

August 12, 2013

FLORENCE TOWNSHIP FIRE DISTRICT NO. 1
BOARD OF FIRE COMMISSIONERS
REGULAR MEETING AUGUST 12, 2013

Board Chairman Scott Arnold called the regular meeting of the Board of Fire Commissioners of Florence Township Fire District No. 1 to order at 6:30pm. After saluting the flag, the following statement of compliance with the New Jersey Open Public Meetings Act was read by the chairman:

“This meeting is being held in accordance with the New Jersey Open Public Meetings Act. Notice of this meeting has been sent to and published in the Burlington County Times and the Register News. It has also been posted at the township municipal building and on the fire district’s website.”

ROLL CALL: Present – S. Arnold, C. Bauer, B. Mayer, R. Roberson

Absent – W. Rzomp

Also in attendance were Solicitor Gaskill, Chief Scully, B/C Mullen, B/C Taylor, and Toby Houseworth (Trustee Chairman).

Minutes of the previous meetings: (July 8 and July 22, 2013)

A motion was made by Commissioner Mayer, and seconded by Commissioner Roberson to approve the minutes of the July 8 and July 22, 2013 meetings as printed and distributed. Motion carried unanimously.

AUDITORS REPORT: (Rob Inverso)

1. None.

SOLICITOR: Robert Gaskill

1. Open Public Record Act – We recently received a request for records from Mr. Paff and Mr. Gaskill provided the records. Mr. Paff then sent a letter to Mr. Gaskill with questions in regards to procedures in holding Closed Session, and they had merit. Mr. Gaskill composed a handout and distributed it to the Board members for reference.

Mr. Gaskill read aloud Mr. Paff’s four questions:

1. “Do you believe that minutes such as those kept the May 28th meeting stating only that discussed issue of employee punctuality directed to Battalion Chief Mullen to implement same are reasonably comprehensive as required by the statute?”
Solicitor Gaskill commented that we do have sparse closed session minutes and that we will need to expand a bit on those. However, we would redact information from them if they were requested. Solicitor Gaskill gave an example of employee punctuality, such as Kevin’s punctuality. The minutes should say “Discussed Battalion Chief Mullen’s punctuality” and then whatever we did. But if somebody requested that, because it is a specific individual, we would redact that before sending it out. We have keep a little better minutes although what they got from the minutes was all they would ever be entitled to.
2. “Do you believe that the general issue of employee punctuality apart from discussing any particular employees may have belayed qualifies for private discussion?”

Solicitor Gaskill commented that just employee punctuality generally should be open session. Particular employees should be closed session. They did talk about particular employees which is the reason why it was done in closed session. His comments from the first question go along with the second.

3. "Should Board closed session minutes recite the time and place of the meeting and members in attendance?"

Solicitor Gaskill's comment was "Yes it should, and yes we will."

4. "Do you believe the motions authorize the Board's closed sessions conform with the statute?"

Solicitor Gaskill commented sometimes they do and sometimes they don't. Looking at the handout, there are specific items that allow the Board to close and to discuss in closed session. In the future, we will have to be a little more specific to discuss contracts, employee discipline, possible litigation to discuss client/attorney privileged information in closed session.

Solicitor Gaskill will respond to Mr. Paff letting him know this was discussed in open session, and the plan moving forward is to be a little more careful with way we do it. Commissioner Mayer reported that she put a sheet together that they will use to take minutes for closed session starting tonight to become part of the official minutes. Solicitor Gaskill commented the things discussed in closed session are things that may never be able to be public. Sometimes they can be later, sometimes not.

BATTALION CHIEF/BUSINESS MANAGER REPORT:

1. Kevin Mullen submitted his report via email.

BUREAU OF FIRE PREVENTION:

1. Marc Stranko submitted report via email.

CHIEF REPORT: Keith Scully submitted his report via email.

1. The April date at the bottom for response times goal 1, goal 2 is a typo and should be July.

COMMITTEE REPORTS:

Personnel:

1. Commissioner Bauer reported they had a personnel meeting to interview prospective employees. In attendance were Commissioners Bauer and Rzomp, and the two chiefs. They have come to a decision and are looking to move forward (under new business).

5-Year Planning:

1. Commissioner Mayer reported they met a couple weeks ago and came up with a couple plans. Steve Fazekas met with Matt Hempel yesterday who brought back a lot of information on furniture from the Expo he attended. They also talked about other items that had been discussed. Next meeting will be in the beginning of September.

Insurance:

1. B/C Mullen reported that he met with our agent to go over any annual updates. Everything is good.

Purchases:

1. A list was emailed to the Board by B/C Mullen.

Policy:

1. Policies 216, 225, and 270 are all related to the duty crew incentive plan and have been updated. Solicitor Gaskill reviewed a copy and recommended a change on the first page of Policy 270 to change the word “payments” to “incentives”. Solicitor Gaskill commented that it is obvious a lot of work went into the drafts. They are looking to have these policies in place by October 1, 2013. After 1st reading tonight, B/C Mullen will send them out to the entire membership for review in case they have questions for the September meeting.

Training: Marc Stranko submitted his report via email.

1. B/C Taylor reported that he has not heard anything further on the CPR Instructor training class from the county. He was told that changes were coming in May from the AHA that haven't gotten here yet and will require different instructor materials. Also Joe McConomy has been out and is due to return August 19th. He does have a verbal commitment from Director Gsell to do the training, but he does not have a solid date or quote as of yet.

Truck/Equipment/Building: Chief Scully reported:

1. B/C Mullen reported there was a problem with the lift station. It is unknown when the last preventative maintenance was done. There was a problem with the sewer line that goes under the kitchen. By flushing that out, it filled the lift station and the breaker for pump 1 tripped. Once the breaker was put back on, both pumps were working. Commissioner Arnold will go through the system and also make sure the alarm is working correctly. If there is debris that gets stuck in the grinder, the pump will start running at higher amps and start tripping breakers every time it runs. It may need to be pulled out of the lift station and clean it. B/C Mullen will check with the Township Water and Sewer for their crane truck, as they have been very helpful with the lift station in the past.
2. Toby Houseworth reported the lights and receptacles have been done. The next item is to make a decision on the lighting in the engine bays. Commissioner Arnold will meet with Toby after the company meeting for a walk through and come up with a plan.

Fire Company Liaison:

1. Commissioner Mayer reported that the company contract has been signed and B/C Mullen has all 3 copies.

Information Technology Report: Todd Estelow submitted report via email.

1. Carolyn Taylor is to send a picture of Commissioner Roberson to Todd Estelow to post on the website.

2. Commissioner Arnold asks that B/C Mullen have Todd Estelow make sure that when something is posted up on the website that it matches what they put up on facebook, and that the information is correct. B/C Mullen did have the error corrected.
3. Commissioner Arnold reported they are looking at possibly splitting the website. It is difficult to tell what part is for the fire district and what part is for the fire company, and what is sponsored by whom. He was questioned by a resident on why we do hoagie sales and the golf tournament and had to explain that they were “company” functions, not fire district functions. The Board would like Todd to attend the September meeting and they will go over the changes. Commissioner Roberson will talk to Todd about it.

Financial: None

Radio:

1. The headset issue has been resolved.

APPLICATIONS FOR MEMBERSHIP:

1. None

COMMUNICATIONS:

1. Civil Service List – Fire Official UFD – B/C Mullen reported we received a certification of eligible people for appointment from the department of personnel. The District has until October 9, 2013 to made a decision and select someone from the list. Commissioner Arnold is moving this to the September agenda so that Commissioner Rzomp will be back from vacation.
2. NJ DCA – Approval of Budget Amendment for FEMA Grant – B/C Mullen received the OK from the Department of Community Affairs on our amendment to the FEMA Grant.

PRESENTATION OF BILLS

- 1.

Bills List dated August 8, 2013	\$98,877.80
Additional Bills	
Fastenal - Inv # NJ BUR 13543 Shipping & Handling	\$7.22
Fire Fighters Equipment Co. Inc. Inv #20133086	\$284.60
Joe Wargo Reimbursement Floor Mats for 4082	\$73.51
Matt Hempel Reimbursement Firehouse Expo	\$812.36
NJ E-Z Pass - PA Toll Transaction	\$2.33
State of NJ - CSRS13001	\$81.00
Verizon July 2013 Statement	\$67.36
Sub Total	\$1,328.38
TOTAL	\$100,206.18

A motion was made by Commissioner Mayer and seconded by Commissioner Roberson to approve to pay the bills as presented as well as the PSE&G bill. Motion carried unanimously.

TREASURERS REPORT:

1. The following report was submitted by the Treasurer for approval.

Treasurers Report – Period Ending July 31, 2013	
Beginning Cash Balance (7/1/13)	\$307,215.75
Cash Receipts	\$150,036.70
Cash Disbursements	\$299,715.92
Ending Cash Balance (7/31/13)	\$157,536.63

A motion was made by Commissioner Roberson and seconded by Commissioner Mayer to accept the treasurer's report. Motion carried unanimously.

OLD BUSINESS:

1. New Health Insurance Plan – B/C Mullen reported all the employees attended the meetings held at the township. He spoke to Marc Stranko, who spoke to the union rep., and they don't think they even need to change the contract. Both the employees and the union are ok with moving over to the new health insurance through the Township which switches over September 1, 2013. B/C Mullen called the NJ State Health Benefits just as a follow up if we do not change over with the Township. We can change over to the state health plan, but it takes 60 days by resolution. Solicitor Gaskill quickly reviewed the contract and suggested that a letter be sent to the union stating that we are changing health insurance. B/C Mullen will send the letter to them.
2. Secretary to enter into an agreement with DM Medical Billings per awarded bid.
A motion was made by Commissioner Mayer and seconded by Commissioner Roberson to accept the agreement with DM Medical Billings subject to Solicitor Gaskill's review of the contract and the few changes that Commissioner Mayer found. Motion carried unanimously.

NEW BUSINESS:

1. Hiring of EMS Part-Time Fire District Employees – Commissioner Bauer reported interviews were done and the candidates will still need to do their agility test and take their written test which will occur tomorrow night. B/C Mullen stated they will need to pass their physical and background checks as well.
A motion was made by Commissioner Bauer and seconded by Commissioner Mayer to authorize the Chief and the Battalion Chief to hire up to eight Part-Time EMS Fire District Employees based on the background check, physical, and their skills assessment. Motion carried unanimously.
2. SAFER Grant 2013 – B/C Mullen reported the SAFER Grant came out before the Assistance to Firefighter Grant this year and it closes August 30th, 2013. This grant is to increase staffing to the existing staff, or if you are going to lay off employees, or you are bringing back employees that have been laid off. Chief Scully recommended adding 3-4 more staff. If you

write the grant for 4, you must take all 4 or decline the entire grant. The first 2 years are at no cost, and the third year we have to pick up our fee of the grant or we pay back the two years. Through discussion, it was concluded that we currently cannot afford to bring on 4 new staff.

A motion was made by Commissioner Roberson and seconded by Commissioner Bauer to authorize B/C Mullen to write the SAFER Grant for two employees. Motion carried unanimously.

3. OPRA Request Form and Custodian of Records – B/C Mullen reported he sent the Board a copy of the Official OPRA Request Form that came from the state website and was modified with our information and logo. Solicitor Gaskill reminded the Board that we cannot require anyone to fill out the form. Any type of written request, electronic, napkin, whatever, is an official OPRA request which must be responded to within 7 business days. Commissioner Arnold discussed charging a fee for requested paper documents and postal fees. Solicitor Gaskill strongly recommended that we not charge for the documents because of the complaints that would be filed and that we would have to respond to. Commissioner Arnold appointed B/C Mullen and Carolyn Taylor as the custodians of records.

4. Tablets for EMS – Commissioner Mayer reported Todd had just sent out the last quote this afternoon for \$2,054.18 for 2 Toughbook Tablets to go into each ambulance for patient reports.

A motion was made by Commissioner Mayer and seconded by Commissioner Roberson to authorize Todd to purchase the 2 Toughbook Tablets from Dell in the amount of \$2,054.18. Motion carried unanimously.

5. Contract for PM fitness equipment (\$200.00/visit) Fitness Central Inc. – B/C Mullen this is for the treadmill, the elliptical, and even the weight machine. They have not been PM'd in a while and people are using them.

A motion was made by Commissioner Mayer and seconded by Commissioner Roberson to go into contract with Fitness Central Inc. to PM the equipment for \$200.00 a visit. Motion carried unanimously.

MEETING OPEN TO THE PUBLIC:

A motion was made by Commissioner Mayer, and seconded by Commissioner Roberson to open the meeting to the public. Motion carried unanimously.

1. Mr. Mike Stranko had a question pertaining to the specific hiring of part-time people vs. the per diems, and if there is any type of benefit package that is being offered to the part-time help? He understands the per diems come in on a day-to-day basis – you pay them for that days work and they're done. That's your obligation. You bring somebody in part-time, if they are specific as a part-time worker, you may be obligated to pay some kind of benefits unless you spell that out.

Chief Scully responded that they are not going to work the hours to get the benefits. They can not work any more than 30 hours a week which is less than our per diems are doing now. Solicitor Gaskill asked if we have a "Terms of Engagement letter". Chief Scully replied "not yet." Solicitor Gaskill recommends that we should. Commissioner Bauer stated that every one of the people that were interviewed, that was explained to, what their hours were, expected, and why they were kept at no more than 30 hours a week, and no more than 56 hours per every 2 weeks. Commissioner Roberson stated having it in writing would probably be the best thing for us. Solicitor Gaskill asked the Board to send him their ideas.

2. Mr. Matthew Hempel stated he had the opportunity to represent the Fire Department last month in Baltimore at the Firehouse Expo. Mr. Hempel thanked the Board for supporting

that. There were tremendous learning opportunities, a lot of good classes, and a lot of materials that he brought back and started to work into some of the projects that he is working on here. Commissioner Arnold thanked Matt for representing the department.

A motion was made by Commissioner Bauer, and seconded by Commissioner Roberson to close the public portion of the meeting. Motion carried unanimously.

CLOSED SESSION:

A motion was made by Commissioner Roberson, and seconded by Commissioner Mayer to go into the closed session portion of the meeting to discuss personnel matters in terms of employment. Motion carried unanimously.

A motion was made by Commissioner Bauer and seconded by Commissioner Roberson to go back into regular session. Motion carried unanimously.

RETURNING TO NEW BUSINESS:

1. Hourly Rates for Part-Time and Per Diem Employees –

A motion was made by Commissioner Bauer and seconded by Commissioner Mayer that the hourly rates for Per Diems and Part-time employees be changed as per the new pay schedule by Chief Scully. Motion carried unanimously.

GOOD OF THE BOARD:

1. None.

ADJOURNMENT:

A motion was made by Commissioner Bauer seconded by Commissioner Roberson to adjourn the meeting. Motion carried unanimously. The meeting adjourned at 7:55 pm.

Respectfully submitted,
Carolyn Taylor