

BRUNSWICK CITY SAFETY & ENVIRONMENT COMMITTEE

Agenda

SEPTEMBER 23, 2024

6:25 PM

**or Immediately Following
Finance Committee**

1. Discussion Items
 - (a) **RES. NO. 82-2024** - An emergency resolution authorizing the City Manager to execute all necessary documents to accept a FireFighter Exposure to Environment Elements Grant from the Bureau of Workers' Compensation for the Division of Fire. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)
2. General Discussion
3. Adjournment

PROPOSED LEGISLATION



DATE: 9/23/2024

TO: Vice Mayor Nicholas Hanek and Members of City Council

FROM: Carl S. DeForest, City Manager
Greg Glauner

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 82-2024** - An emergency resolution authorizing the City Manager to execute all necessary documents to accept a FireFighter Exposure to Environment Elements Grant from the Bureau of Workers' Compensation for the Division of Fire. - **1st Reading** (To be brought from Safety & Environment Committee, *Administration/Greg Glauner*)

BACKGROUND: The City of Brunswick Division of Fire applied for a grant through the Ohio Bureau of Workers' Compensation to purchase the Ward No Smoke System which is an apparatus-mounted, direct source protection system that removes harmful gases from diesel exhaust. It works automatically to protect personnel from the dangers of breathing diesel exhaust not only at the fire station, but also at emergency scenes where our FireMedics could be required to stand for prolonged periods of time. The cost of two systems to outfit our front line engine and ladder truck, less discounts, is \$19,992.00. With the \$15,000 grant award, the City portion would be \$4,992.00.

PURPOSE AND EXPLANATION: The City was notified by the Ohio Bureau of Workers' Compensation of a grant award in the amount of \$15,000 and was provided with grant documents from Ohio BWC. It will be necessary to receive approval from Brunswick City Council to accept the grant award and for the City Manager to execute the documents.

IMPLEMENTATION SCHEDULE: It is requested that the legislation be adopted as an emergency measure with suspension of the rules to proceed with the purchase and requirements of the grant award.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The cost of two systems to outfit our front line engine and ladder truck, less discounts, is \$19,992.00. With the \$15,000 grant award, the City portion would be \$4,992.00.

In a separate piece of legislation on September 23, 2024, the City Administration will request Council to consider amendments to the existing budget. Those amendments will include both the \$15,000 grant award share in the Fire Fund #115 capital subaccount #952-0510-56270 and the City share of \$4,992 in the Fire Fund #115 capital subaccount #952-0510-56256.

**RECOMMENDED
ACTION:**

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?
To ensure timely compliance with the requirements of the grant award.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 82-2024

BY: Mr. Kuczma, Mr. Delsanter, and Mrs. Piper

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO ACCEPT A FIREFIGHTER EXPOSURE TO ENVIRONMENT ELEMENTS GRANT FROM THE BUREAU OF WORKERS' COMPENSATION FOR THE DIVISION OF FIRE.

WHEREAS: The Division of Fire has applied for and been approved for a Firefighter Exposure to Environment Elements Grant from the Bureau of Workers' Compensation in the amount of \$15,000.00 (the "Grant") for the purchase of two (2) Ward No Smoke Systems (the "Systems"), which is an apparatus mounted, direct source protection system that removes harmful gases from diesel exhaust;

WHEREAS: Pursuant to the terms of the Grant, the purchase of the Systems must be completed within 120 days from receipt of Grant funds;

WHEREAS: The total cost of the Systems is \$19,992.00; and

WHEREAS: The local cost share to the City for the purchase of the Systems pursuant to the terms of the Grant is \$4,992.00.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The City Manager is hereby authorized, upon approval of the Law Director, to execute all necessary documents to accept the Grant.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary to comply with the terms of the Grant. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Laura E. Timura, CMC



Instructions

This grant, if approved, provides a 5-to-1 match up to \$15,000 for employers with payroll equal or greater than \$500,000. For employers with less than \$500,000 annual payroll, no match is required from the employer.

You must complete all sections of the application. BWC will review your application to approve or deny the grant. Therefore, the information you provide on this application must describe the significance of the problem and the effectiveness of the proposed solution. BWC will return incomplete applications.

For BWC to consider the application complete, you must fill in sections I-VI. This part of the application contains sections I – IV. Sections V and VI include the budget page with vendor quotes(s) and statement of agreement.

Include your vendor quote and other supporting documentation. Sections V (budget page) and VI (statement of agreement) requires signatures, employer's legal name and principal business location.

Contact us:

If you have questions about the application process, contact BWC.

Phone: 1-800-644-6292 **Email:** grants@bwc.ohio.gov

Section I: Employer Information

Employer name: CITY OF BRUNSWICK

Doing business as (DBA) name: N/A

Address: 4095 CENTER RD

City: BRUNSWICK

State: OH

ZIP code: 44212

County: Medina

BWC policy number: 35205702

Federal tax ID number: 346006433

Employer contact name: Gregory Glauner

Title: Fire Chief

Telephone number: (330)273-8046

Email address: gglauner@brunswick.oh.us

Employer website: N/A



Section II: Demographic information and description of the problem

- 1. How many firefighters are active members of your department (Note: answer must equal the combined responses for questions 2 & 3)**

27

- 2. How many are full-time career firefighters?**

26

How many are part-time/intermittent firefighters?

1

- 3. How many are volunteer firefighters?**

0

- 4. How many total calls did you make last calendar year?**

3,602

- 5. How many EMS calls did you make last calendar year?**

3,442

- 6. How many fire calls did you make last calendar year?**

88

- 7. How many HazMat calls did you make last calendar year?**

72

- 8. Do you already have a turn-out gear washer/extractor?**

☒ Yes ☐ No ☐ Unsure

- 9. Do you already have a diesel exhaust extraction system?**

☐ Yes ☒ No ☐ Unsure



Section III: Description of solution

1. Please identify the item(s) below that you are applying for.

- ☒ Diesel exhaust systems: Source (tailpipe) capture system. Note: Funding cannot be used for general dilution or filtration ventilation systems.
- ☐ Extractors/washing machines: Firefighting turnout gear or PPE cleaning machines.
- ☐ Particulate barrier hoods that meet the design and performance requirements of NFPA 1971.
- ☐ Washable structural firefighting gloves that meet the design and performance requirements of NFPA 1971.
- ☐ Turnout gear drying machines: Drying machines and equipment that meet the design and performance guidelines of NFPA 1851.
- ☐ Turnout gear that meets the design and performance guidelines of NFPA 1971 (volunteer firefighters only).

2. Describe the equipment you will purchase.

The Ward No Smoke System is an apparatus-mounted, direct source protection system with a high-performance substrate with a proprietary wash coat that removes harmful gases from diesel exhaust for 2006 and earlier model engines. It is a direct source filtration system that works automatically to protect personnel from the dangers of breathing diesel exhaust.

The Ward No Smoke 2 is a vehicle-mounted unit designed for vehicles built after 2007. This includes vehicles utilizing Diesel Exhaust Fluid (DEF) that emits higher levels of harmful gases.

This system not only filters harmful exhaust at the fire station, but also at emergency scenes where our Fire Medics could be required to stand for prolonged periods of time.

3. Describe how you will implement the equipment.

The Ward No Smoke and No Smoke 2 systems are installed directly on vehicles. Factory-trained representatives carry out these installations either at the fire station or at a local provider's facility. Once the installation is complete, the system operates automatically, requiring no input from the operator.

This is an active system requiring no additional effort from the Fire Medics to improve their safety, once installed, from the harmful by-products of combustion both in the station and while operating at an emergency scene.



Section IV: Implementation timeline

1. Provide the name and the title of the person responsible for implementation.

Gregory Glauner, Fire Chief

2. Provide the name and the title of the person responsible for training staff on the use of the equipment.

Gregory Glauner, Fire Chief

3. Provide the time it will take to order and deploy the equipment. The time should begin with the date of the grant warrant or EFT. (Note: You should not order the intervention until BWC approves the application and you receive the grant funds.)

90

4. Provide the name and title of the person responsible for completion of BWC-required one-year follow-up report.

Gregory Glauner, Fire Chief

Section V: Budget

Please provide the proposed budget for the project.

Note: You may only use the FEEEG grant to purchase the items detailed on the grant web page. You may not use FEEEG grant for recouping the cost of any prior and/or ongoing interventions or for rented or leased equipment. In addition, you may not use the FEEEG grant to pay for salaries, wages, internal labor, employee training on grant purchased equipment or any costs associated with preparing the application.

You must make all grant purchases and implement the intervention equipment within 120 days after the date on the BWC grant check or the electronic fund transfer.

Note all itemized expenses associated with the project. Indicate exact costs. Do not round figures. All budgets **MUST** have vendor price quotes attached for each individual item. You must subtract all discounts and/or equipment trade-ins from the project total prior to determining the amount requested from BWC.

Employers with payroll greater than or equal to \$500,000 are to complete the table below. This requires a 5-to-1 match.

Item	Quantity	Cost	Total
NO SMOKE direct source diesel exhaust filtration system	2	\$10,495.80	\$20,991.60
		Subtotal:	\$20,991.60
		Freight:	\$0.00
		Tax:	\$0.00
		<i>Less all discounts and trade-in amounts:</i>	– \$999.60
		Total Budget:	\$19,992.00

The grant amount you are requesting is determined by the formula below.

Total amount of project (from table above)	A	\$19,992.00
Total amount supplied by BWC (either \$15,000 or less, or remaining funds in eligibility cycle)	(A × 5) / 6 = B	\$15,000.00
Total amount supplied by the employer	A – B	\$4,992.00



Complete the questions below and sign

Do you have ownership, partnership or any other affiliation with the vendor of the equipment being purchased? Yes ☐ No ☒

If yes, please explain:

Authority — The person signing below for the employer states that he or she is either the owner, chief executive officer, chief financial officer, plant manager or other person having fiduciary responsibilities with the employer; and the employer agrees that the signer or his, or her successor, will have the authority to oversee the carrying out the employer's responsibilities for two years after BWC issues the grant check. The signer's authority shall continue until the employer notifies BWC of the name of the successor.

By my signature, I agree to fully comply with the terms and conditions of the program and to use all funds solely for the purposes intended. I further understand I may be subject to civil, criminal and/or administrative penalties as the result of any false, fictitious, misleading, or fraudulent statements. I understand if funds are not used, misused, misapplied, or misappropriated, or are used for purchases and/or services not associated with the approved budget and itemized proposal submitted, that I may be subject to civil, criminal, and administrative penalties.

Name of duly authorized representative: Gregory Glauner

Signature of duly authorized representative:

Date: 08/22/2024

Title: The grant application's financial signer's title is Fire Chief.

Employer Name: CITY OF BRUNSWICK

BWC Policy Number: 35205702



Section VI: AGREEMENT between OHIO BUREAU OF WORKERS' COMPENSATION and CITY OF BRUNSWICK

Agreement between the Ohio Bureau of Workers' Compensation and Employer

This is an agreement by and between CITY OF BRUNSWICK hereinafter, "Employer/Grantee"), with its principal place of business located at 4095 CENTER RD BRUNSWICK, Ohio 44212, and the State of Ohio, Bureau of Workers' Compensation (hereinafter, the "BWC"), having offices at 30 W. Spring St., Columbus, OH 43215-2256, entered into the day, month and year set out below.

Whereas, the administrator of workers' compensation may issue a grant to defray the costs incurred by an employer who elects to participate in the Safety Intervention Grant Program, pursuant to Ohio Administrative Code Rule (OAC) 4123-17-56, wherein an employer may receive grant monies for projects which substantially reduce or eliminate the risk of workplace injuries and illnesses, called herein Safety Intervention Grant Program.

Therefore, for good and valuable consideration, the sufficiency of which is acknowledged, the parties mutually agree to the following conditions.

Eligibility — Acceptance of the employer into the Safety Intervention Grant Program is contingent upon the employer's: (a) submission and approval of an application, (b) demonstrated need for intervention, e.g. completion of a risk assessment, and (c) having active Ohio workers' compensation coverage and being current with respect to payroll reporting and payments due to any fund administered by BWC as of the date of execution of this agreement and for its duration.

Distribution of grant funds — Subject to the conditions precedent in this agreement and subject to available BWC resources, the employer and BWC mutually understand and agree that the total sum of the Firefighters Exposure to Environmental Elements grant to be issued by BWC shall not exceed \$15,000. For employers with payroll greater than or equal to \$500,000, BWC shall provide a matching grant, a 5-to-1 ratio of the monies contributed by the employer, whether a public or private employer, and that the maximum grant amount shall not exceed \$15,000. The employer must contribute \$3,000 in order to receive the maximum grant amount of \$15,000. The employer understands and acknowledges that BWC will not issue a grant matching any expenditures that exceed \$3,000. For employers with payroll less than \$500,000, BWC shall not require a match. The employer, whether a public or private employer, shall not receive a grant that exceeds \$15,000. The \$15,000 safety grant is the maximum per eligibility cycle. If Employer has not received the maximum amount of money available through the safety grant program during their eligibility cycle, Employer may reapply and have its application approved to enter into another agreement until Employer has received a total of \$15,000 for that cycle.



Employer responsibilities — The employer participating in the Safety Intervention Grant Program, in consideration of a grant given to it, promises to fully comply with the program requirements as outlined in the Application and Instructions and OAC 4123-17-56, all of which are fully incorporated herein by reference. ***The employer will be responsible for using the awarded grant in the manner for which it is intended, and will be required to provide BWC with documentation. This documentation may include, but is not limited to, original invoices, canceled checks, and periodic reports to confirm that all funds were spent and applied toward the approved intervention.*** The employer understands that approved safety intervention equipment may not be rented or leased. The employer agrees to allow a BWC safety consultant to conduct a comprehensive safety evaluation of their overall safety practices. If a conditional approval is granted, the employer agrees to satisfy the stated conditions by the specified date. Further, the employer agrees not to eliminate jobs due to participation in the Safety Intervention Grant Program.

The employer agrees to allow BWC to visit the employer and complete a Pre report and assessment before approval of the application, and/or a Post report and assessment after the approval of the grant application, based on the information provided in the application. BWC reserves the right to randomly sample for environmental elements during the worksite visits. All interventions must receive approval prior to purchase in order to qualify for the grant, and any proposed changes must be agreed to by BWC prior to making the change. The employer agrees to allow BWC to publish safety intervention grant results including, but not limited to, data, videos, specifications, and/or photos for the purposes of illustrating, educating, and training employers and employees.

Time of performance — ***Employer must make all equipment purchases and implement the approved intervention equipment within one hundred twenty (120) days of BWC issuing the grant check or electronic fund transfer. BWC will consider allowing additional time, up to a maximum of ninety (90) days, upon the request of Employer. However, the extension must be made within the initial one hundred twenty (120) day period, but no earlier than thirty (30) days prior to the end of the period. No later than one hundred twenty (120) days of receipt of the grant award, Employer must provide BWC the following information: (a) itemized expense report, (b) original paid invoices pertaining to all intervention purposes, and (c) copies of all cancelled checks or other documentation to support that all invoices associated with the interventions were paid in full.***

The employer shall provide BWC a one year case study after the equipment implementation date. The employer shall complete and submit the one year case study report via the grant web page case study link. If the report is not filed, or if the report is not completely filled out, the employer shall be liable to repay the full amount of the grant.



Disqualification — If for any reason the employer participating in the Firefighters Exposure to Environmental Elements grant program fails to satisfy one or more of the criteria established in the Application and Instructions, OAC 4123- 17-56, and this agreement, the employer may be disqualified from the program. ***Disqualification will result in the termination of BWC's obligations under this agreement. BWC reserves the right to recover grant monies by one or more of the following methods: billing the employer for the grant money received, forwarding the employer's information to the Office of the Attorney General of Ohio for collection, set-off, recoupment, or other administrative, civil and/or legal remedy.***

If the employer merges or combines its business after receiving a grant, but before completing the one year case study report, the BWC Successorship Liability Policy will go into effect. The grant/predecessor employer is responsible for notifying the successor employer of the obligations under the Safety Intervention Grant Program. The successor employer may be liable to repay any and all previously paid grant monies if these obligations are not met.

Disclaimer — If implemented correctly by the employer, the goal of the Safety Intervention Grant Program is to substantially reduce or eliminate injury and illness in the workplace and, hence, claims associated with the affected processes. BWC does not guarantee or warrant that the implementation of such a plan will result in a substantial reduction or elimination of injuries and illnesses in the workplace. In the event of an injury or occupational disease arising from the implementation of the program, the employer and the employee's sole and exclusive remedy shall be pursuant to workers' compensation laws of the appropriate jurisdiction. In no event, shall BWC be liable for any damages in contract or in tort.

Ohio elections law — Grantee hereby certifies that no applicable party listed in Divisions (I), (J), (Y) and (Z) of O.R.C. Section 3517.13 has made contributions in excess of the limitations specified under Divisions (I), (J), (Y) and (Z) of O.R.C. Section 3517.13

Conflicts of interest and ethics compliance certification — Grantee affirms that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict, in any manner or degree, with the performance of services which are required to be performed under any resulting Contract. In addition, Grantee affirms that a person who is or may become an agent of Grantee, not having such interest upon execution of this Contract shall likewise advise the Bureau in the event it acquires such interest during the course of this Contract.



Grantee agrees to adhere to all ethics laws contained in Chapters 102 and 2921 of the Ohio Revised Code governing ethical behavior, understands that such provisions apply to persons doing or seeking to do business with the Bureau, and agrees to act in accordance with the requirements of such provisions; and warrants that it has not paid and will not pay, has not given and will not give, any remuneration or thing of value directly or indirectly to the Bureau or any of its board members, officers, employees, or agents, or any third party in any of the engagements of this Agreement or otherwise, including, but not limited to a finder's fee, cash solicitation fee, or a fee for consulting, lobbying or otherwise.

Non-Discrimination and Equal Employment Opportunity — The Grantee will comply with all state and federal laws regarding equal employment opportunity and fair labor and employment practices, including Ohio Revised Code Section 125.111 and all related Executive Orders. The State encourages the Grantee to purchase goods and services from Minority Business Enterprise (MBE) and Encouraging Diversity, Growth and Equity (EDGE) vendors.

By initialing this box, the employer agrees that prior purchases have not been made. The employer also confirms understanding that all grant approved purchases are to be purchased and implemented within 120 days after the date on the BWC grant check or the date of the electronic fund transfer. Additionally any changes to the original intervention must receive prior approval by BWC.

gf

Authority — **By initialing this box**, the person signing below for the employer states that he or she is either the owner, chief executive officer, chief financial officer, plant manager or other person having fiduciary responsibilities with the employer; and the employer agrees that the signer or his, or her successor, will have the authority to oversee the carrying out the employer's responsibilities for two years after BWC issues the grant check. The signer's authority shall continue until the employer notifies BWC of the name of the successor.

gf



**Bureau of Workers'
Compensation**

**Application for Safety Intervention
Grant for Firefighter Exposure to
Environmental Elements**

By my signature, I agree to fully comply with the terms and conditions of this agreement and the program and to use all monies solely for the purposes intended. I further understand I may be subject to civil, criminal and/or administrative penalties as the result of any false, fictitious and misleading or fraudulent statements made and/or if funds are not used, or are misused, misapplied, or misappropriated in any way and/or are used for purchases and/or services not associated with the approved budget and/or itemized proposal submitted.

Modifications: The parties may, in writing and by mutual agreement, amend, modify, supplement or rescind the terms of this agreement.

In witness whereof, the parties hereunto affix their signatures this day of 08/22/2024.

Employer's full legal name: CITY OF BRUNSWICK

Federal tax I.D.: 346006433

Title: Fire Chief

Name: Gregory Glauner

Signature:

A handwritten signature in blue ink, reading "Gregory Glauner", enclosed within a rectangular box.

State of Ohio, Bureau of Workers' Compensation

Safety Intervention Grant Program, August 2024



NO SMOKE

Quotation

Beecher Emission Solution Technologies, LLC
dba **Ward Diesel Filter Systems**
1250 Schweizer Road
Horseheads, NY 14845
Phone: 800-845-4665
Fax: 607-739-7092

Date: August 14, 2024
Quotation #: 12588R2

To: Brunswick Fire Department
4383 Center Rd
Brunswick, OH 44212

Quotation valid until: September 13, 2024
Prepared by: MRN

Attention: Greg Glauner

Quantity	Description	Per Unit Credit Card Price	Total Credit Card Price
2	NO SMOKE direct source diesel exhaust filtration system, installed, excluding taxes	\$10,495.80	\$20,991.60
		*CREDIT TOTAL	\$20,991.60
Quantity	Description	Per Unit Cash/Check Price	Total Cash/Check Price
2	NO SMOKE direct source diesel exhaust filtration system, installed, excluding taxes	\$9,996.00	\$19,992.00
		CASH TOTAL	\$19,992.00
<u>Warranty:</u> One (1) year. <u>End User:</u> Brunswick FD <u>Installation Site:</u> TBD <u>Terms:</u> Net 30 days on all invoices. Invoicing will be done weekly on the number of units installed for each week. Notes: All prices are in US Dollars. Proposal does not include bid and/or performance bond cost. *Effective February 11, 2024, merchants in New York State must provide clear and conspicuous disclosure of credit card surcharges to consumers.			

Michael Nelson
Regional Sales Manager