 V Ultra	\$12.00	3	\$36.00	"	"						
"	Freight & Handling		1	\$32.00	"	"						
			TOTAL	\$1,274.00	"	"						
Battery Mart Pricing	Main Lithium Battery	\$239.95	3	\$719.85	"	https://www.batterymart.com/p-zp9146y-aed-g3-defibrillator-battery.html						
	Shipping	\$19.88	1	\$19.88	"	"						
			TOTAL	\$739.73	"	"						
CDW QUOTE	Computer UPS Backup	\$91.67	1	\$91.67 Plus Shipping	12/16/2022	Zach Ledgters Request						
Best Buy Pricing	"	\$85.99	1	\$85.99 Free Shipping	12/19/2022	"						

-Commissioner Legters discovered the battery was not holding a long enough charge to keep the computer on for the fob door access.

-Motion to purchase universal power supply for \$85.99 from Best Buy. Seconded by Commissioner Duvall.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

-Chief wanted to add in the grant was not successful for this year which was no surprise as we got it last year. He will seek again to apply in 2023.

-Chief asked the board what they wanted to do with the old computer from the Chiefs office. Commissioner Legters said to place it in the commissioner's office outside the filing room with the other old computers.

-Gear extractor and drying cabinet installation quotes are now in. Starken Plumbing was about \$4400 for labor and material. A concrete wall would have to be gone through. Starken was going to talk to code enforcement as well, and the plan was to use cast iron and copper.

-No additional quote yet as they started with Dave Starken. Cost for cast iron and copper is very expensive. The drain needs to be planned out and there needs to be a platform that covers that side of the wall.

-Electrical drop for each would need to be done. Panel in the sub room for the ready room does have space.

-Quotes will still be completed, and Commissioner Legters will give Chief Koppmann Wirerights information.

-Commissioner Duvall wanted to confirm where the balance for the two items came out and if there was anything extra. He wanted to confirm it did not include the utilities.

-No room in the truck bay, so link space may be the best space still. Chief mentioned the hot and cold water lines are in the wall and care has to be there when starting this project.

-Windows 10 Chief had to purchase has been refunded.

Chairperson Heissenberger said "speaking of computers Zach said today, and Heather, I believe you also went into the district computer. All the files have been wiped. Do we know how that happened?"

-Commissioner Rhoda "I have no idea."

-Commissioner Legters "I was able to find them in another folder".

-Secretary Barbaro "In the recycle bin."

-Chairperson Heissenberger confirmed with the members of the commissioners that they did not know how that occurred.

-Commissioner Legters will now monitor and perform another back up.

Treasurer's Report: Bill total for the month before additional bills was \$8,475.88

There was a correction from the Nationwide Instruction for Cardiovascular invoice. It should read \$1,274.00 and Commissioner Legters will get a new check to correct this.

-Commissioner Legters read the report out loud.

Additional bills that came in:

Plowing: \$480 (Reminder Hood is a per trip pricing that adds up here)

Warning light lenses:\$113.66

Election workers \$70 a piece for a total of two workers.

Fuel:\$507.70

Karl:\$850

-New total was: \$10,507.24 to be paid.

-Chairperson Heissenberger made a motion to pay the bills for the total of \$10,507.24. Seconded by Commissioner Rhoda.

Votes	AYE	NAY	ABSTAINED	ABSENT
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Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

Summary for General Fund:

-Commissioner Legters read the report out loud with the additional bills that came in listed above.

Transfer from Gen. Fund savings to Gen. Fund checking:

-Commissioner Legters asked to move \$11,000 from the savings to the checking to cover the bills.

-Motion made by Chairperson Heissenberger to move \$11,000 per Zach's direction to pay the bills. Seconded by Commissioner Duvall.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

-Commissioner Legters did share two checks would be voiced from the report. This included Culligan and last month's check for the gear as it has already been paid.

December 14 the accounts shoed:

\$211,583.07 in the CD

\$12,216.15 in the Checking

\$647,034.72 in the Savings

-Year as a whole will be updated for the reports so Commissioner Legters can get an accurate end of year figure.

-Over budget: utilities, administration, fuel, truck

Underbudget in all of the other line items.

Net income per say \$109,045.41. Commissioner Legters will get an updated number for potential transfer for equipment reserve fund for next year.

-Email received from auditor was completed, waiting on state approval on one change then will be completed.

Correspondence – Christmas card from NYS Site power (no token included this year for free service. They are the ones who service our generator)

-Christmas Card from Empire access (They do our internet)

-Christmas Card from Graves Brothers (They replaced some of the windows around the building and will need to be contacted to replace the rest.)

-Newsletter from the Association of Fire Districts.

Apparatus: Chairperson Heissenberger asked about the truck rust proofing status to Commissioner Duvall.

-Commissioner Duvall replied he went down, and Peter said he was going to handle it directly. Gary was given his information.

-Chief said he was never called so he took it upon himself to take care of it. Apparently, someone had scheduled it for December 30th. The chief said he was not going to do the trucks on his day off. They are now scheduled for December 27th and 28th which he is taking a vacation day to do. He has a couple people lined up to move apparatus around. They will drip for about an hour after they complete them, then do the shuffle. It will be done there. Chiefs truck, brush truck, mini pumper and hopefully the tanker to be completed on the first day. Then do the two big trucks the second day. But if we need to push the tanker to the second day, they are more than capable of doing it.

-Commissioner Legters confirmed the dates of December 27th and 28th.

711: Nothing at this time.

712:

- Air brake system air leak more extensive than first thought
 - No-Smoke filter box air transfer valves (2) replaced
 - Numerous air fittings on frame/chassis leaking air, including one under brake pedal
 - All fittings tightened or replaced as needed
 - Main Air Brake valve (1) wrong style received (correct one should be in this week)
- Loose tail pipe at No-Smoke filter box repaired
- -This is the next truck in rotation to be replaced.

752:

- Do not move apparatus indicator on (rear compartment door sensor)
 - First replacement sensor received not correct style

- Second sensor on order
- If second sensor does not work, likely bad sensor module (computer)
- LED work light strip at pump panel is not working (corroded connections)
- Pump in gear indicator LED light strip also corroded but still functioning
- Replacement LED light strips ordered for both. Lights are original to truck 10+ years old.
- New hose bed tarp for cross-lays & main hose bed. (Netting similar to 711) - Churchville

741: Nothing at this time.

751:

- Geoff Breeze cleared driver for 751
- Pump winterized 12/3/22

70 - Chief Vehicle: Nothing at this time.

-Chairperson Heissenberger added that once they get towards 20 years there is many issues.

This is why we have a 20-year replacement policy because things start happening.

-Rich Nicholson asked how old 712 was.

-Chief Koppmann shared it was build in 2007 so not quite 17 years.

-751 Ben Murnan mentioned about the weather seals. The Chief will work through Saxbys to replace.

Buildings: Commissioner Rhoda said he did not check on Graves Brothers, because they were supposed to call him when ready and they have not. So the board will have to follow up on them.

-Chairperson Heissenberger confirmed it would be for the rescheduling of the two windows. One in the ready room and the one in the district office.

-Commissioner Rhoda "as far as the window treatments go Karl said to me today he no longer wants to work for the district and fire department so you will have to start from scratch on that one I am afraid. "

-Chairperson Heissenberger asked to confirm that they were ordered, and we are just waiting for them to come in.

-Commissioner Rhoda" he said he was waiting on swatches the last time I talked to him. And I thought he had them on order however he had to have the money in order to order them I think."

-Chairperson Heissenberger "So that's a dead issue then"

-Commissioner Rhoda "So I will call him tomorrow and follow up and let you know. Also, two things left undone yet. The pump in the elevator, down at the bottom has never been replaced."

-Commissioner Legters asked "I thought we had that replaced when we had it cleaned up."

-Commissioner Rhoda "Nope. Goodwill plumbing never came and replaced it. Because I was waiting on them to replace the seals that were leaking before they replaced the pump, because we were trying to get them done at the same time. The timing was not right. So that's still hanging. On the heat pumps or whatever you guys call them there was a switch on that is still on manual mode. So, Ryan's said its fine that way, so it will have to be addressed at some point."

-Chairperson Heissenberger added in that its worked better than it has in the last 40 years.

-Commissioner Rhoda "It actually is fine. And I just wanted to tell you that those are the two things as far as I know still hanging. I think its , what's the name of the company that actually runs that?"

-Commissioner Legters responded it was Daakin.

-Commissioner Rhoda informed the board they would have to be the ones to actually come and replace the switch. He remembers Paul from Ryans saying it was kind of a proprietary kind of thing, so they would have to be the ones to fix it. And that was all he could think of left hanging.

-Commissioner Legters said the other day when Ben reported the circulator pump up in the mezzanine sounded like it was sucking in air, well the guy came, and he called it flat. There is a valve at the top supposed to purge air as it gets in there. Well, the valve was ticking so it wasn't letting the purged air, he freed up the valve and got all of the air out of the lines. Took him about 40 minutes to clear the air out. Heating fine and yet to see the bill as of yet."

-Commissioner Rhoda "This wasn't part of the replacement of the circulator valve pump or whatever?"

-Commissioner Legters "Nope. He mentioned that both pumps, especially the one we just replaced, are working correctly. It just had no water in the system to really pump. It was a different valve and part of the piping, and is hopefully fixed now"

-Chief Koppmann asked to share as a few things were brought to his attention. "Over the weekend he noticed out on the North wall by the back door there is a 6- or 8-inch pvc that goes through the wall, it was ice forming on it. It is the drain for the back flow, as part of the sprinkler system in the building. There are 3 separate leaks in the backflow valves. (Valves 1-3) They are all dripping water, and it is running in the drain and out the pipe and freezing. There is a good chunk of ice there now. The mezzanine roof is still leaking and there is a puddle by the air compressor (the brown low one that supplies the truck bay air). There is a PVC pipe on the west wall by the hose rack that leaks when it rains. There were also some questions about the fire alarm panel."

-Commissioner Legters was going to call Andy because the last he spoke with him they were trying to get one. Apparently the one that fits in that cabinet is hard to obtain right now. So, he told me at the time it would be about 6 months. We are in about month 4 right now. And he will call Andy to get an update.

-Chief only brought it up as they responded to a call at the firehouse for an automatic alarm on December 9th and typically in the panel it should be able to be reviewed in which zone or sensor issue was had. Currently there's no way to access the menu since the panel has locked.

-Chairperson Heissenberger knew the panel was bad and they were replacing it.

-Commissioner Legters said it was replaced and it was a little better than what was in there before. This was a temporary fix, however. Because this one is now obsolete a whole new one would need to be put in.

-Chief just wanted to bring it up due to the fact if there were more than one alarm you are unable to isolate where it is.

-Chairperson Heissenberger confirmed the back flow is something Ryans handles. He had also gone in last month with Jeff Kachmaryk and saw them leaking with a funnel. He wondered if it was designed to leak or leaks. So he will follow up as the Chief is seeing a large active leak.

Grounds: Chairperson Heissenberger wanted to follow up with Commissioner Duvall on the survey of the property and where the board stands on that.

-Commissioner Duvall said "Marks engineering is passing the district off to one of their subcontractors. We should probably hear from them after the holidays. Marks Engineering contact said they were too busy doing new surveys, to they have someone they work with fairly regularly that is supposed to be in contact with us. As far as the property restoration I have not heard anything from the DA."

-Chairperson Heissenberger "they were waiting for us to take action. To fix the property or do something with it and I don't know with the winter if we just do nothing"

-Commissioner Duvall said there was nothing they could really do as of right now. Since it would just be mud.

-Chairperson Heissenberger will check in again with the DA office to see next steps.

-The order of protection has expired in November according to Chairperson Heissenberger. Commissioner Duvall added that it seemed as though he is now leaving everyone alone.

-Commissioner Duvall added 'other than that as long as there are no complaints with the snowplow contractor.'

-Commissioner Legters said "The only thing I had was what I texted from the other night there was nasty patches of black ice out there."

-Commissioner Duvall shared they seemed to have come right out after that to address the issues.

Insurance: Chief wanted to confirm that even with Commissioner Kachmaryk not present that he still wanted to confirm and go over a few things.

-Chief Koppmann made the district aware last month that the county would no longer handle PESCH paperwork. Which includes logging injuries. This ends as of 2022 for the county involvement. Again 2023 it will be the responsibility of the fire district.

-December 7th video conference he attended, did not see Commissioner Kachmaryk on list of attendees. (This event was shared in advance last month)

-This is important, as it is how PESCH will track injuries. The district will now take on this work. County will still be self-insured under workman's comp.

-Commissioner Legters asked Chief if they had boiler plate forms or procedures already in place already or if its on the district to come up with.

-Chief Koppmann let the board know that it is a little bit of both. There is 5 forms and a log sheet. It is a good idea to designate someone. He was in talks with other surrounding departments, and one even has a full-time administrator that is going to handle this. He suggested choosing a primary and secondary person in case someone is out of town or not available.

-Serious time constraints with fines associated for not meeting those time restraints. 24 hours for injury and 8 hours for serious injury or death for reporting. Important to address for next year.

-Secretary Barbaro will add it to the agenda for the January Organizational meeting.

-District is required as well to report an annual roster of interior firefighters, this is for the mandatory cancer coverage. A list is provided every year by the Chief, however there is a question regarding two career firefighters that are also volunteers with us. The question is whether they cannot be insured by two separate organizations. So, it needs to get sorted out who carries the insurance. The Chief would assume it is the career department.

-Office for Fire Prevention and Control may be able to guide us with the answer.

-The other question is there are 2 firefighters listed that are approaching the 5 years of being no longer active. The benchmark is coming up for this, and the Chief wants to know if they get dropped off of the list or a footnote added. There is not a lot of guidance on this at the time. He just wants to confirm there is not a lapse in coverage. The Chief needs follow-up on this.

Old Business: Website for the district has been pushed off to January as he cannot come in tonight.

New Business:

-Chairperson Heissenberger "so there was a lot of discussion, I got a lot of calls regarding the special meeting of 12/9. And the circumstances surrounding that. I spent

a lot of time on the phone Friday and today consulting with Brad Pinsky (our district lawyer) Joe Frank (who's the lawyer for the Association for Fire Districts of the state of NY) and Tom Link (Regional Director of Fire Districts for District 5 which includes our Rochester area). And sharing with them the scenario, the copy of the letter that went out to the community and overall, just what exactly was going on here. After discussing with them the situation it appears that this was a response that Commissioners Rhoda, Kachmaryk and Duvall made as a result of a political campaign email that was sent by Mrs. Long on behalf of Mike Long running for office. So, with regards to that the three of you, Commissioner Rhoda, Commissioner Kachmaryk, Commissioner Duvall you met at some point in time prior to the December 9th public meeting. In which the three of you made the decision to address the campaign question by the form of this letter. Is that correct?"

-Commissioner Rhoda "I don't know. I have no comment."

-Chairperson Heissenberger" You have no comment?" So, the three of you met and according to the meeting you decided that your plan of action would be to create a letter and then send this letter to the people on the list that you felt had been offended. And Commissioner Kachmaryk was quoted as saying you 'divided up the list and approached those people.' According to review with Pinsky, Joe Frank, Tom Link this is a political campaign about campaign practices made by Mrs. Long. This is not a public safety issue regarding the fire district. Political disputes are not within the jurisdiction or purview of the East Bloomfield Fire District first of all. Second of all, in looking at the situation there was no violation of any law by Mrs. Long in publishing an avoid contact list. In fact, she was exercising her right to campaign on behalf of her husband Mike Long. There was no violation or rules and bylaws of the East Bloomfield Holcomb Fire Department. Which has no jurisdiction or control over political speech or campaigning. SO there is not, as alluded here, an infraction where Mrs. long needed disciplinary action required. The email was not sent during a fire scene, from the Fire Department or from district computers, or during a training event. It was not done with the knowledge or approval of the chief, assistant chief, executive board, or members of the fire department. No jurisdiction on their behalf, no punishment as is alluded to in this letter is warranted. This is an example of political retribution and the response to this situation by Commissioners Rhoda, Kachmaryk and Duvall in my opinion exceeded your authority as a commissioner of the fire district overstepped protocol and you had a meeting between the three of you that you discussed a plan of action. You completely excluded any knowledge of Commissioner Legters and myself. We had no participation. You don't have the ability to have a group of three make a decision on behalf of the commissioners. And then this concludes a false statement in where this at the bottom says 'the East Bloomfield Board of Fire District Commissioners are taking this matter very seriously.' This is a false document. This document is spurious, it basically purports to be from the Fire District but was never discussed at a public meeting such as this. It was never made open to the public to hear what was going on. Basically, I feel there's been several violations that have occurred as a result of this and the first is malfeasance. You have attempted to fraud the citizens of Bloomfield by providing this false and misleading document. Basically, saying this came from the East Bloomfield Fire Commissioners you took out of context the statement of 'to avoid contacting' that Mrs. Long had put in the email in order to allude that this was now about providing fire

district coverage or safety in times of emergencies. That was never mentioned. You did not tell the public that the context with this names to avoid list was distributed. This was about essentially sharing a campaign flyer for Mike Long. Instead, you insinuated this statement was to avoid providing public service or assistance in a time of need. This document also, if you look at it, meets the criteria and definition of liable and defamation of character. Because what you have done, you created a document , you disseminated this to members of the community containing false accusations which you stated as fact not opinion. You specially name Joann Long, which you would never do if that was a human resource document. And then you published this to multiple third parties which cause damage to Joann Longs name and reputation. And I believe at this point should Mr. and Mrs. Long decide to take legal action they would have a case. Also it violates the Code of Ethics that you as a Fire Commissioner, and your Oath of Office swear to by providing false and misleading statements to the public. And you intentionally, the objective with this was to insight the public under false pretenses to make a complaint against either Mrs. Long or the Fire Department while not providing all of the facts under false pretenses. The fact that you were comfortable and confident meeting in secret without the knowledge also is violating the Open Meeting Laws because if the three of you meet that forms a quorum. And by that notion you are functioning as a Fire District Commissioner and that needs to be published in advance. And that needs to be open to the public. You now say you don't know what happened to the forms. And you don't know according to the special meeting who wrote them. So I have a lot of concerns here and right now I am saying based on all of this I think it would warrant that I am asking for the three of you to resign."

-Commissioner Rhoda "I thank you for your opinion. I am already out so it doesn't matter. Tomorrow is my last day. So, whatever you want. It doesn't make a difference to me."

-Commissioner Duvall replied "I've gotten an attorney so. Half of what you have said are fairly bold claims so I think you should keep that in mind as you speak. And as far as resigning, it's not going to happen. So, like I've said I've got an attorney and I am not going to discuss this whole matter any further.

-Chairperson Heissenberger "Can you tell me who wrote this Mr. Duvall?"

-Commissioner Duvall "No."

-Chairperson Heissenberger "Mr. Rhoda can you tell me who wrote this?"

"Commissioner Rhoda " I do not know who wrote it no."

-Chairperson Heissenberger replied "You don't know who wrote it? And yet you were distributing this in the community?"

-Commissioner Rhoda " So I was doing it at the advice of the other commissioners as I said on the recording last week, or the other night. So, I was doing what I thought was the state telling them what to do."

-Chairperson Heissenberger replied " Ok and I've talked to Joe Frank about that and Joe Frank took a copy of this and said he never advised any of this to out."

-Commissioner Rhoda "So I didn't speak to him specifically so I should have done my own due diligence. You are right."

-Chairperson Heissenberger "And Pinsky said that he would have never advised having this meeting or sending this out. Mr. Pinsky is our Lawyer. Mr. Pinsky is concerned to the point to where he has asked to attend our next meeting and he wants to have a closed door session with the commissioners to discuss what is and isn't appropriate actions of a fire commissioner. So, he will be attending our next meeting."

-Commissioner Rhoda "that won't include me so I won't be here I am done."

_Chairperson Heissenberger "I just think the actions of the last two weeks are basically appalling and I am embarrassed. And I would like to apologize to the community for this. It just should have never have happened. And the fact that you are not willing to confess who wrote a document that you handed out is quite damning in my opinion."

-Commissioner Rhoda "I don't know so."

_Chairperson Heissenberger replied "Very good."

-Commissioner Rhoda "It could have come from the state for all I know. I don't know."

-Chairperson Heissenberger "I can assure you it did not come from the state."

-Commissioner Rhoda "I appreciate your opinion."

-Chief Koppmann asked Chairperson Heissenberger if he could share next. "There were some assertions that the fire department would chose not to respond to deliver service."

-Chairperson Heissenberger responded "that is correct."

-Chief Koppmann continued "That statement has been said several times. Contacted the 911 center and as far back as they could look back without making it a massive research project since 2018. I had them run the numbers from 2018 to year to date. Total calls are 923 calls for service of which there are two categorized as no response. Meaning the East Bloomfield Fire Department did not respond. The first was during the events of the motel fire on 5 and 20. At 4:23 AM we received a call for a CO2 alarm, the stand by fill in crew sitting at the East Bloomfield floor, Lima responded to that call. Technically we did not turn up for that call, however we were a little busy, and the district was covered by our mutual aid company. As is our policy and procedure. The second one is from July 2nd of last year (2021). I am not sure why, but I am having them look into it. It's coded as a no response. However, we received the alarm at 16:24, responded at 16:28 and arrived at 16:33 for a scene of mutual aid structure fire in Lima. So not sure why that's coded as a no response. I have the times it may simply be an error of recording at the 911 center because there were multiple departments sent at the same time. They are looking into it but those are the only two instances in the last 5 years that this department has not turned out to the call."

-Chairperson Heissenberger "I have as a result of discussing this with the districts lawyers and that also at the advice of Tom Link, the Regional Director for the Association of Fire District for the State of New York, I have a call into the NYS office of the Comptroller."

Regarding issues of investigation of whether this constituted malfeasance and again violations of Code of Ethics and Oath of Office. So, I will be following up on that. More to come. Any comments?"

-Commissioner Rhoda "No."

-Chairperson Heissenberger continued "Deeply disappointed but thank you very much none the less."

-He asked if there was any additional new business to bring up. Commissioner Legters shared he would be going out of town starting Friday through the end of the year.

-Commissioner Rhoda wanted to confirm any outstanding events in the community room would have the doors preset and Secretary Barbaro can help confirm with Commissioner Legters before he goes.

-Chairperson Heissenberger will also be available.

Adjournment: Motion to adjourn made by Commissioner Legters, Seconded by Commissioner Rhoda.

Votes	AYE	NAY	ABSTAINED	ABSENT
Chairperson George Heissenberger	X			
Commissioner Zach Legters	X			
Commissioner Phil Rhoda	X			
Commissioner Jeff Kachmaryk				X
Commissioner Ryan Duvall	X			

The motion passes.

Meeting end time was 7:53 PM.

I, Heather Barbaro, secretary of the East Bloomfield Fire District, hereby certify that the attached minutes are true and accurate copies of minutes maintained by me in the ordinary course of business and as part of my role as secretary of the fire district.

Secretary