

June 7, 2018 Meeting of the Board of Fire Commissioners

District #3 in the Township of Hanover

County of Morris, Cedar Knolls, New Jersey

The meeting was called to order at 7:00 p.m. on June 7, 2018 in accordance with the Public Meeting Act of 1975, Chapter 231.

ATTENDANCE: Commissioners Robert Callas, Peter DeNigris, Michael Dugan, Maria Florio and Tom Quirk were present.

Chief DiGiorgio, Administrator Schultz, Asst. Chief O'Hare, Asst. Chief Martin, Lieutenant McGuinness, FF Gilson and Fire Co. Member Craig Vagel were also in attendance.

PUBLIC PARTICIPATION: None.

CORRESPONDENCE: Chief DiGiorgio reported that he received an inquiry from a Whippany resident regarding a District #3 EMS invoice with an outstanding balance. Commissioner DeNigris reported that the Whippany resident felt the bill was too high and did not want to pay. Commissioner DeNigris reported that a letter was drafted explaining the billing process and policies that will be signed by the Chairman and forwarded to the Whippany resident. In addition, Chief DiGiorgio explained the EMS billing policies to the Whippany resident and recommended that the resident reach out to their insurance company about District #3 being considered an out of network provider.

APPROVAL OF PREVIOUS MINUTES:

The minutes from the May 3, 2018 and May 17, 2018 Regular Meetings were reviewed. Commissioner Florio reported that in the May 3, 2018 minutes, her question about the distribution of the results of a survey failed to include the Board as potential recipients in the Liaison to the Volunteers report. The minutes will be amended to reflect the inclusion of the Board. Commissioner Florio asked for clarification on a statement attributed to Administrator Schultz in the Correspondence section of the May 17, 2018 minutes. Administrator Schultz indicated the statement should say: Administrator Schultz said that it was not a suit but that they are looking from the Tort Claims Notification Act. The minutes will be amended to reflect this statement. Commissioner Florio

also noted that the time that the Board came out of closed session is incorrect. The time will be corrected. Commissioner Florio made a motion to approve of the amended minutes from the May 3, 2018 and May 17, 2018 Regular Meetings. Commissioner DeNigris seconded the motion. All were in favor.

REPORT OF THE TREASURER: Commissioner DeNigris reported that he has reviewed a draft copy of the 2017 audit and recommends that the Board sign off on the audit. Commissioner DeNigris read the auditors' opinion statement to the Board and noted that the opinion states that the financial reports fairly represent the District's financial position in accordance with U. S. generally accepted accounting principles. Commissioner DeNigris reported that the financial highlights section indicated that the District financial position is strong and the District is operating well within its stringent financial policies and guidelines. Commissioner DeNigris reviewed the draft of the 2017 audit comments and recommendations. Commissioner DeNigris reported one of the audit findings is that the District does not maintain segregation of duties with respect to the cash handling, preparation of cash receipts and cash disbursement books because these functions are handled by one individual. The auditor noted that this is not unusual in operations the size of the Fire district but noted that it is not desirable. Commissioner DeNigris noted that budgetary constraints prohibit maintaining the desired segregation of duties. Commissioner DeNigris reported that the auditor found the District to be in compliance with the three requirements prescribed in the New Jersey Administrative Code. Commissioner DeNigris reported that he would provide Board members with a copy of the draft if they wanted to read the entire report. Commissioner DeNigris recommended that the Board sign the approval. The auditor will then issue the final report. Commissioner Quirk asked if in the past each Board member received a copy of the report. Commissioner DeNigris noted that, as in the past, each Board member will receive a copy of the final report. Commissioner Quirk made a motion to accept the Treasurer's Report, seconded by Commissioner Florio. All were in favor.

Report of Fire Commissioner Board Committees and Chief of Department:

CHIEF'S REPORT: Chief DiGiorgio distributed his Bi-Monthly Report prior to the meeting.

Chief DiGiorgio reported that the Bike Team has completed all their training and were deployed for the first time to the Rotary Duck Race this past Saturday. They are also scheduled to be at the 5K Race scheduled for June 9, 2018. Chief DiGiorgio thanked Asst. Chief Martin anyone else involved in organizing and getting the Bike Team back together again. Chief DiGiorgio reported that one of the bikes is currently out for a repair. Asst. Chief Martin reported that the repair has been made and the bike will be picked up tomorrow. The Board also thanked Asst. Chief Martin for his efforts with the Bike Team.

Chief DiGiorgio reported that he and Administrator Schultz met with the representative from Enform HR to discuss the Workplace training format and answer questions relative to District Policies and Procedures. Enform HR was given a copy of the District Policies and Procedures Manual so that the training program could be tailored toward that.

Chief DiGiorgio reported that he received a building usage agreement from the Hanover Township Health Department. They want to utilize the fire house for their annual rabies clinic and have submitted all the paperwork including a certificate of insurance. Chief DiGiorgio indicated that he would send the paperwork to the Board.

Chief DiGiorgio reported that that he and Administrator Schultz are meeting with Anthony from Bowman Engineering on Friday, June 15, 2018 to discuss the Bay Floors Project. Commissioner DeNigris asked if there was a cost estimate yet. Chief DiGiorgio reported that the specifications need to be outlined before a cost estimate can be given. A decision would then be made as to whether the District would need to go out to bid for the project or could possibly use a Coop.

Commissioner Florio thanked Chief DiGiorgio for providing his Bi-Monthly Report early as it gave her a chance to thoroughly review it. Commissioner Quirk also expressed his appreciation.

Chief DiGiorgio reported that he has gotten many thank yous and accolades from the membership relative to the Inspection Night. Chief DiGiorgio felt that there was an average turnout, that things went well and that the new barbeque caterer was well received.

EMS: Commissioner DeNigris noted that the EMS inquiry had already been covered earlier. Commissioner Quirk asked if the customer's insurance company paid. Commissioner DeNigris said that the customer's insurance company paid \$200 and there was an outstanding balance of over \$700. Commissioner Dugan asked if that was the norm. Administrator Schultz reported the insurance company usually pays more. Chief DiGiorgio reported that District #3 is considered an out of network provider because we do not have a contract with any insurance company. The insurance payout for an out of network provide varies by insurance policy. Chief DiGiorgio reported that he suggested that the customer ask the insurance company to reprocess the claim because other customers have had successful outcomes the second time the claim is processed.

BUDGET: Nothing to report.

PERSONNEL: Commissioners Florio and Quirk indicated the Board would need to go into closed session.

NEGOTIATIONS: Commissioner Quirk reported that the contract was signed. Commissioner Quirk asked Lieutenant McGuinness if he would check if the addendums were initialed so they could be attached to the contract.

LIAISON TO THE VOLUNTEERS: Chief DiGiorgio reported that there is a meeting Monday night. Fire Co. Member Craig Vagel reported that the date for the Tree Lighting has been set for November 24, 2018 at 5 p.m. This date was chosen because it would not conflict with other Township events. Commissioner Dugan asked who was chairing the Tree Lighting Committee. Fire Co. Member Vagel indicated that he was the chairperson. Commissioner Dugan asked when the committee was going to start having meetings. Fire Co. Member Vagel said that the committee would start meeting in July. Commissioners Quirk and Florio indicated that they would like to be involved as Board representatives.

BUILDINGS AND GROUNDS: Administrator Schultz reported that the contractor has been out to look at the second tree that the Board decided to have removed. Administrator Schultz reported that he is waiting on an estimate on the cost of removal. Commissioner Dugan noted that residents on neighboring properties have been notified of the Districts' intent to have the trees removed in the near future and Lieutenant McGuinness has alerted the post office that the overflow parking lot will have to be closed while one of the trees is removed.

Chief DiGiorgio reported that the fence around the generator was reinstalled. Retired Captain Lake assisted the career staff in staining and reinstalling the fence in time for Inspection Night.

Chief DiGiorgio reported that the parking lot lights have been installed. The light above the door leading into the ladder bay is on backorder.

Commissioner Dugan noted that there were two pine trees removed from a neighboring property.

APPARATUS/EQUIPMENT AND MAINTENANCE: Chief DiGiorgio reported that Ambulance 39 is out of service due to air conditioning issues. Chief DiGiorgio reported that the ambulance is currently at VCI awaiting a backordered hose. Chief DiGiorgio noted that the ambulance had to be taken out of service because air conditioning is required under the State license and the District would be fined if the ambulance failed a spot inspection. Commissioner Quirk asked how long the repair was estimated to take. Chief DiGiorgio said that the part was expected to arrive by the end of the week and the repair would be a two day job. Chief DiGiorgio estimated the ambulance would be ready next Wednesday or Thursday.

INSURANCE: Nothing to report.

COMMUNICATIONS: Commissioner Quirk reported that he had an 8 p.m. meeting tonight so he would be leaving this meeting early.

BY-LAWS: Nothing to report.

WEBSITE: Commissioner Florio reported that the Town has picked the RFP for their new website. They are going with Civic Plus. Commissioner Florio reported that discussion has continued about other entities piggybacking onto the new Town website. Commissioner Florio noted that the police department has their own website and there was discussion about including the police department under the new Town website. Commissioner Florio reported that the Town will keep the Board apprised of their progress and share cost estimates for piggybacking for the Boards' consideration. Commissioner Florio noted that the current District website is not compliant with the Americans with Disabilities Act and the District is vulnerable to a complaint by the public. Commissioner Florio reported that the Town has scheduled a meeting with Civic Plus to discuss the kind of information that they will be looking for. Commissioner Florio noted that

Facebook between residents and ensure that accurate information is provided to the residents. Commissioner Quirk noted that this topic would be discussed at tonight's Communication Meeting.

PLANNING COMMITTEE: Commissioner Quirk reported that he was contacted by Hanover Township Committeeman Cahill, who asked if the District had a 5 or 10 year plan in place. Commissioner Quirk said that he believes that the topic came up because of the current matters with District 2. Commissioner Quirk reported that his response was that District 3 has a Planning Committee but does not have a 5 or 10 year written plan. Commissioner Quirk noted that he felt that the Township Committee wanted to know if District 3 was planning for the future and not necessarily if the future plans were written down. Commissioner Quirk noted that he thinks the Township does not want another situation where District 3 is going to ask the Township for money when District 2 is also asking. Commissioner Quirk reported that Committeeman Cahill also asked about the Board's position on the Township's support of District 2. Commissioner Quirk reported that the Board did not have an opinion on the matter. Commissioner DeNigris reported that he was asked the same question. Commissioner DeNigris responded that the Board has no position on the Whippany Fire House or their financial position. The Board takes no position either pro or con. Commissioner DeNigris reported that he was asked about the future capital requirements and he responded that the Board had no formal long term capital plan at this time. Commissioner DeNigris reported that informally he would estimate \$8 - \$10 million in long term capital requirements. Commissioner Dugan commented that he did not think any numbers should be thrown out. Commissioner DeNigris noted that these numbers were provided informally and were intended to give the Township Committee an idea of where the District was heading. The estimate was not to be considered a Board number. Commissioner Florio commented that if the Township would like a plan, the Board could provide them with a list of possible / probable future capital expenditures. Commissioner Florio noted that the District has an ambulance currently out of service that will need to be replaced in the not too distant future, there is other apparatus that is going to be replaced and the Board has discussed making the firehouse accessible to the general public. Commissioner Florio stated that while the Board has discussed these capital expenditures, there have not been figures attached to the expenditures. Chief DiGiorgio felt that Committeeman Cahill might be attempting to apply municipal

master and strategic planning requirement to the fire districts. Chief DiGiorgio noted that fire districts are not required to have these plans. Commissioner DeNigris felt that the main reason for the question relates to the decision the Township has to make regarding the Whippany Firehouse. Commissioner DeNigris noted that if the Township backs the District 2 plan now, District 3 could then expect them to back their future plan. Commissioner Quirk noted that it is the District 2 Fire Co. that is looking for backing, not District 2 itself.

Commissioner DeNigris noted that in this instance they are one and the same. Commissioner Dugan said that his opinion on a public statement is that as a Board we have no opinion either pro or con for anything going on with the Whippany Fire Department. He does not want to put a statement out saying that District 3 may be looking for \$8 - \$10 million down the road. Commissioner Callas asked why the Board needed to make a statement. Commissioner Dugan reported that he was approached by two members of the Township Committee who understood that that the Board held a vote supporting the Township assisting Whippany Fire Department. Commissioner Florio noted that the meeting minutes are on the website and that they clearly do not reflect any action of support. Commissioner Dugan reported that he told the Committeemen that the Board had made a statement some months ago about having no opinion either way. Commissioner Dugan felt that this should be the extent of the Board's statement. Commissioner Florio suggested that the Board let the Township know that as any responsible employer, the Board continues to evaluate our needs - our personnel needs, our equipment needs and our structure needs. Commissioner Dugan noted that the Township is going to make a decision tonight about the Whippany Firehouse and that any additional information that this Board provides will not help the Township in their decision. Commissioner Dugan felt that the Board should not be providing unsubstantiated figures and could approach the Township in the future if the need for backing arises.

LIASON TO EXEMPTS: Nothing to report.

RECORDS RETENTION: Nothing to report.

LIAISON TO HANOVER TOWNSHIP COMMITTEE: Commissioner DeNigris reported that Barclays is making some minor changes to their approved plan. Commissioner DeNigris reported that IHOP is scheduled to open June 19, 2018.

MEMORIAL DAY SERVICES: Commissioner Callas reported that everything involving the caterer went off well and that he has heard positive reviews on the food and service. Commissioner Callas noted that there was also cost saving over last year. Commissioner Quirk asked that a thank you be sent to Superintendents Brennan and Foran for the loan of the tables and chairs. Administrator Schultz will send a thank you.

OLD BUSINESS: Administrator Schultz reported that the District should be coordinating capital renovation and improvement plans for the station with the Fire Co. to ensure that the individual plans are compatible. Administrator Schultz reported that he met with Fire Co. Member Craig Vagel today to outline where the District plans are going.

Commissioner Dugan asked for a status on the parking lot survey work. Administrator Schultz reported that the surveyor still needed to pull deeds and this would require some time. Commissioner Quirk noted that the District has those deeds and might be able to provide them to the surveyor. Commissioner Dugan felt that the surveyor got confuse when he was asked to do the work. The Board asked him to mark out the lot across the street, which he did. The surveyors then came to mark out the four corners of the entire lots containing the firehouse and parking lots and the Board wanted the individual lots marked out. The surveyor now understands the scope of the work. Commissioner Florio noted that it would be more cost efficient if the Board could find the deeds and provide them to the surveyor given that he will bill the District for any time spent pulling the deeds. Commissioner Dugan will look for the deeds.

Administrator Schultz reported that the District will reimburse Cigna for \$830.75 for a medical bill that they covered and paid that was also paid through workers compensation. Mr. Braslow asked that the Board make a motion to approve this reimbursement. Commissioner Dugan made a motion to reimburse Cigna, seconded by Commissioner DeNigris. All were in favor.

Commissioner Quirk left the meeting at 7:50 p.m.

Commissioner Florio apologized for not being at Inspection Night and thanked the Board for the fruit basket she received while recovering from surgery.

Chief DiGiorgio reminded the Board of the two pending items. Chief DiGiorgio asked if the Board had reviewed the Junior Auxiliary Guide and if a resolution accepting the guide could be prepared for the next meeting. The Board agreed that the resolution could be presented at the next meeting.

Chief DiGiorgio reported that the other pending item was the Membership Residency Requirement. Commissioner Dugan does not feel that the District should put a residency restriction on the membership. Commissioner Dugan said he understood that the fire officers came up with the requirement. Chief DiGiorgio clarified that the fire officers, EMS officers and EMS crew chiefs came up with the requirement. Commissioner Callas felt that there was more discussion needed in closed session. Commissioner DeNigris asked if the officers came up with the requirement based on their knowledge of the work. Chief DiGiorgio reported that the officers and crew chiefs came up with some bullet points listing pros and cons. One of the pros was that out of town residents within a 5 mile radius would be able to be members of the department which is currently not allowed. Chief DiGiorgio reported that while the mileage restriction would cause the loss of some members, it would increase the area in which the District could acquire new members. Commissioner Florio recommended that rather than discuss this issue solely amongst the Board, maybe it would be appropriate to get some representatives from the officers to come to discuss it with the Board. Commissioner DeNigris agreed. Chief DiGiorgio suggested opening this question up for public comment at the next meeting would provide feedback to the Board on this issue. The Board agreed to both discuss the issue in closed session and hear public discussion on the issue at the next meeting.

NEW BUSINESS:

Administrator Schultz reported that the Board needs to review and formalize the policies regarding the medical director and the medical provider. The policies and procedures should then be forwarded to Mr. Trimboli for review. Administrator Schultz will provide the policies document to the Board members.

The next regular meeting of the Board of Fire Commissioners will be held on Thursday, June 21, 2018 at 7:00 P.M.

The Joint Fire Prevention Board meeting will be held on Monday, June 11, 2018 at 6:30 P.M. in Whippany.

PUBLIC PARTICIPATION: Fire Co. Member Craig Vagal reported that he lived in Hoboken and Jersey City while holding positions as lieutenant, captain and assistant chief. Fire Co. Member Vagal reported that he was able fulfill his duties in this Fire District as a volunteer.

RESOLUTIONS: Commissioner Callas read Resolution 18-06-07-55 accepting the resignation of Caitlin Davidson. Chief DiGiorgio reported that Ms. Davidson joined at age 16 and has since moved away to attend college. Ms. Davidson chose not to extend her membership through college leave. Commissioner Callas noted that this is not what the resignation letter states. Chief DiGiorgio clarified that Ms. Davidson was given the option of taking a college leave or resigning and she chose to resign. Commissioner Callas reported that the resignation letter went a little bit deeper. Commissioner Florio asked if he, like she, was a little disturbed by the phrasing of the letter. Asst. Chief O'Hare reported that he was also disturbed by the letter. **Commissioner Florio made a motion to introduce the resolution, seconded by Commissioner DeNigris. All were in favor. Commissioner Quirk was absent.**

Commissioner Callas read Resolution 18-06-07-56 accepting the resignation of Marisa Juliano. Commissioner DeNigris made a motion to introduce the resolution, seconded by Commissioner Callas. All were in favor. Commissioner Quirk was absent.

Commissioner Callas read Resolution 18-06-07-57 accepting the resignation of Brandon Sharp. Commissioner Florio made a motion to introduce the resolution, seconded by Commissioner DeNigris. All were in favor. Commissioner Quirk was absent.

Commissioner Callas read Resolution 18-06-07-58 accepting the resignation of Justin Yen. Commissioner DeNigris made a motion to introduce the resolution, seconded by Commissioner Florio. All were in favor. Commissioner Quirk was absent.

EXECUTIVE SESSION: Commissioner Callas read Resolution 18-06-07-59 to enter into executive session. Commissioner Callas made a motion to introduce the resolution, seconded by Commissioner Dugan. All were in favor. Commissioner Quirk was absent.

The Board went into closed session at 8:07 p.m.

Personnel matters were discussed. Action will be taken.

The Board came out of closed session at 10:05 p.m.

ADJOURN: A motion was made by Commissioner Callas, seconded by Commissioner DeNigris, to adjourn the meeting. All were in favor. Commissioner Quirk was absent. The meeting was adjourned at 10:06 p.m.

Respectfully submitted by

Robert Callas, Secretary