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Association of Fire Districts of the State of New York

Coffee With Commissioners



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Of the
State of New York**

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Today's Panel

Dave Denniston – Region 4 Director AFDSNY

Joe Frank – Association Counsel

Tom Rinaldi – Law and Leg Committee



The Annual Organizational Meeting

A meeting that is held to start a new fiscal and operational year.

Certain motions and resolutions will be made at this meeting to set the fire district fiscal house in order at the start of the year and set up your organizational structure for the coming year.

In accordance with Section 174, sub-paragraph 2, of the Town Law, Boards of Fire Commissioners in Fire Districts are required to hold an organizational meeting during the first fifteen days of January.

1. Pre-meeting Procedure

Notify the media and publically post the date, time and location of the meeting by December 15th

Place on district website if you maintain one

Notify successful candidate of meeting after district annual election

Notify Board members and staff



Procedure for the Meeting

2. Procedure for the Meeting

Selection of a presiding officer/ chairperson

Start with elected treasurer as temporary chairperson

If no elected treasurer have one of the commissioners in office start as temporary chairperson

Temporary chairperson opens meeting

Takes nominations for chairperson and Board selects the chairperson for 2022

Chairperson confirms that newly elected officers have taken and file their oath of officer.

If not he/she arranges for the oath to be administered.

Chairperson welcomes new elected official to take their seat on the Board

Chairperson directs that the oaths are to be filed with the Town Clerk(s)

Chairperson should place into the minutes of the meeting proof provided by the Secretary of proper notice of the meeting [affidavit of publication]

Chairperson should then entertain nominations for the office of Vice Chairperson.

Once selected the Vice Chairperson will preside at official meetings of the Board at which the Chairperson is not present.

Chairperson should then entertain nominations for the office of Fire District Secretary

Board should set the salary of the Secretary for the year.

Board should then name the Secretary to be the District Custodian of Records and Records Access Officer (see District Freedom of Information Law (FOIL) Policy).



Procedure for the Meeting

Chairperson should then entertain nominations for the office of District Treasurer (in districts where the office of Treasurer is appointive)

Board should set the salary of the Treasurer for the year.

Board should then direct the Secretary to forward the oaths of office of the Secretary and the Treasurer to the Town Clerk(s) as well as those of the newly elected Commissioner(s) and Treasurer (if applicable) if they have not yet been filed

Oaths of Office must be filed with the appropriate Town Clerk(s) within thirty days of the commencement of the term of office for each public officer of the Fire District

Chairperson should then entertain nominations for the appointment of District Counsel, and set the annual retainer rate for counsel. Counsel should be directed to forward a written retainer agreement to govern the terms of such appointment and the services to be rendered.

Chairperson should then request the Treasurer to submit the annual report for the preceding year unless the Board has adopted the procedure prior of permitting the Treasurer the additional sixty-day period permitted by law to submit such report.

In any event, the District Treasurer should be present to answer any questions relative to the financial condition of the District.

Board should then review the surety bond/undertaking of the District Treasurer.

Board should then name the official newspaper(s) of the District. This newspaper(s) is selected for the purposes giving notice for certain events and for printing of legal notices. It should be a newspaper or newspapers having a general circulation throughout the District.

Board should then designate the bank or trust companies within the state where the District will deposit its funds during the year.

Board should reaffirm its investment policy to be continued for the upcoming year

Board should reaffirm its collateral agreements with banks it is continuing to do business with and direct the Treasurer to obtain new agreements from new depositories named
Board should restate and confirm the resolutions that established your capital reserves and other reserve funds.

Board should set the policy for how and by whom checks will be signed during the year.

Board should adopt a resolution empowering the Chairperson or Vice Chairperson, in his or her absence, to sign any contracts of the District on behalf of the District whenever such contracts are approved by at least a majority of the Board

The Board should designate the time, place, and dates of its regular meetings during the year and direct the Secretary to inform the media relative to such meetings in conformance with the Public Officers' Law.



Procedure for the Meeting

If prior practice has been to accomplish this by legal notice publication, then the Secretary should arrange for such publication. The affidavit of publication for the organizational meeting is, of course, a part of the minutes of this meeting. The affidavit of publication for the remaining meetings for the year should also be attached to the minutes of this meeting or to the minutes of the meeting of the Board following receipt of same from the newspaper(s).

Meeting notices should also be publicly posted and placed on the District website if the District maintains a website.

Board should approve the various associations it will join for the furtherance of District purposes, and approve the annual dues for each.

Board should list the conventions, meetings, and seminars it plans to attend or to send personnel to for the year to the extent that they are known at that time, and list the personnel authorized to attend each event at District expense

Board should reaffirm the written district travel reimbursement policy

Board should set the annual mileage rate for use of a personal vehicle for district travel [see rate set by IRS for 2022]

Board should set up operating committees for the year naming the assignments of each Board member.

Board should approve any leases of fire stations or administrative facilities.

Board should approve or reaffirm its hydrant rental agreements, if any.

Board should reaffirm the District written purchasing and procurement procedure adopted pursuant to statute [identifying the purchasing agent]

The Board should approve all other District consultants, and/or contractors employed on a regular basis throughout the year such as; insurance agent or broker, travel agent, architect, engineer, accountant, physician/medical authority, etc.

Board should set the salaries for the District employees for the year (please remember that the Board must comply with Civil Service paperwork requirements relative to salary increases and salary plans).

Board must also be careful to follow its purchasing and procurement procedure in entering into such relationships and contracts.

Board should reaffirm the physical examination policy for the District

The Board should consider and re-approve other policies, procedures and agreements that govern Fire District or Fire Department operations.



Procedure for the Meeting

The volume of procedures, policies, and agreement to be reviewed may make a thorough review at this meeting impractical for some Districts. If so set up a schedule to conduct your annual policy review moving forward

Board should direct staff to plan for the RFP for the annual external audit of finances for the 2021 calendar year and the annual LOSAP audit [unless an RFP has already be completed for these audits and a contract awarded.

Chairperson should then call for a motion to adjourn the meeting



Questions?

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BY  **McNeil & Co.**

Wednesday, December 15th @ 7:00pm
Leadership Role in Preventing Harassment

Thursday, December 30th @ 7:00pm
Dealing with Difficult Members

Wednesday, January 5th 2022 @ 7:00pm
Determining "Fit For Duty"

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