



*"...meeting community needs...enhancing quality of life."*

**APPLETON FIRE DEPARTMENT  
700 N. DREW STREET  
APPLETON, WI 54911**

## MEMORANDUM

To: Alderperson Kyle Lobner, Chair, Safety and Licensing Committee  
Alderperson Kathy Plank, Chair, Finance Committee  
Members of the Common Council

From: Eugene R Reece, Jr., Deputy Fire Chief

Date: December 3, 2015

Re: Request to Donate Out of Service Command Trailer and Tow Vehicle to the Outagamie County Emergency Management - Community Emergency Response Team (CERT)

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In 2014, the fire department purchased a new trailer for the Hazardous Materials Team out of Hazardous Materials Type II Special Revenue Fund. As a result of this purchase, the existing trailer and tow vehicle was taken out of service. During 2015, using existing fire department funds, employees have converted this trailer and tow vehicle into a new larger fire department command trailer. The fire department command trailer is made available to all city departments in the event of an incident in which extended operations would warrant the placement of an on-site command post. For law enforcement events, this trailer serves as a supplement to the APD command vehicle. As a result of the creation of this larger command trailer, the department is removing from service a 1996 Chevy tow vehicle and 28-foot command trailer.

The department is requesting approval to donate the old tow vehicle and trailer to the Outagamie County Emergency Management – Community Emergency Response Team (CERT) for the use as a REHAB response unit. Outagamie County CERT is a group of volunteers that assist in emergency incidents under the direction of the Incident Commander and Outagamie County Emergency Management. For the last two years, our department has worked closely with CERT in enhancing firefighter safety through incident rehabilitation. When operating at emergency incidents, standards require that we provide access to rehab (rest, refreshment) and medical evaluation for firefighters for the purpose of enhancing their health and safety while operating at emergency incidents. CERT provides this rehab and Gold Cross provides the medical evaluation for all major fire incidents in the city. Additionally, CERT responds to major incidents throughout Outagamie County providing this rehab service. In 2015, we enhanced this partnership with CERT by signing an MOU which provided canteening for emergency responders. Canteening is providing a more complete meal for responders working for extended periods at emergency incidents. CERT currently utilizes an outdated ambulance that was donated to the group for the purpose of transporting rehab equipment to the scene of an emergency. They also use the vehicle to provide some protection to the elements, but the vehicle size limits this capability. Recently, the current vehicle has had mechanical issues taking it out of service. Even with these limitations, the CERT volunteers continue to provide this service using personal vehicles. With the donation of this vehicle, the operations of CERT would be significantly improved for response into the city as well as for the entire county.

*"Appleton Fire Department....serving with P.R.I.D.E."*

Based on an analysis we believe the value of the tow vehicle and trailer at approximately \$15,000 - \$18,000. This vehicle was purchased through the Haz-Mat team special revenue fund and monies received from a purchase if sold outright would be returned to that fund. However, by donating the unit to CERT, the department and city would still have access to utilize the unit at emergency incidents through our MOU with Outagamie County Emergency Management. Additionally, if CERT disbands or stops providing rehab service, the ownership of the vehicle will convert back to the fire department for proper disposal.

Outagamie County Emergency Management is accepting the equipment in "as is" condition. The City of Appleton makes no warranties or representations whatsoever regarding the equipment past, present or future condition and Outagamie County Emergency Management willingly accepts the equipment in "as is" condition for the purpose of CERT providing rehab services under our current MOU.

Clearly, this donation is a win-win situation not only for the City of Appleton, but also for all the communities in Outagamie County as this vehicle will enhance the ability to provide rehab services to all county fire departments.

If you have any questions or need additional clarification, please feel free to contact me at 832-5810.

**EQUIPMENT TRANSFER AGREEMENT**

WHEREAS, the City of Appleton Fire Department currently owns a 1996 Chevy K-3500 pickup truck tow vehicle – VIN 1GBHK33F3TF009120 and a 28' J&L Cargo Express Enclosed Command Trailer- VIN 4U01C28262A009119 (hereafter all of which is collectively referred to as “equipment”) and it is willing to transfer ownership of the equipment to Outagamie County Emergency Management for the Community Emergency Response Team (CERT) Rehab team; and

WHEREAS, Outagamie County Emergency Management is willing to accept the equipment from the City of Appleton Fire Department; and

WHEREAS, the City of Appleton and Outagamie County Emergency Management acknowledge that the City was prepared to dispose of the equipment; however, Outagamie County Emergency Management has identified that they would benefit from said equipment; and

WHEREAS, the City of Appleton will donate the equipment to Outagamie County Emergency Management in exchange for the City of Appleton being totally indemnified and held harmless from all claims that may arise in the future in any way out of the use of the equipment.

THEREFORE, it is agreed by and between the parties as follows:

1. The City of Appleton Fire Department shall provide to Outagamie County Emergency Management equipment in “as is” condition. The City of Appleton makes no warranties or representations whatsoever regarding the equipment past, present or future condition and Outagamie County Emergency Management willingly accepts the equipment in “as is” condition.
2. For good and valuable consideration, Outagamie County and the Outagamie County Emergency Management and its officers, officials, employees and agents agree to indemnify, defend and hold harmless the City of Appleton and its officers, officials, employees and agents from and against any and all liability, loss, damage expense and costs (including attorney fees) arising in any way out of this agreement and future use of the equipment except where caused by the sole negligence or willful misconduct of the City of Appleton.
3. Should Outagamie County Emergency Management decide to discontinue use of said equipment for the purpose of incident rehab, they agree to return the equipment for proper disposal by the City of Appleton Fire Department.

IN WITNESS WHEREOF, duly authorized representatives of the said parties have hereunto set their hands and seal this 18th day of December, 2015.

CITY OF APPLETON

By: \_\_\_\_\_

Outagamie County Emergency Management

By: \_\_\_\_\_