

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

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

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

Absent: Commissioner Thomas Quirk

Chief James Davidson was also present.

The Board stood for the Pledge of Allegiance.

Old Business

Chairman Harrington asked Commissioner Pilipie if he had an update on the purchase of keychains and was told that the Commissioner did not have anything at this time.

The Chairman indicated that Fredric Knapp, the Board's Labor Attorney, could not make this meeting, but the physical procedure form and information on physicals was forwarded to him to look over. The Chairman said that he would ask Mr. Knapp to be present for the November meeting and that any questions would be asked at the beginning of the meeting so that Mr. Knapp could leave as soon as discussions with him are over.

Chairman Harrington said that the Chief had relayed to him that Royal Communications had tested the siren and found the circuit board that was bad. They took it out and brought it back to their shop to see what needed to be done to fix it and if it was worth the expense.

Commissioner Quirk is away and has an update from Anthony Bucco, Esq. regarding the bylaws. Everyone had received a copy of the updated bylaws, but it will have to be voted on at the next monthly meeting.

The Chairman said that Chief Davidson was not here yet, but he was supposed to have a quote on cameras for the ambulance, engine and truck bays.

Chairman Harrington asked Commissioner Keyser if he had an update on Hobby Heat. Commissioner Keyser said that he was working on it, but he was looking for the original installation date and the invoice showing that.

The Chairman indicated that the Chief had printed out the 6:00 AM to 6:00 PM calls that the Board had requested and it showed that there were 610 responses with 6:00 PM to 6:00 AM showing 547 calls. Commissioner Keyser said they have to break down the EMS calls now.

Chairman Harrington said he had informed everyone on what he felt the Board should do regarding District #2's discussion at a meeting which Commissioner Keyser attended with Commissioners Hansch and (Michael) Mihalko regarding payment of \$75,000.00 towards EMS expenses. The Board was told to think about the options and they would discuss it at the next meeting. The Chairman said he has had time to think over what was discussed at the last meeting and said that he realized that nothing is legal until the Board receives a letter from District #2's Board outlining what they will or will not do when their financial contribution is due for the next year. He did say that he was upset that Commissioner Keyser called the attorney directly and felt that problems should go before the Board first to be discussed and, hopefully, resolved. If the problem cannot be resolved, it should go through the chain of command where no decisions should be made without approval of the Board. Commissioner Keyser felt that each Commissioner has a right to call the attorney for direction, but the Chairman said calling the attorney should be done by the Chairman only after discussion among the Board. The Chairman said he would call the attorney as to whether any Commissioner can call with questions or just one Commissioner. Commissioner Pilipie pointed out that the new bylaws have gone to the attorney for approval and that those bylaws have been reviewed and returned and actually outline what the Board can do pertaining to this. The Commissioner pointed out that Chairman Harrington does not have to call the attorney because the bylaws have been approved by an attorney and the bylaws just have to be voted on by the Board and that will outline who can call regarding problems or questions.

Chairman Harrington reported that he had received a letter from District #6 (Parsippany) regarding a meeting to be held on Tuesday, November 9, 2010 at 7:00 PM at the new firehouse in Lake Parsippany to discuss state laws passed regarding the maximum real estate tax increase that fire departments can put into effect each year as well as the proposed tool box for expenses that are exempt from the tax. Assemblyman Alex De Croce will be there. The Chairman suggested that all of the Board members should try to attend since many other Boards will also be there and there will be a lot of information on these subjects. It was agreed that the Chairman should advertise in the newspaper that District #3 will be attending.

The Chairman asked Chief Davidson if he had a chance to get in touch with Royal Communications regarding the FCC application for narrowbanding. The Chief said that the feeling on narrowbanding by the Township Committee has changed and he has put a request in his Chief's Report to purchase the pagers. He had received an e-mail from Committeeman George Coppola in which he said that Mayor Sheridan has directed

Joseph Giorgio, Township Administrator, and Committeeman George Coppola to reach out to the County to relook at the opportunities and what the County can provide in the way of communication services for Hanover Township. The Chief said that both fire districts had spoken with Committeeman Coppola regarding the narrowbanding issue. The Chief saw Police Chief Steve Gallagher who did not know anything about this other than that the Township is looking at all ways to save money. Initially, they were not interested in going to the County, but now they are – Commissioner Keyser asked if this was scare tactics for layoffs. The Chief said he heard that the Township is looking to lay off two people from every department – again because they are looking at all ways to save money. Chief Davidson encouraged the Board to immediately start budgeting money (minimum \$155,000.00) for new equipment which would, most likely, exclude purchasing a new fire truck. Timing is up in the air on everything. The two Boards need to put pressure on the Town to ask them what is going on because this impacts the department's budget drastically. This will affect EMS dramatically again along with the Fire side. It was agreed upon that Chairman Harrington should speak with Committeeman Coppola to discuss this.

Commissioner Martin asked whether the response report on the 610 calls from 6:00 AM to 6:00 PM was total calls or was it 610 responses from personnel, i.e., if two people go on the same call, is that call being captured twice. The Chief responded that the total incidences is 610 no matter how many people go. The 610 calls are just EMS calls through September.

Chief Davidson said he had looked into the ability to bill from 6AM to 6PM, in a review of the Title 8:40 code for EMS -- if the municipality or government agency is providing EMS in the State of New Jersey, then we have to be licensed. Commissioner Keyser said they hired to supplement the volunteers, but basically we are providing the EMS during the daytime. The Chief said that they have an Interlocal agreement in which it states that Hanover Township Fire District #3 provides EMS and that the Township of Hanover recognizes Fire District #3 as the provider of EMS. The Chief said that things could be structured without changing things alot so that Hanover Township District #3 would be the EMS provider from 6:00 AM to 6:00 PM and would be a licensed entity and could bill if they so choose to do so. The Cedar Knolls Fire Department/First Aid Squad would provide non licensed BLS from 6:00 PM to 6:00 AM and weekends, and they could bill if they wanted to, but they would have to be licensed then. The Chief said they would have to try to get waivers from the state on the use of the First Aid Squad ambulance because the administrative code says that the licensed provider has to be named on the vehicle. The Board would have to ask for a waiver, sign an agreement with the First Aid Squad to utilize one of their ambulances which would then become a licensed ambulance. This doesn't mean the volunteers can't use the licensed ambulance, but it would mean two EMTs would have to be on every call. Chief Davidson said he had spoken with Assistant Chief Bob O'Hare and Captain MaryLou DeSimone and they both agreed that it would not be a big issue to have two EMTs riding. A backup plan is also required, but District #3's backup plan would be the other ambulance. Chairman Harrington said that eventually the Board might have to put one of the ambulances in the district's name and register it if they go further than the 6:00 PM to 6:00 AM billing.

That would mean the fire district would have to buy their own or work out a purchase/lease arrangement. Commissioner Keyser said if they decided to go this way, they would have to advertise for a billing company because they need two or three quotes. Chief Davidson recommended they defer to the Board's attorney on questions regarding billing. The first thing to do is get the billing company, then a medicare license has to be looked into. It was decided to start getting bids from billing companies asking for information about how long it would take to get started. Commissioner Keyser suggested sending a letter to the Second Floor that the Board is looking into this, but Commissioner Pilipie thought that it would be better to send it a letter followed by a verbal presentation by the Chairman at the next meeting. This has to be done before getting involved with the billing companies. Chief Davidson said he knows Dina from DM Medical Billing and will ask if she could send something in writing on the time frame from start to finish. He reported that there were approximately 600 career medical calls in 2009 not including accidents just during the day.

Chairman Harrington asked the Board to look at Christmas card samples that he had received after the meeting so that they could order them as soon as possible.

Commissioner Keyser wanted clarification from the Chief regarding what the policy is when more than one call comes in as far as people getting credit for calls. The Chief said the policy was in affect when he started in 1990 and it has not been changed since then. There was discussion about the patient care report and the incident report and getting credit for calls for which they normally would not get credit.

Commissioner Keyser said the Board had gotten the insurance that was requested for the Boot Drive Fundraiser on November 26, 2010 at the Cedar Knolls Plaza. The Commissioner put the insurance certificates in Assistant Chief O'Hare's box and also John O'Brien's box.

Chief Davidson said he had received an update from Richard Braslow who is the insurance company's attorney for the lawsuit that the Board is involved in. Mr. Braslow had filed the various motions to get the complaints dismissed, but the opposing counsel is against it. The Chief could not get a copy of the transcript or the police report because it is in the prosecutor's hands. He said he will speak with Mr. Braslow telling him that it is not clearly stated in any incident report that the Cedar Knolls First Aid Squad transported the patient. He feels the judge will not allow dismissal from the lawsuit, but the Chief doesn't feel that they will be able to prove that the department was negligent in any way.

Commissioner Keyser asked the Chief to put something out at the Operations meeting next month on sexual abuse and review of the harassment policy. He asked that it be documented so that everyone knows that it will be addressed at the next meeting.

There was no other business to discuss. **A motion to adjourn was made at 8:02 PM by Commissioner Pilipie, seconded by Commissioner Martin, all in favor.**

Respectfully submitted by:

Paul Pilipie, Secretary