

**MINUTES
NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS
FIRE CHIEFS
MAY 2, 2012**

A special advertised meeting of the North Lebanon Township Board of Supervisors was held at 7:00 PM at the Municipal Building located at 725 Kimmerlings Road, Lebanon, PA with the following people present:

Richard E. Miller	Chairman
Edward A. Brensinger	Vice – Chairman
Kenneth C. Artz	Treasurer
Cheri F. Grumbine	Township Manager
Fire Chief Toby Gettler	Ebenezer Fire Co
Wesley A. Keener	Ebenezer Fire Co
Fire Chief George Gettler	Rural Security Co
Steven Matthews	Rural Security Co
Fire Chief Donald Steiner	Weavertown Fire Co
Donald Steiner Jr	Weavertown Fire Co

Also in attendance was Patrick Freer of Strickler Insurance Agency, Bonnie Grumbine, North Lebanon Twp employee and Earl Roberts, resident.

7:00 PM Call to Order with Pledge of Allegiance repeated.

Chm Miller stated the meeting this evening is to discuss insurance coverage and the Firefighters. Mgr Grumbine introduced Patrick Freer who is the agent for Strickler Insurance.

Patrick Freer – Strickler Insurance

Mr. Freer started the conversation by discussing Workers Comp because that was the topic which started all the discussions pertaining to insurance. He explained the major difference between insurance coverage and Workers Comp. Basically insurance policies will spell out a certain dollar amount that is allotted and when those funds are gone the coverage is usually finished. Workers Comp does not work in the same manner. Once a claim is made with Workers Comp the coverage continues until the claim is settled or the individual passes away. The medical losses and work losses for the individual are being covered and the claim could last forever. That is what makes it so difficult for the carrier to gauge a premium or if they want to take on the applicant. It is a risk the carrier must consider before agreeing to provide this type of coverage.

In Pennsylvania there are guidelines that establish how payments and coverage are determined. Medical bills will always be paid. There is no question on the medical invoices. Certain activities will always provide guaranteed coverage. There are some situations that are gray areas for an emergency call. Portal to portal coverage is a given unless there is a deviation in the trip.

For example if when returning from a fire call the decision is made to stop at the store for something, the coverage is ended. It no longer is an emergency response or training exercise because it is now something personal.

Traveling to training sessions, if traveling in an emergency vehicle, is covered. If traveling in a personal vehicle it is not covered under Workers Comp.

If a member is driving to the store to pickup items needed for a B-B-Q and they are not in an emergency vehicle, Workers Comp is not responsible for coverage. Freer went over many of the activities that are covered according to the laws. There are some situations that require determinations be made. Sanctioned events would be one of these situations. A sanctioned non-emergency event is something the Supervisors have given approval for the event and should an injury occur, it would be covered under the Workers Comp law. This is where the gray areas for coverage can occur.

With respect to the carrier's thought process, these gray areas need to be evaluated by the carrier. What the carrier is looking for from the insured is the guarantee that they are helping to reduce or minimize the risk of injuries. In review of the non-emergency list provided by the Fire Companies, when a list of events is provided but there are no specific times or location offered the carrier has to determine if they are willing to take the chance of an injury occurrence. These types of situations are what can make a premium hike occur.

Pat Freer mentioned the non-emergency lists the Fire Companies provide to the Board for approval at the beginning of each year. He chose Ebenezer as an example. He mentioned several of the activities provided on the checklist. The problem with the checked off items is there are no specifics such as dates and locations. He explained the importance of providing specific information about the events so the provider can make a determination and not have to guess at what the situation is. The previously provided information will also help determine if this was a sanctioned event which could be covered by Workers Comp.

Mr. Freer explained the importance of the Twp Safety Committee and the other safety related items the Twp has going on in order to keep the premiums at a minimum. The Fire Companies and the Police department are doing their part by completing safety training. When there are claims that start to appear which do not necessarily fit the scope of coverage under the law, the carrier has to take a look at whether or not to provide coverage. It is up to the insured to limit these types of questionable events. When the specific information for events is provided by the insured, it eliminates the need for review of state law and whether or not the claim should be covered.

The next subject Freer touched on was the insurance the individual fire company's purchase in addition to whatever the Twp provides. This insurance is to fill the gap left by Workers Comp if a claim should be denied by Workers Comp. When a Workers Comp claim is denied by the carrier, it is important to not cast the carrier in the role of the "bad guy". The law is very clear about what is covered by Workers Comp. An effort is put forth to find a coverage when a claim is issued. But when the law does not state coverage is required the claim can be denied by Workers Comp.

Suv Brensinger questioned the "gap" insurance purchased by the Fire Companies. Does it cover just the injury or does it cover pay loss also? Freer responded he thinks it covers both.

George Gettler agrees Fireman's Relief covers both. Don Steiner voiced his confusion about having medical coverage under the Twp insurance coverage. Freer repeated an injury occurring on behalf of the Fire Company would be covered under the "gap" policy.

George Gettler stated the individual companies do not have insurance other than the Firemans Relief coverage.

Freer questioned if Rural Security Fire Company was the company that had received a denial letter from Workers Comp. Gettler agreed yes it was. The claim, once denied by Workers Comp, was then filed through the Fireman's Relief Insurance and was settled. The Fireman's Relief Insurance was the "gap" insurance provided to cover this claim.

Don Steiner voiced his confusion about what the Fireman's Relief coverage involves. He thought it was a disability and life insurance in addition to the Workers' Comp policy. Freer told Steiner he does not think what he is describing is permitted. It would be like double-dipping. Steiner stated he knows of situations that this has occurred.

Don Steiner next questioned what the savings would be to the Twp if the non-emergency list provided to the Supervisors contained more specific information. Patrick responded there is no savings realized. However the risk of determination with submitted claims is the consideration. Steiner said he feels if the Fire Company is providing specific information and the information is submitted to the insurance company, the Twp should see a savings. Freer said he thinks it is a good point but the reverse is also true. If the information is not specific and the claims are made, the premiums could increase. He continued on to explain how the insurance premiums are determined by the carriers and the various formulas the carriers use to arrive at the premium amounts.

George Gettler voiced his dislike of being told that the information provided on the list must be specific. What happens if there is a meeting and it is decided to hold a fundraiser the following Sunday? Freer stated then they have to get approval from the Supervisors even if they feel it is an annoyance. He told Gettler that the Board meets once a month and that provides the opportunity to obtain approvals.

Steve Matthews questioned events being planned and listed on the non-emergency list. What happens when weather, for an example, forces a change in the plans? Freer said the idea is not to give the fire companies a hard time but to have definite information so there are no gray areas. A rain date event would not be questioned by the carrier.

Chm Miller questioned if the decision is made to look for another carrier during the renewal time would be permitted? Freer replied there is nothing that would prevent the Twp from looking for another carrier. The problem is that the carriers may not respond with any interest once they find out there are so many claims. Freer explained again there are formulas the insurance companies use to set premiums. He also explained the process of gaining back a good rating after having obtained a bad rating due to claims submitted.

Pat Freer repeated that the insurance company wants the Fire fighters to do whatever they need to do to raise their funds. However, the firemen need to be responsible about the activities they choose to schedule and they need to follow the safest course to realize the finished results, such as providing specific information to the carrier about their activities.

George Gettler mentioned the hazards and the dangers involved when entering a burning building. Suv Brensinger reminded Gettler the duty of responding to emergencies is not what is being discussed tonight. The issue being discussed is the non-emergency lists that are submitted by the Fire Companies to the Twp annually.

Pat Freer stated that the Supervisors have accepted these lists for many years. Up until now there have not been any questions/ problems. Recently there have been a few claims submitted which have raised red flags. These issues have now been brought to the table. The Twp and Selective Insurance (Workers Comp carrier) have decided to try to be pro-active and not reactive. As far as the activities list, the Board meets once a month regularly and most of the time the requests that would be brought to the Supervisors at the monthly meetings are not anything that would be denied. Identifying these lists is an extra step in the process but it provides an easing of the mind for everybody involved.

Steve Matthews questioned the pricing of the premiums for Workers Comp that is provided to the Twp. Freer replied a base premium from the state and a base premium from the carrier is factored together to arrive at a base premium offered to the Twp. The history of the Twp account is also considered and then there are other factors which would cause an increase or reduction. Freer said the actual sanctioned events are not what determine the premiums. The number of claims submitted to the carrier is what could affect the determination for the premiums. Matthews said he would think the question of whether or not it is worth paying the premiums to cover these types of non-emergency activities must be weighed as to the final profits received from the activities themselves. Are the activities worth having? Patrick said that is what the carrier is asking from their insured. Think ahead and decide what is safe. What is safe is to provide as much specific information as possible about a function. Then there can be no questions or gray areas.

Chm Miller questioned if there is a breakdown between, for example, office staff as opposed to highway workers. Patrick told them an office worker is priced at .24 per \$100 and a maintenance worker is priced at \$5.34 per \$100. However, the Police officers are priced at \$5.03 per \$100. Patrick said the exposures to danger are the factors considered. Volunteer firemen are rated using a different formula. The rate is based on population of the area that is covered. The base rate for the North Lebanon Twp fire companies is \$14, 215 per year. Patrick said considering the tasks completed, the firefighters are doing their tasks and staying healthy while doing it. The carrier is always looking for ways to provide risk management. These activity lists are one way to control the risk.

Don Steiner referred to the items on the non-emergency list that is completed each year. He said Weavertown has always checked off all the items because it was explained to them that the only way the Fire Company members are covered is if the Board is aware of the activities they are participating in. Steiner said probably half the items on the list Weavertown is not involved in doing. Patrick replied that is part of the problem. Each company must review the list and give exact information pertaining to their functions. It is a new way of thinking but it is the way the insurance carrier is thinking.

Steve Matthews remarked on the functions that are listed. What about the times when there are members in the fire hall preparing for the events, mopping the floors or changing light bulbs. Freer replied those are the times that the volunteers are covered under the law and there is not a questionable gray area.

Suv Artz suggested that the Fire Companies take the completed list for 2012 and review it, provide more specific details and then re-submit the non-emergency list to the Board. Patrick stated that would be a good idea. When listing the details think about all the considerations discussed tonight. Provide as much specific information as possible. Freer repeated that the game plan should be working together and not against each other.

A conversation followed about the scheduled Wine Festival that the Rural Security Fire Co is hosting. Freer explained all the considerations, over and above the Workers Comp insurance, that needs to be thought about when determining what is added to the list. Also discussed was the difference between a Fire Company member and an active Fire Company member.

MOTION was made and seconded to approve the Wine Festival activities scheduled for May 5 and 6 by the Rural Security Fire Company at the Lebanon Expo Fairgrounds. Motion was unanimously carried.

Patrick suggested the Supervisors take action on the non-emergency lists provided by the Fire Companies. He also recommended that the Board request more specifics pertaining to the functions and give the companies a definite date to have the lists resubmitted. The Fire Companies must consider the list and only submit definite activities they engage in. It is Freer's suggestion that the Supervisors ask for revised list information and make it effective July through December of 2012. He suggested that in November or December a revised form be provided to the Fire Companies for completion.

MOTION was made and seconded to approve all activities provided to the Board of Supervisors on the Non-Emergency Activity List up until July 16, 2012 at which time the revised forms will be required to be submitted to the Board for approval of activities from July 2012 through December 2012. Motion was unanimously carried.

Toby Gettler asked for verification on his understanding about the traveling to trainings. If he is injured in his own personal vehicle traveling to the training session, Workers Comp would probably deny a claim. The "gap" insurance would then pick up the claim. However if he was in an emergency vehicle traveling to the training session and was injured, then Workers Comp would approve and pick up the claim. Patrick confirmed that this is true.

Chm Miller suggested this same scenario for a Police officer. He was told by Mr. Freer a Police officer is different than a volunteer position. It is a working employee and can be proven the injury was during working hours. Another question he had was in regards to delegating authority to Mgr Grumbine to approve a request that could be submitted in between meetings. Patrick stated he would have to check on this question as he does not know if authority for approvals could be delegated in this fashion.

At this point the conversation about Workers Comp was completed.

Central Medical Ambulance / First Aid Safety Patrol Assoc

George Gettler asked about the discussion on Central Medical at the last Twp meeting. Mgr Grumbine replied that discussion will be taking place at the May 21 meeting. FASP will also be in attendance. Chm Miller suggested if they have comments to share with the Board they should make them now.

It was stated that 3 of the 4 Fire Companies were in agreement that they would prefer to continue working with the First Aid and Safety unit. The companies have a good working relationship with First Aid and would like to continue doing so. Ebenezer Fire Co would be the only Fire Co that would be actually working with Central Medical. There does not appear to be any benefit to approving Central Medical.

Don Steiner said he believes there is a law that states the closest unit must be called by dispatch. Some conversation followed about the different services and practices that are provided by these emergency response units. The Supervisors were told that Central Medical is not a 24 hour service. Chm Miller invited the Fire Chiefs to attend the May 21st meeting when both of these ambulance services will be in attendance.

Fire Company Members List

Mgr Grumbine asked George Gettler to provide a list of the firefighters from Rural Security as she had requested as part of the Comprehensive Plan.

High Safety Associates

Don Steiner questioned the procedure used when Code Enforcement is called into active fire scenes. Chm Miller announced Chris Miller has resigned from High Safety and is going to work at Camp Hill. At this point there are no answers to give as far as responses from Code Enforcement to active fire scenes. Lt Wengert does not have the qualifications that Chris Miller had. It is unknown if High Safety will be replacing Chris' position and Don Wengert is not able to complete structure analysis.

Fire Police Radio Response

Don Steiner said he had attended a meeting at EMA on March 27, 2012 to discuss the new radio system. Steiner mentioned Dan Kauffman saying the Fire Police should have use of the new radio system for the command officer, only, to communicate with County. The older radio frequency is to be utilized by the Fire Police, as an organization, for communications. Steiner said there is an issue with the Fire Police requesting \$3500 radios when there are other choices that are not as expensive. Steiner said he has a real concern about the financing for these radios when according to Dan Kauffman the Fire Police should not be using the new frequency. Suv Brensinger told Steiner that the Board had been approached about purchasing new radios for the Fire Police.

Toby Gettler informed the Board the pricing has decreased to \$1600. Suv Brensinger said the lower pricing certainly makes it a little more reasonable to purchase a few of the new radios. He does not feel that all Fire Police need to have a new radio. There are captains that could make use of the new radios. The rest of the Fire Police can make use of whatever radios we currently have on hand. Suv Brensinger said he realizes that the Fire Police are not happy about that scenario but it is the reasonable thing to do. He very much values the service the Fire Police provide. He also knows the Police Dept relies heavily on the services they provide. Discussion followed about the different frequencies and the compatibility with the other departments. Toby had researched for quotes on the radios and agreed to forward the pricing quotes to Mgr Grumbine. Don Steiner offered his opinion that if the thinking is to purchase these new radios for the Fire Police, he feels there must be an agreement about the procedures to be used for signing on during a response.

The problems with the communications during an active response were discussed. Don Steiner explained some of the problems the fire companies and the Fire Police are experiencing using these new radios and frequencies. Suv Brensinger asked if this issue should be taken up with County. They are the ones setting the protocol for the Fire Police. Suv Brensinger and Chm Miller expressed confusion about the protocol being used during an active response.

George Gettler shared his frustration about the radio procedure they are being told to use. Steve Matthews told the Board there are some issues that they need to made aware of due to the fact that the safety of the Twp is their responsibility. Several of the existing problems were explained to the Board. Don Steiner described a recent service call that was handled by dispatch in a questionable manner which could have had disastrous results.

Chm Miller said after hearing all this conversation, he would like to schedule another meeting with the Fire Chiefs later in the year. Mgr Grumbine suggested that a session be scheduled during the budget talks. Chm Miller agreed with her suggestion and thanked the Fire Chiefs for their time, as did the other two Supervisors.

Employee Insurance Options

Patrick Freer reviewed some of the previous issues the Twp has had to deal with in regards to health and insurance problems for the Twp employees. Due to Obama Care there are some real changes that have taken place in the health care world. The carriers have been forced to become competitive with each other. Patrick reviewed several different methods of controlling the costs of premiums. Some of the options would allow for the Twp to be more in charge and other options would allow for the carrier to be the direct contact. A lengthy conversation followed between the Supervisors and Patrick. One of the foreseeable issues with some of the employees will be with the HIPA Act.

In answer to questions raised by the Supervisors, Patrick explained the deductible options available and the various procedures that can be utilized to achieve the deductibles while creating a savings for the Twp. Integrated processes were discussed versus out of pocket processes. Patrick told the Supervisors that when renewal time rolls around and they see this information on paper it will make more sense to them. It is a different way of thinking but it is the current way of thinking in the insurance world. Mgr Grumbine agreed with Patrick when he mentioned that the discussions have started far enough ahead of budget time that by the time budget time rolls around the Supervisors will be more comfortable in making a decision on this issue.

Sahonic Agreement – Old Cumberland St

Mgr Grumbine told the Supervisors that she had another issue to talk to them about. She informed them the Sahonics met with her and Sol wolf today in the office and signed the agreement of sale regarding their property at 1401 (Old) E Cumberland Street. She told the Supervisors that she had told the Sahonics she would be in contact with them after the Board has had an opportunity to discuss this subject.

With no further business to discuss the meeting was adjourned.

Respectfully Submitted,

Theresa L. George
Recording Secretary