

Elburn & Countryside Fire Protection District
Board of Trustees Meeting
06/06/23

Date: June 6, 2023

To: President & Trustees

From: Pamela Hall, Office Manager

Trustee T. Reynolds called the Trustee Meeting to order at 4:30 pm with the following persons in attendance:

T. Reynolds	M. Anderson	J. Armesy	L. Engberg	J. Cluchey	M. Hanson	M. Huneke
S. Flaherty	P. Hall	L. Schopp	L. Herra	T. Hall	W. Hall	S. Fuller
C. Fuller	E. Daffron	D. Book	G. Malle	B. Herra		

Trustee T. Reynolds led the Board of Trustees in the Pledge of Allegiance.

Public Comment:

- No comment

President's Comments:

- No comment

Final Annual Budget & Appropriation Ordinance #2023-08:

M. Anderson made a motion to open the Public Hearing for the Fiscal Year 2023-2024 Final Budget & Appropriation Ordinance # 2023-08. J. Armesy seconded the motion. It was voted on and approved.

- Trustee Reynolds opened the public hearing.
- Chief J. Cluchey stated that the notice of public hearing was publicized in a local newspaper, Daily Herald, and on our website stating that the tentative annual budget & appropriations ordinance was available for inspection during the 30 days prior to this public hearing. The purpose of this hearing is to consider testimony from the public regarding this ordinance.
- Chief J. Cluchey noted that the trustees have had the opportunity to review the budget & appropriation ordinance. The Board of Trustees had no revisions to the budget. A copy has been placed on file.
- Trustee Reynolds called for any public comment. No comments were made.

J. Armesy made a motion to approve Final Annual Budget & Appropriation Ordinance # 2023-08. L. Engberg seconded the motion. It was voted on and approved with a roll call vote.

<u>4</u>	Ayes
<u>0</u>	Nays
<u>1</u>	Absent

L. Engberg closed the Public Hearing for the Fiscal Year 2023-2024 Final Budget & Appropriation Ordinance # 2023-08. M. Anderson seconded the motion. It was voted on and approved.

Attorney Comments:

- Attorney S. Flaherty reminded the administration that they will need to file the budget ordinance with the county and publicize.
- Attorney S. Flaherty also provided a legislative update to the Board of Trustees.

Chief J. Cluchey Comments:

- a) Personnel Matters
 - Chief J. Cluchey informed the Board of Trustees that the Board of Fire Commissioners will have a change in officers beginning this month. Commissioner C. Thomas is the new Chairman of the Board. Commissioner S. Herra will remain on the board as a board member, just not in the chairman role. Commissioner P. Panagakis also remains on the board.

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b) IPRF HELP Closeout

- Chief J. Cluchey informed the Board of Trustees that the district participated in the HELP program with IPRF as a means to decrease premiums.
- Chief J. Cluchey recognized Lt. S. Fuller for his hard work implementing and complying with the HELP program requirements. The district has received a refund check from IPRF in the amount of \$31,861.00. The Board of Trustees also thanked him for implementing and completing the program.

Assistant Chief M. Hanson Comments:

a) Incident Reporting

- Assistant Chief M. Hanson reviewed the incident report with the Board of Trustees, noting that it was a busy morning. He noted that duty crews have been assigned group workouts allowing them to remain in their still districts. He also noted that the district responded to several mutual aid calls over the past month and that the Chiefs continue to get great reviews from neighboring fire departments on the performance of ECFPD personnel and their leadership and abilities on calls. A copy has been placed on file.

Assistant Chief M. Huneke Comments:

a) Operations/Organizational Update

- Assistant Chief M. Huneke informed the Board of Trustees that the union has requested the ability to explore a 48/96 shift schedule. He also noted that the administration and union agree that they wish to begin early informal collective bargaining agreement talks.
- Assistant Chief M. Huneke informed the Board of Trustees that he has received a scholarship for his masters degree.
- Assistant Chief M. Huneke also noted that M. Didenko is working on designing a new sign to replace the large logo sign in the training room.
- Assistant M. Huneke informed the Board of Trustees that the administration has begun the strategic plan process with NIU. Focus groups including homeowners associations, villages, townships, etc...are being identified as well as high, medium and low target hazard businesses.
- Assistant Chief M. Huneke informed the Board of Trustees that the administration has met with the Sugar Grove Village President to discuss the proposed Crown Development. At their meeting, discussion was held in regards to Station #4, impact fees, the development concept, etc... He also noted that the district has a good working relationship with the Village of Sugar Grove.

b) Fire Apparatus/EMS Update

- No report

c) Stations/Facilities/Equipment Update

- Assistant Chief M. Huneke noted that the amount budgeted for an updated camera system is due to a 10 year plan. He will be requesting from the board, at a later date, to ratify the cost so all three stations will be compatible and the same system.
- Assistant Chief M. Huneke asked Diana Book from Laub Construction to inform the board as to the progress of the remodel at Station #2. D. Book addressed the board and informed them that the floors, offices and kitchen cabinets have been painted. New kitchen cabinet doors will be installed. After board approval, the new roof will be scheduled. Lt. T. Hall noted that the gear lockers have been received and need to be installed.

Fire Marshal Comments:

a) Community Risk Reduction (CRR) Bureau

- i. Project Status (Plan Reviews, Inspections, Etc.)
- ii. Public Education (Classes, Special Events, Etc.)

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- Fire Marshal L. Schopp reviewed the Fire Prevention Bureau report with the Board of Trustees. A copy has been placed on file.

CONSENT AGENDA

Consider any motions to remove any item from consent agenda and place that item under the new business or old business portion of the meeting as appropriate.

Motion to approve consent agenda items # 1 through # 4

- 1) Approve District Trustee Minutes for May 2nd, 2023
- 2) Approve Treasurers Report for May 2023
- 3) Approve the May bills in the amount of \$227,755.87
- 4) Approve Payroll Report for May 2023

J. Armesy made a motion to approve consent agenda items #1 through #4. L. Engberg seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

Committee Reports:

- 1) Foreign Fire Insurance (FFI) Board Report
 - No report
- 2) Pension Board Report
 - Assistant Chief M. Huneke informed the Board of Trustees that J. McCafferty's disability hearing was continued due the need for additional medical records. He also noted that Robert Stevens is in the process of obtaining the three independent medical exams (IME) for his disability pension request.

Old Business:

- None

New Business:

- 1) Capital Asset Policy update
 - a) Motion to approve updated ECFPD Capital Asset Policy
- Assistant Chief M. Huneke informed the Board of Trustees that the accountant reviewed our past capital asset policy and proposed revisions. The revised capital asset policy was presented for review, A copy has been placed on file.

M. Anderson made a motion to approve the updated ECFPD Capital Asset Policy. L. Engberg seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

- 2) Station #1 Window
 - a) Motion to ratify the expenses for a window for Station #1 from DeKalb Glazing, in the amount of \$7,750.00 plus installation
- Diana Book from Laub Construction informed the Board of Trustees that after extensive research, she was able to find a replacement window that matches the existing broken window at Station #1 for far less than the cost of the original manufacturer.

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- Diana Book also notified the Board of Trustees that FGM Architects will be here next week with a contractor to remove the patio window at Station #1 to determine the reason there is a leak and rectify the situation. All expenses are at the architects cost for the damage and window replacement.

M. Anderson made a motion to ratify the expenses for a window for Station #1 from DeKalb Glazing, in the amount of \$7,750.00 plus installation. L. Engberg seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

3) Surplus Equipment

- a) Motion to approve the destruction &/or sale of surplus equipment
- Assistant Chief M. Huneke informed the Board of Trustees that the administration wishes to sell &/or destroy the car trailer. It has been deemed not street legal and the cost to repair the car trailer is \$3,800.00. There is no longer a purpose for a car trailer since we utilize the services of a local towing company to transport vehicles.

M. Anderson made a motion to approve the destruction &/or sale of surplus equipment. J. Armesy seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

4) Work Agreements – Fire Chief, Deputy Chief & Fire Marshal

- a) Motion to approve the work agreement for the position of Fire Chief
- b) Motion to approve the work agreement for the position of Deputy Chief
- c) Motion to approve the work agreement for the position of Fire Marshal
- Discussion was held in executive session.

5) Discussion on the hiring of a full-time Firefighter/Paramedic

- a) Motion to approve hiring a full-time Firefighter/Paramedic
- Discussion was held in executive session.
- 1) Assistant Chief M. Huneke also noted in open session that there is a vacancy due to FF/PM Robert Stevens applying for a disability pension. He stated that the first three candidates on the current list are not certified Firefighter/Paramedics. In accordance with Illinois State Statute, [(65 ILCS 5/10-2.1-6.3) Sec. 10-2.1-6.3. Original appointments; full-time fire department.], the administration will recommend to the Board of Fire Commissioners to consider skipping candidates #1, #2 and #3 and to approve a conditional offer of employment to candidate #4.

Executive Session:

At 5:20 pm, Chief J. Cluchey called an executive session pursuant to Section (2)(c)(1) of the Open Meetings Act (to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine validity).

At 5:21 pm, a motion to go into executive session was made by M. Anderson. J. Armesy seconded the motion.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

In attendance:

J. Cluchey M. Hanson M. Huneke T. Reynolds M. Anderson J. Armesy L. Engberg

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S. Flaherty P. Hall

At 5:44 pm, the executive session ended with a motion by M. Anderson. L. Engberg seconded the motion.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

Action taken after executive session:

- Office Manager P. Hall noted that the tape recorder was malfunctioning during executive session so not all portions of the executive session were recorded.

M. Anderson made a motion to approve the work agreements for the position of Fire Chief, Deputy Chief and Fire Marshal as amended. L. Engberg seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

J. Armesy made a motion to approve hiring a full-time Firefighter/Paramedic. M. Anderson seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

6) Station #2 Roof Replacement – Sealed Bids

- a) Motion to approve the replacement of Station #2 roof bid award to YAD Construction in the amount of \$55,930.00
- Diana Book from Laub Construction presented the Board of Trustees with the bid details for their review. She noted that there were seven bidders with a base bid price ranging from \$55,930.00 to \$162,000.00. D. Book also noted that the alternate price per square foot is \$5.00 which is comparable to the other bidders.
- D. Book noted that she researched extensively the lowest bidder, YAD Construction, due to the concern that the bid was too low. After speaking with the bidder and the owner of the company, she was reassured that the bid amount was correct. She also obtained copies of their IDOL records showing that they are paying prevailing wages as a non-union company and contacted a several of their past customers that gave them all good references. She noted that YAD Construction is also licensed and bonded.
- Chief J. Cluchey stated that Diana has done her due diligence and that he also contacted Attorney S. Flaherty to see if he could find any issues with the company. Attorney S. Flaherty noted that he did not find anything.
- Chief J. Cluchey stated that per the recommendation of Laub Construction, he requests approval from the Board of Trustees to hire YAD Construction for the replacement of the Station #2 roof.

J. Armesy made a motion to approve the replacement of Station #2 roof bid award to YAD Construction in the amount of \$55,930.00 including the alternate price of \$5.00 per square foot. M. Anderson seconded the motion. It was voted on and approved with a roll call vote.

Roll Call Vote

4 Ayes
0 Nays
1 Absent

7) Appeal for Modification of the Fire Code Agreement; Obscurity Brewing

- a) Motion to approve appeal for modification of the fire code agreement for Obscurity Brewing

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- Fire Marshal L. Schopp stated that the modification of the fire code agreement for Obscurity Brewing, 217 W. Main St., Elburn is expired and they are requesting an appeal/extension of the agreement. She noted that the current 4" water main can not support the required sprinklers for the building.
 - Chief J. Cluchey asked the representatives from Obscurity Brewing to introduce themselves to the Board of Trustees. Gavin Male, stated that he is a Co-Owner, and Brian Herra from J & R Herra stated that he is the contractor Obscurity Brewing has hired for the job. He has been part of the talks with the Village of Elburn on the need for a 12" water main for approximately three years now.
 - Chief J. Cluchey inquired with Gavin Male as to if the building is being used for public assembly at this time. G. Male stated that yes, the building is rented out for events such as weddings, baby or bridal showers. He inquired as to if they have been using the building in the year 2023. G. Male stated yes, it has been used on several occasions since January until now.
 - Chief J. Cluchey informed the Board of Trustees that he is recommending the appeal be tabled until next month. This will allow the district extra time to meet with the Village of Elburn Administrator and Public Works to further discuss the water main issue and time line for replacement and extension to the property. He also stated that this decision is based on life safety obligations. He stated that he cannot allow them to continue operating outside of the agreement. They have already been doing so for 6 months after the agreement expired. He also noted that the first time the district found out about the use of the building two years ago was when there was a fire in the building. At that time, the district did not know they were using it for public assembly.
 - B. Herra from J & R Herra addressed the Board of Trustees noting that there is a 12" water main extended to 300 feet behind the old Glidden's Drug Store building then there is a 4" water main to Obscurity Brewing and a 3" water main to the old buildings on the property, specifically 217 N. Main St. The water main use will not even allow them to put on a bathroom group in the building. They have been trying to resolve this issue with the Village of Elburn for approximately 3 years and have been informed that the village has no immediate plans to replace the water main. At a recent meeting, they were informed that the original 5 year plan from the Village of Elburn has no new terms.
 - Trustee M. Anderson inquired as to if Obscurity has considered taking on the cost of the water main project and recapturing the costs from the Village of Elburn. B. Herra stated that the cost of such a project could be over \$450,000.00 without materials and is not feasible.
 - Chief J. Cluchey reiterated that he feels the Board of Trustees should table the appeal until next month. Chief J. Cluchey also noted that if Obscurity continues to conduct business and use the building for assembly, they will be operating contrary to code. He suggests that they do not take on that liability. Attorney S. Flaherty stated that Obscurity risks being sited. B. Herra inquired as to if they need to cancel their scheduled events/rentals. The Fire Chief and District Attorney reiterated that they will be operating contrary to code and can be fined for doing so.
 - The Board of Trustees agreed to table the appeal and revisit the agenda item at the July 11th, 2023 meeting.
- 8) Any other new business matters or consideration of items removed from the consent agenda
- None presented

Good of the Organization:

- Assistant Chief M. Huneke informed the Board of Trustees that the new payroll report includes more details on overtime.

At 5:51 pm, L. Engberg made a motion to adjourn the meeting. J. Armesy seconded the motion. The meeting was adjourned by unanimous consent.

Respectfully Submitted,
Pamela C. Hall, Office Manager
Elburn & Countryside Fire Protection District