

Regional Emergency Services Task Force

Meeting Minutes

7/2//2009

Manor Township Maintenance Building

I. Call to order

The meeting was called to order by Chairman Guthrie at 7:00 p.m.

II. Recognize Present Members and Visitors

Chairman Guthrie recognized members present and welcomed others and asked all to identify themselves.

Roll call

The following task force members were present:

Glenn Hess – Highville Fire Co.
Carl Harnish – Highville Fire Co. – Citizen
Jay Breneman – Manor Twp.
Russell Guthrie – Manor Twp. – Citizen
Phil Lastowski – Millersville Boro Council
Robert Thompson – Millersville Boro. – Citizen
Jim Eshleman – Millersville Fire Co.
Don McCann – Millersville Fire Co. – Citizen
Scott Haverstick – Washington Boro Fire Co. – Citizen
Craig Hohman – West Lancaster Fire Co.
Mark Lauriello – West Lancaster Fire Co. – Citizen

Unable to attend:

Ron Goe – Washington Boro Fire Co.
Gregory G. Noll – Community-at-large – Citizen

Others attending:

Joan Matterness – West Lancaster citizen
Ted Gingrich – West Lancaster Fire Co.
Keith Eshleman – Millersville Fire Co.

III. Review and approve 6/4/09 Meeting Minutes

Phil Lastowski noted several corrections to the minutes as presented: page 3, 2nd line of last paragraph should read, “meeting he heard...” instead of “meeting she heard...,” page 4, 3rd line of first paragraph should read, “Boro’s Relief Association audit was recently completed, the first in four years.” instead of “Boro’s was recently completed and the first time in four years.” On page 5, 1st line of the next to last paragraph, should read, “Russell Guthrie asked about our lack of ladder trucks...,” instead of “Russell Guthrie asked about our lack ladder trucks....”

Phil also questioned the Next Meeting date as presented on page 7. It was clarified that at the time of the 6/4/09, meeting “June 25, 2009,” was the next planned meeting, although that meeting did not subsequently take place.

Motion by Jay Breneman to approve the 6/4/09 minutes as corrected.

Second by Scott Haverstick.

Motion passed.

IV. Sub-Committee Report – Tactical

Mark Lauriello said the Organization Chart and Fire Administrator Job Description as presented by the Tactical Committee will be discussed after tonight’s speaker.

Mark also reported that the SOGs are still progressing. Mark expects Ron Goe to meet the deadline of September 3rd for the SOG subcommittee.

V. Sub-Committee Report – Administrative

Robert Thompson reported that the Administrative Committee minutes of the June 18th meeting were attached to the minutes the last Task Force meeting. He also noted that he will not be at the July Administrative Committee meeting but expects it will be held as scheduled.

VI. Speaker – Michael Sholley –Snyder County District Attorney

Russell Guthrie introduced Snyder County District Attorney, who was the attorney who handled the development of the Warrior Run Co-Op. Russell then reviewed a schematic of the organization of the Warrior Run Co-Op before asking Attorney Sholley to elaborate.

Michael Sholley reviewed the history of the needs of the various fire departments that lead to their effort to improve their service. Initially there was resistance to development of a cooperative because it lacked enabling legislation; but they took the approach that there is nothing that prohibits a cooperative. A board that controls the cooperative they developed is comprised of individuals with fire service experience, which has been instrumental in the success of the organization. The Board handles management, finances, and discipline and

other administrative services, freeing the Fire Chiefs to fight fires, respond to accidents and provide emergency services. The cooperative approach was novel, but has worked out marvelously, and has since been recognized by the state.

The co-op has added municipalities as the success became obvious. Training has been top notch and fund raising simplified. Their hardest part was overcoming “turf” considerations.

Russell Guthrie asked how the co-op came to be. Michael Sholley responded that the municipalities passed an ordinance authorizing it. The co-op created a fictitious name of the “Warrior Run Fire Department” for ease of recognition by the public. Michael Sholley said he would provide a copy of the authorizing ordinance.

Russell asked about the Relief Association governance. Michael responded that the co-op board also sits as the Board of the Relief Association.

Michael Sholley said the old fire companies were not eliminated but “just sit there unused.” They had prepared articles of dissolution, but decided not to act on them.

The cooperative is a governmental entity. This makes it easier to deal with financial institutions and the municipalities are more responsive because they have Township Supervisors and Borough Council members sitting on the co-op board, although this is not a requirement and some municipalities have appointed others. The Board makes a recommendation for funding and presents it to the municipalities for approval.

Keith Eshleman asked about the Board hiring paid staff. Michael Sholley said the administrative functions are performed by the board; they do not have a paid staff.

Jay Breneman asked who pays the Workers Compensation Insurance. Michael said he thinks one municipality handles the insurance and the others contribute to the cost. He suggested we contact the Delaware Township manager for a more detailed explanation.

Russell asked how they came up with the number of the representatives on the Board from the municipalities. Michael said it was a matter of coming up with the number that they thought would create a workable board. Members are appointed on a staggered term basis.

Russell asked about the Auxiliaries; we now have two, Highville and Washington Boro. Michael said there would be only one.

Michael said all assets; equipment and real estate were sold for \$1 to the co-op. Carl Harnish asked if there was any tax implication of the sale. Michael said ‘no.’

Keith Eshleman asked about trusts held for the benefit of the fire companies created by donors. Michael said there are legal mechanisms for conversion or modifying the trust documents that would be recognized by the court.

Keith Eshleman asked if contributions to the co-op are tax deductible. Michael replied they are deductible because it is a government entity. Michael said this was initially perceived as a problem, but is not. [*Secretary's note: IRS publication 526 lists as deductible charitable contributions given to "Federal, state, and local governments, if your contribution is solely for public purposes."*]

Russell Guthrie asked for clarification about a co-op's power to hire and fire employees. Michael said those are powers of the co-op. Russell then asked about use of attorney by our task force. After discussion about how Warrior Run handled legal services, Michael summed up by saying he thought we would be best served by finding a local attorney interested in our objective.

Keith Eshleman asked about the municipalities' agreement to fund the co-op. Michael said that is spelled out in the authorizing ordinance.

Joan Matterness said she thought we should, as a first step, look at the ordinance Warrior Run used, before we asked for it to be reviewed by an attorney for us, or the municipalities.

Russell said he will work to obtain the copies of the documentation developed for the Warrior Run Co-Op. And Michael said Warrior Run would make available to our attorney draft forms or copies of what they used.

Russell turned the meeting over to Vice Chairman Scott Haverstick so he could see off Michael Sholley. Scott asked Mark to lead the discussion of the Tactical Committee's Job Description for the Fire Administrator.

Mark noted that initially they included a "requirement" for residency within Manor Twp or Millersville, but later thought a "recommendation" for residency was more realistic. Scott said they worked on the description line by line and feel it is comprehensive and they had unanimity on the description as presented.

Carl Harnish asked if a minimum response time should be included, in light of the fact that response time is included for police. Scott said they felt it was not appropriate, as response is not required for all emergency calls.

Scott then turned the meeting back over to Russell and the discussion continued.

Don McCann asked about the Fire Administrator's role as the spokesperson for the department. Scott pointed out that included in the responsibilities is "Act as the Fire Department representative for external, non-emergency inquires and may be assigned as the Public Information Officer at incidents involving the Fire Department."

Robert Thompson asked to whom the position would report. The committee responded that it reports to the fire board. Robert said that can be rather generic and was interested in the committee's thinking. Jay Breneman said from a practical purpose, on a day-to-day basis the Administrator would communicate with the chairman of the board.

Robert asked if the administrator would have the power to assign which unit a member would run with. Comments from the group indicated that this happens now and would be less an issue as the consolidation matures. As it is now some individuals are members of and run with more than one Fire Company.

Don McCann asked if the Administrator would work under an employment contract, and if he would be a civil servant. Scott imagined he would work under contract. Jay Breneman thought his employment would be analogous to the Township or Borough Manager.

Joan Matterness asked if the Administrator would be a fire investigator. Jim Eshleman said it unlikely we would find a candidate with such qualifications, and normally investigation is handled by a Fire Marshal that has been certified and recognized by the court.

Russell asked if a budget for 2010 is available. Robert Thompson said no, not yet. Russell also noted that at the next meeting we will receive Dr. Jenaway's report.

VII. "Wrap Up" Comments Roundtable for the Good of the Order

Comments were brief.

VIII. Adjournment

Motion by Jim Eshleman to adjourn.

Second by Scott Haverstick.

Motion Passed; Chairman Guthrie adjourned the meeting at 9:01 p.m.

IX. Next Meeting

Time – 7:00 p.m.

Date – August 6, 2009

Place – Manor Township Maintenance Building

Route 999 and Supervisor Road

Minutes submitted by: Don McCann, Recording Secretary

The following notes from the Administrative Committee, by Don McCann, and Tactical Committee, by Ron Goe, which met later in the month, are incorporated here for reference.

Administrative Sub-Committee meeting of July 16, 2009

Don McCann reported that he had budget projections from Millersville Fire Co. The budget projections for 2010 for West Lancaster and Goodwill Fire Companies were developed and discussed. Highville will submit theirs after the meeting.

Tactical Committee meeting July 22, 2009

The first part of our meeting was spent with Keith explaining Millersville's six month probationary period for any new firefighters regardless of paper credentials. This was a question raised at our previous meeting that Keith was unable to attend. After this we discussed our progress and how often we would have to meet to make our September deadline. It was quickly agreed that none of us realistically expect to have this done by September. Our progress is slower than any of us hoped. Further, we feel that if we were to meet once or twice a week it would take another six to nine months to complete at our present rate. Other points mentioned include:

1. Even when the documents are merged into one, it will be necessary to go back through and "fine tune" them.
2. SOG's, because of changing standards, will always be a work in progress.
3. Although we do not expect this, the possibility exists that the new Fire Administrator may choose to throw out what we have done and start over.
4. It was agreed that we should recommend to the Task Force the hiring of an individual or individuals to complete this in a more timely manner. The bottom line is that none of us have that much more time to devote to this project.
5. We further recommend that this individual have a firefighting back round so that the terminology is understood and correct.

In order to keep things moving on this, I asked each rep to go back to their station and check if any qualified firefighters might be interested in earning some extra money. Any interested individuals are to e-mail their contact info to me along with the price they would charge. Thus far I have had one response from Rob Muschlitz and Dave Ziegler {West Lancaster} indicating their interest in working together on the project. I will bring any responses along to our August meeting. I am sending this out to the entire Task Force so that they can come prepared to discuss this issue.

As chairman, I should have done something sooner. For this, I apologize to all. I had hoped we would gain momentum and start to make substantial progress.

Ron