

Regular meeting of the Commissioners, Lyndonville Joint Fire District was held on Wednesday August 9, 2023, at the Lyndonville Village Hall. The meeting opened at 5:54PM

PRESENT: Commissioners: Scott Goetze
John Flanagan
James Hydock - Absent
Edward Jay
Gary White

Secretary Terry Stinson
Treasurer Edward Jay - Acting
Fire Dept Chief Michael Heideman
Fire Dept President David Hydock
Attorney Mark C. Butler - Absent
Public: Jennifer Thom CPA

APPROVAL OF THE MINUTES

Minutes for meeting held on Wednesday July 26, 2023 will be made available for approval at the next meeting.

PRIVILEGE OF THE FLOOR

- Jennifer Thom of JLThom CPA PC was asked to explain her role in both Gasport Fire and Ridgeway Fire Departments. Ms. Thom explained that she is the book keeper for Gasport and part book keeper part treasurer for Ridgeway. As a book keeper she would complete the following: prepare checks and pay bills via software program designated by the fire district, prepare the budget to actual report (as well as any needed monthly reports), complete payroll setup and transactions, reconcile bank accounts/statement, file year necessary year end forms/documents, be a point of contact for audits. Her fee is \$200 per month which includes the Intuit fee.
- Peter requested to borrow chairs, tables, coolers for an upcoming event (will not need facility access). Commissioner Flanagan explained that permission would only be needed by the commissioners if it were for a use of facility and that he should direct his request to the Fire Department President.

Report – Attorney Butler

- Nothing - Absent

Report – Fire Department Chief Heideman

- Chief Heideman presented his call for the Month of July 2023 report
- Stated that three (3) members are scheduled to take the upcoming EMT class. The cost of the class is \$875 per student and \$200 per study guide. He has found that Amazon is the cheapest place to order the study guides
- Gave an FYI that the cost of the previously approved hoses will be \$4764
- The annual fund drive was successful. The Fire Department purchased two (2) battery operated fans to be used on calls. Each fan cost approximately \$5600
- The Fire Police will be present, until 9:30PM, for the Town of Yate Street Dance scheduled for August 25, 2023.
- Asked for permission to place excess equipment, located in the garage, on GovDeals.com

RESOLUTION NO 2023-60

ON MOTION of Commissioner Flanagan seconded by Commissioner Jay, to pay for EMT classes and study guides for three (3) members for a total of \$3225. Funds to be moved from Snow Removal and placed in Training.

Vote: 4 Ayes (Goetze, Flanagan, Jay, White); 0 Nays; 0 Abstain

RESOLUTION NO 2023-61

ON MOTION of Commissioner Goetze seconded by Commissioner Jay, requested an inventory list of all equipment that the Fire Department would like to post on GovDeals.com. and also granting Chief Heideman permission to reach out to a point of contact for more information.

Vote: 4Ayes (Goetze, Flanagan, Jay, White); 0 Nays; 0 Abstain

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Report – Fire Department President Hydock

- Window replacement project has been completed
- NYS DOT has repaired the front road side culvert
- Painting of main hall area will finish up projects for the year

Report – Secretary-Terry Stinson

- Nothing to add

Report – Acting Treasurer Edward Jay

- Has been working to get a separate email for the secretary. There will be an additional yearly cost for this.
- Will be needing access to the cell phone. Cell phone number is linked to all accounts and some require a code to be sent before action can be taken.
- Presented Budget to Actual report for July 2023

Report – Commissioner Goetze

- Under the direction of Attorney Butler the commissioners are advised to pass a resolution that will rescind the previously approved bid package/proposal for the new truck.

RESOLUTION NO 2023-62

ON MOTION of Commissioner Flanagan seconded by Commissioner White, to adopt the following resolution:

WHEREAS, the Board of Fire Commissioners (“Board”) of the Lyndonville Joint Fire District (“District”) having previously advertised a Notice to Bidder for the acquisition of one (1) pumper fire apparatus with attendant equipment and appliances and thereafter received a single bid therefor from Churchville Fire Equipment Corporation as Prime Agent for Pierce Manufacturing, Inc. dated July 20, 2023 (the “Churchville/Pierce Bid”); and

WHEREAS the Board carefully reviewed the Churchville/Pierce Bid and on July 27, 2023 awarded such bid to Churchville Fire Equipment Corporation as Prime Agent for Piece Manufacturing, Inc.; and

WHEREAS, after such Churchville/Pierce Bid was received and awarded a representative of Churchville Fire Equipment advised the Board that, although the Churchville/Pierce Bid included compliance with the engine requirements of the District’s Bid Specifications Package dated July 12, 2023, Churchville/Pierce was not able to provide the engine contained in the Churchville/Pierce Bid; and

WHEREAS, the Board upon receipt of such representations caused to be prepared and delivered to Churchville Fire Equipment Corporation as Prime Agent for Pierce Manufacturing, Inc. demand correspondence requiring Churchville Fire Equipment Corporation as Prime Agent for Pierce Manufacturing, Inc to stat that it will perform the contract in accordance with its bid in all respects, including full compliance with the engine specified and bid, namely as set forth in the Fire District’s Bid Specification Package dated July 12, 2023 including at Paragraphs 58-70 thereof and as otherwise provided, to which no exceptions were taken in the Churchville/Pierce Bid; and

WHEREAS, the Board received correspondence on August 3, 2023 from Churchville Fire Equipment Corporation as Prime Agent for Pierce Manufacturing, Inc. that it would not honor its bid dated July 20, 2023, a copy of which correspondence is attached hereto; and

WHEREAS, the Board reserved the right in its Bid Specifications Package Dated July 12, 2023 to reject any and all bids within the Board’s discretion and that the failure of the bidder to so confirm may result in the cancellation of the contract by the Fire District in its sole discretion.

NOW THEREFORE, be it

RESOLVED, that the prior award to Churchville Fire Equipment Corporation as Prime Agent for Pierce Manufacturing, INC. dated July 20, 2023 is hereby rescinded based on the foregoing recitation of events and facts and the refusal of such bidder to confirm its bid as required; and it is further

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RESOLVED, that the Secretary of the District is directed to notify such bidder of the recission of such bid award; and it is further

RESOLVED, that legal counsel to the Fire District is directed to examine the Bid Bond submitted to Churchville Fire Equipment Corporation as Prime Agent for Pierce Manufacturing, Inc. and is further authorized to take such steps as counsel determines to protect the interests of the Lyndonville Joint Fire District under such Bid Bond or otherwise

Vote: 4 Ayes (Goetze, Flanagan, Jay, White); 0 Nays; 0 Abstain

- Discussion was held regarding beginning the bidding process again. Commissioners Flanagan and Goetze are concerned about additional attorney fees and taking on too much for the first year. Chief Heideman understands the concern over financial stress, but stated that if we wait the cost will only rise. President Hydock would like to see other vendors become involved. Discussion also included: the use of existing specs, providing ample time for other vendors to place bids, and accepting contingencies. A decision to table until the next meeting was made.

Report – Commissioner Hydock

- Nothing - Absent

Report – Commissioner Flanagan

- On behalf of Commissioner Hydock, quotes for painting of the main hall were presented. Two bids from the following were read: A1 Painting \$3656 and Panek Coatings \$6375. Discussion was had to ensure that both quotes were for the same scope of work, both companies were insured/bonded, and comparable materials were being used.

RESOLUTION NO 2023-63

ON MOTION of Commissioner Flanagan seconded by Commissioner Jay, to accept the bid, for painting of main room, from A1 painting in the amount of \$3656

Vote: 4 Ayes (Goetze, Flanagan, Jay, White); 0 Nays; 0 Abstain

Report – Commissioner Jay

- Nothing further to add

OLD BUSINESS:

- None

ON MOTION of Commissioner Goetze, seconded by Commissioner Flanagan, to adjourn the regular meeting of the Lyndonville Joint Fire District at 7:29PM.

Vote: 4 Ayes (Goetze, Flanagan, Jay, White); 0 Nays; 0 Abstain

Terry L. Stinson
Secretary
Lyndonville Joint Fire District