

**The Monthly Work Session of the Board of Fire Commissioners
District #3, in the Township of Hanover
County of Morris, Cedar Knolls, New Jersey
January 21, 2010**

The meeting was called to order at 7:00 PM on January 21, 2010 in accordance with the Open Public Meeting Act of 1975, Chapter 231.

Attendees: Commissioners Thomas Harrington, Gary Keyser, Joseph Martin, Paul Pilipie, Thomas Quirk

Chief James Davidson and George Coppola, Liaison to the Board of Fire Commissioners, were present. Chad DiGiorgio was present from the public.

The Board stood for the Pledge of Allegiance.

The first order of business was the discussion on the Interlocal Agreement with Fire District #2 and the letter sent to Fire District #2 from this Board. Chairman Harrington stated that he and Commissioner Quirk had previously met on January 7, 2010 with Julie Mihalko, Chairwoman of District #2's Board of Fire Commissioners, and Robert Cobane, Commissioner. At the last regular meeting, this Board had agreed to send a letter informing them that their letter, which was attached to the Interlocal Agreement, was null and void since the Agreement had been signed by both districts before the end of December 2009. The attached letter was dated January 2, 2010 and had been added after both parties had signed the Interlocal Agreement in December 2009. The Chairman stated that he had not heard back from District #2 as of this meeting. Chairman Harrington said both districts signed the Interlocal Agreement before the December 31, 2009 deadline. Since the attached letter was attached after the deadline and after District #3 had signed the Agreement, they would be going by that and not any stipulations from the attached letter.

Committeeman Coppola said that he had spoken to the Township Committeemen at their last meeting and had addressed the issue of the Agreement and the letter attached. He wanted the Committeemen to know that he was very concerned regarding this issue. Commissioner Keyser said that he is very concerned because he believes there is a clause in the Interlocal Agreement where either party can terminate the contract with 30 or 60 days notice and he feels that District #2 might take advantage of this notice. During the meeting, Commissioner Keyser checked and the Interlocal Agreement stipulates that the contract is a one year agreement and, therefore, cannot be terminated prior to that. Committeeman Coppola said that the \$75,000.00 in question is taxpayers' money and it is already earmarked in the budget for EMS services. He doesn't feel they can use that money for any other purpose except EMS services. The Committeeman gave this information to the Township Attorney and asked him to look into whether this is the case.

Commissioner Keyser felt that he cannot see District #3's taxpayers picking up the cost of sending EMS personnel to District #2 next year if District #2 does not contribute the \$75,000.00 towards EMS.

Commissioner Quirk said that District #2's letter asked that this Board come up with other options. Commissioner Quirk suggested that one option would be that District #3's Board look into purchasing another ambulance. District #3's ambulance would cover this district from 6:00 AM to 6:00 PM and District #2 could get their own ambulance which would cover their district from 6:00 AM to 6:00 PM also. It could still be a volunteer organization in the evening, but both districts would handle their own district. Chairman Harrington said that the ambulances are purchased with donations from both districts, but a new ambulance would be bought with taxpayers' money from District #3 only. Committeeman Coppola said that he intends to address this issue with the Township Committee because no taxpayer can be without service. Chairman Harrington said that District #2 wants to look into billing again, but District #3 already has and decided that it is not the right way to go at this time. However, if District #2 has their own ambulance, they can look into billing and go that route.

The Commissioners had requested copies of District #2's minutes and were shocked at some of the things they read. One of the minutes obtained said to "make them wait, make them wonder" regarding a letter that District #3 was waiting for. The Commissioners said that District #2's meetings seem to be run by members of their fire department and not the Commissioners. At the November 9, 2009 "pre-meeting" minutes, it read, "In December, we will have to vote on whether to continue it or not (referring to the Interlocal Agreement). We will be adding a quarterly bill. We have to continue pushing them for reports on how else to get this money. Keep them wondering if we're going to sign it each time to ensure movement on their part, trying other things moving forward. Our district would still like separate accounts for the squad, apart from fire."

Commissioner Quirk suggested forming a committee to look into purchasing another ambulance. He said that District #3 never said we wouldn't help out – if they can't get a crew together, we could send an ambulance and charge their district. Chairman Harrington said one of the current ambulances can be given to District #2. The Commissioners felt that they opened their books to District #2 and only 2 people came. The Commissioners felt that they've been open about everything right from the start.

Commissioner Pilipie asked Chief Davidson how much District #3 spends on oxygen and the Chief responded somewhere around \$3,500 to \$4,000. Apparently, District #2, according to their minutes, asked Mr. Coppola about reimbursing them for first aid supplies "like they do at Cedar Knolls". They asked for somewhere between \$5,000.00 to 6,000.00/year. The Commissioner asked how this is possible and Commissioner Keyser answered that they sometimes get to calls before our ambulance gets to the scene and they use oxygen. He said they would have to show receipts to support this amount to get reimbursed. Commissioner Keyser said they would reimburse them if they use supplies if they go through Assistant Chief O'Hare or his officers.

Chairman Harrington said it is up to the Township Committeemen to get together with District #2 and tell the residents that they need to go to a regular meeting to find out what's happening regarding the issues involved with the Interlocal Agreement and service to their residents. Committeeman Coppola said that he agreed and he would speak with the other Committeemen to try to get them involved. Commissioner Keyser said that it should be announced at a fire company meeting or Commissioners' meeting that any EMS questions can be answered at District #3's Commissioners' meetings.

Commissioner Quirk said that he was thanked by District #2's fire company President, Fred Brunner, after they received the letter from this Board asking them to come to this Board's meetings to have any of their questions answered. He said he was appreciative that the letter was sent to him since he had previously told anyone with questions to go to a District #3 Board meeting, but no one has done so. The letter will be read at their next meeting.

Commissioner Quirk asked what was the possibility of purchasing the old ambulance that the department has here instead of trading it in, but was told that there are too many problems with it. The Commissioner asked about the newer ambulance – could that one be purchased? Commissioner Keyser said that there was not enough in the budget. Chief Davidson asked if an amended budget could be filed -- he said the Board has the money, but that can't be allocated to be spent until 2011. Commissioner Keyser said he would look into alternatives and find out what can actually be done. Commissioner Pilipie suggested asking the second floor if they would loan an ambulance to District #2. Commissioner Keyser said he thought a letter should be sent asking them if they would like to purchase District #3's older ambulance. Commissioner Martin said there are a lot of other issues such as where they can put an ambulance --- it can't be left out in the winter because of the oxygen. What about insurance? The Chief suggested this Board could possibly enter into a lease agreement with the second floor for the new ambulance that will be coming with the idea that it is a lease/purchase agreement for 2010. Also, the Chief reminded them that they are only talking about 6:00 AM to 6:00 PM. District #2 would not be abandoned during that time because they would have an ambulance and their career staff could man the ambulance during those hours. Chairman Harrington said that they would look into that idea. Commissioner Quirk suggested sending District #2 a letter saying that the Board is discussing the possibility of District #3 covering District #3 and, if it comes to this, will they be able to cover District #2 if they get an ambulance? Remind them that they wanted this District to look into other avenues of funding and this is one way to resolve that. Tell them that this Board is willing to cover District #3...If District #2 gets an ambulance, would District #2 be willing to cover your own District? Everything should be in writing including their response. Another suggestion was sending a letter to their fire district telling them that District #3 will be purchasing the new ambulance that is coming in – would they be interested in purchasing the old ambulance for their use? Give them the opportunity to take care of their residents. The membership of the Second Floor should be included in all of this.

Commissioner Pilipie read part of District #2's October 12, 2009 minutes in which Henry Winter said that he had "seen the report on paper" and that "billing is not only feasible, but profitable". Also, Henry Winter said that, "It looks great on paper. Why did they reject it?" The Commissioner questioned how Henry could have read something that was never said or written.

Chairman Harrington asked all members on the Billing Committee to write up their individual reports on the results of their looking into billing. District #2 knows that the Billing Committee made their oral report to this District's Commissioners and that the Commissioners voted not to go with billing at this time and, therefore, it was decided that they would not agree to participating in a joint committee, as requested by District #2, to again look into billing. After much discussion, Commissioner Martin and others agreed that a letter should be sent and they should be asked one question – "Are you willing to do ambulance service in your district if you have an ambulance?" If they say no, what is their alternative plan? Chairman Harrington said that this Board should wait to hear what their response is after their next meeting.

Next on the agenda was discussion regarding the fence issue between the fire department and Hunan Wok. Commissioner Keyser said he had not called the surveyor to come to mark the area. There was discussion on whether to put concrete pillars in or steel pipes with cement which would stand up better than a fence. Chief Davidson said he would contact Fred Meola who is a surveyor in town to come to look at the area.

The Fire District website discussion was put off until the next meeting until it can be looked into further.

The Board then discussed E-Dispatching and whether they really need it. Chief Davidson said that the other members of the department love the E-Dispatching. It had been discussed at the Fire Prevention Bureau meeting and it was agreed, if it saves money by going in on it together, then it would be purchased. The Commissioners had questions such as minutes running over and can the members check usage. Commissioner Keyser said he was not in favor of getting E-Dispatching. It was agreed to vote on this at the next regular meeting.

Chairman Harrington said that, years ago, this fire department was told that they could not join the Township's joint health policy because we did not have enough employees. Silvio Esposito, Township Financial Officer, said that their police had approximately an 8% increase in the joint health policy – the fire department's Oxford policy went up approximately 23% this year. They have to check to see what kind of coverage the joint health policy is. Chairman Harrington said that he would see Joseph Giorgio, Township Administrator, to ask him questions about the policy.

Commissioner Pilipie read information regarding the local ordinance changes that the Chief recommended. The ordinance covers everything in the local ordinance, but the radio system would not be covered. Chief Davidson recommended that the Commissioners from both districts can look at it and discuss it at the next Fire Prevention

meeting where it can be introduced, passed and then he and Chief Cortright could go ahead and put the changes in for the fire code. Commissioner Pilipie said that everyone should look at it and have it ready to be voted on for the next Fire Prevention Bureau meeting. The Township Committee still would have to look at it and approve it.

Commissioner Keyser informed the Board that the insurances were in for June. He called the insurance company and made a correction regarding changing the First Aid Auxillary wording to First Aid Squad.

There was no other business to discuss. **Commissioner Quirk made a motion to adjourn at 8:06 PM, seconded by Commissioner Martin, all in favor.**

Respectfully submitted by:

Paul Pilipie, Secretary