

## **February 18, 2021 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 February 18, 2021 in accordance with the Public Meeting Act of 1975, Chapter 231. This meeting was held on the Zoom.com platform. The Board observed a moment of silence for all those who have given their lives in service of their communities and nation.

**ATTENDANCE:** Commissioners Robert Callas, Michael Dugan Sr., and Thomas Quirk were present. Commissioners Michael Dugan Jr. and Robert O'Hare were absent.

Chief DiGiorgio, Administrator Schultz, Fire Co. President Hark Jr., Cpt. Thompson, EMT Makar, and Fire Co. Member Costello were also in attendance.

**PUBLIC PARTICIPATION:** None.

**CORRESPONDENCE:** Administrator Schultz read the following letter from Fire Co. President Hark Jr.

Chairman Robert O'Hare.

I am writing to you on behalf of the Cedar Knolls Fire Department's volunteer members regarding multiple concerns brought to my attention and addressed on the floor during the February 8, 2021 Company meeting. Since we can't all be together in person, now more than ever, it is vital to have a successful relationship and form of communication between Hanover Township Fire District 3 and the Cedar Knolls Fire Department. Over the past few months, this certainly has not been achieved. There have been numerous meetings to date, without representation of Hanover Township Fire District 3 present. Having no liaison in attendance leaves the membership with no one to keep them up to date on any important and necessary news from the District or to hear and provide answers to any questions or concerns that may arise.

However, on multiple occasions, when a liaison has attended the meetings, concerns brought up during the meeting involving the Fire District were not reported back to the Board of Fire Commissioners, leaving matters unaddressed and members feeling unheard. With the talks of consolidation between districts

happening, and no one addressing it at the Fire Company meeting, the feeling of divide between the Department and the District feels more substantial than ever to a lot of the membership. My goal is to stop the current sense of division before it gets any worse. Transparency and open communication with each other continue to be the best way to avoid this. Please let me know how we can fix this issue moving forward, and if any changes to liaisons occur, I can report back to the membership.

Sincerely,

President James Hark Jr.

Administrator Schultz reported that Commissioner O'Hare asked him to address this on his behalf until the issues can be addressed by the full Board.

Administrator Schultz reported that the matters are concerning and noted that there are two liaisons. Administrator Schultz reported that the Board will maintain a dialogue with the Fire Co. and will act to rectify this situation and to answer concerns of the Fire Co. members.

Administrator Schultz noted that there are no consolidation talks underway and that while the original committee name was consolidation committee, the renaming of the committee was addressed by Commissioner O'Hare a couple of meetings ago and again at the last meeting. Administrator Schultz reiterated that there have been no talks between the two Districts and no talks are scheduled at this time.

Administrator Schultz asked if there was any more correspondence.

Commissioner Quirk reported that he had a brief conversation with President Hark Jr. tonight. Commissioner Quirk reported that a few years ago the Board asked that the Fire Co. President or someone in his absence would attend the Fire District Meetings to try to alleviate some of the problems addressed in the letter. Commissioner Quirk felt that while he agreed that there should be Board representation at the Fire Co. meetings, there should be reciprocating Fire Co. representation at the Fire District meetings. Commissioner Quirk reported that if President Hark Jr. was unable to attend, then perhaps the Vice President or Secretary could attend. Commissioner Quirk noted that hearing firsthand what is going on at the Board meetings may alleviate some of the problem.

### **APPROVAL OF PREVIOUS MINUTES:**

**Approval of the minutes from the January 21, 2021 Regular Meeting and the February 4, 2021 Regular Meeting were held until the next meeting.**

**REPORT OF THE TREASURER:** Commissioner Dugan Sr. reported that some items are running a little high but that is because some annual expenses are paid at the beginning of the year. Commissioner Dugan Sr. reported that Overtime is high due to some members being out and their shifts need to be covered. Commissioner Quirk made a motion to accept the Treasurer's Report, seconded by Commissioner Callas. All were in favor. Commissioners Dugan Jr. and O'Hare were absent.

### **Report of Fire Commissioner Board Committees and Chief of Department:**

**CHIEF'S REPORT:** Chief DiGiorgio submitted his Bi-Monthly on February 12, 2021 and did not have anything to add to the report.

Chief DiGiorgio reported that at the last meeting the Board had approved re-announcing the F/T EMT position to create a list and noted that this is in motion. Chief DiGiorgio reported that there was also a discussion about reviewing the FF/EMT job announcement so it could be approved tonight. Chief DiGiorgio asked the Board to approve the FF/EMT job description and announcement to create a list. Commissioner Dugan Sr. made a motion to approve the FF/EMT job description and announcement for the purposes of creating a list, seconded by Commissioner Quirk. All were in favor. Commissioners Dugan Jr. and O'Hare were absent.

**EMS:** Nothing to report.

**BUDGET:** Commissioner Dugan Sr. reported that there were no changes to the budget since last meeting.

**PERSONNEL:** Commissioner Quirk reported that need for a brief Executive Session.

**NEGOTIATIONS:** Commissioner Callas reported that Commissioner Dugan Sr. was going to take the lead on this now because he was going to be out for a few weeks. Commissioner Dugan Sr. reported that a meeting is being set up with the Local 109 and that they should be pretty close to a contract.

**LIAISON TO THE VOLUNTEERS:** Nothing to report.

**BUILDINGS AND GROUNDS:** Administrator Schultz reported that he sent an additional letter to the flooring company and once the weather gets better the District will talk to them about coming out to fix the bay floors.

**APPARATUS/EQUIPMENT AND MAINTENANCE:** Chief DiGiorgio reported that some sirens on the ambulances have been replaced because the salt and brine on the road caused them to fail. Chief DiGiorgio reported that the ladder truck seems to be having some sort of electrical connection issue. Chief DiGiorgio reported that the mechanic came and fixed it, but it failed again after 24 hours. Chief DiGiorgio reported that the mechanic is due back tomorrow morning.

Chief DiGiorgio reported that he would like the Board to consider removing Car 32, the 2008 Crown Victoria, from service. Chief DiGiorgio reported that either the alternator or the battery has gone on the vehicle and that the paint is off the roof. Chief DiGiorgio felt that it was not worth maintaining the vehicle anymore and recommended that the Board approve taking the vehicle out of service, possibly putting it on GovDeals. Commissioner Dugan Sr. made a motion to take Car 32 out of service and put it up for auction, seconded by Commissioner Quirk. All were in favor. Commissioners Dugan Jr. and O'Hare were absent. Administrator Schultz reported that he will have a resolution ready for next meeting.

**INSURANCE:** Nothing to report.

**COMMUNICATIONS:** Commissioner Quirk reported that the Police Dept. went to a new frequency and turned their old system over to the Department of Public Works and OEM. Commissioner Quirk reported that money was budgeted to work on the tower and that at least channel 1 is working very well. Commissioner Quirk reported that previously during snow events handheld radios are being given to Chief DiGiorgio and put in each apparatus so they can communicate with DPW. Commissioner Quirk reported that there is no need to do this anymore because the District has the frequency HTPD1 in their vehicles. Commissioner Quirk reported that if any apparatus needs assistance during snowstorms, they can just go that frequency and speak with DPW. Chief DiGiorgio confirmed that the District has monitored that frequency in the past and will continue to do so. Chief DiGiorgio reported that the District will continue to use the portable radios

and as the District gets the new radios from the County, will ensure that is in the C bank as well.

Chief DiGiorgio reported that he spoke with Sgt. Schauder about how the District will be able to continue to monitor HTPD as they transition to a new frequency. Chief DiGiorgio reported that he is waiting for a quote from the radio vendor who upgraded Hanover, to purchase a mobile radio which the vendor has agreed to program. Chief DiGiorgio reported that the current scanners will accept the frequency but since it is an encrypted frequency there is no way to decode it. Chief DiGiorgio reported that he is looking at quotes for a mobile radio and it is between \$1,000 and \$1,300 for the radio. Chief DiGiorgio reported that this includes the power supply, antennae, and everything that goes with that to be able to connect to the current radios in the firehouse so that the firehouse is able to monitor HTPD.

**BY-LAWS:** Nothing to report.

**WEBSITE:** Up to date.

**PLANNING COMMITTEE:** Commissioner Dugan Sr. reported that the planning process is stalled at the moment.

**LIASON TO EXEMPTS:** Nothing to report.

**RECORDS RETENTION:** Commissioner Dugan Sr. reported that the one project is still underway.

**LIAISON TO HANOVER TOWNSHIP COMMITTEE:** Nothing to report.

**OLD BUSINESS:** Commissioner Dugan Sr. reported that the old Unit 30 was sold on GovDeals for \$11,400.

Administrator Schultz reported that he worked with Mr. Giorgio to put out a joint election notice utilizing the Hanover Eagle, the Township website and other blast platforms. Administrator Schultz reported that the notice will be updated as needed.

**NEW BUSINESS:** Administrator Schultz reported that he will reach out to District 2 to schedule a Joint Fire Prevention Board Meeting. Administrator Schultz reported that it is District 3's year and would probably attached to one of the

upcoming Regular meetings. Administrator Schultz asked if the Board had any problem with this. The Board had no problem with it.

**REMINDERS:**

The next regular meeting of the Board of Fire Commissioners will be held on Thursday, March 4, 2021 at 7:00 P.M. Unless otherwise noted, meeting will be held on the ZOOM platform in recognition of the safety of the members of the District and the members of our community.

The next Joint Fire Prevention Board Meeting is to be determined.

Fire District Elections will be held on Tuesday, April 20, 2021 from 2 P.M. until 9 P.M. Administrator Schultz noted that they are currently slated to be held in the fire station.

Commissioner Quirk reminded Administrator Schultz that they need to get together before March 1 to sign any documents that the Secretary of the Board needs to sign. Administrator Schultz reported that he will put together everything that he needs to sign.

**PUBLIC PARTICIPATION:** Fire Co. President Hark Jr. asked Administrator Schultz to send him the response that he read earlier from Commissioner O'Hare. Administrator Schultz reported that he would send him the response.

**RESOLUTIONS:**

Administrator Schultz reported that there were four resolutions before the Board. Commissioner Quirk was not sure that the Board could approve the fourth resolution on the list because he did not know if he was able to vote on it. Administrator Schultz attempted to get an answer from counsel to the Board on this question but was not able to get ahold of him. The fourth resolution will be held until the March 4, 2021 meeting.

Administrator Schultz asked if anyone had an objection to doing the resolutions by consent agenda. There were no objections.

**Administrator Schultz read Resolution 21-02-18-15 authorizing the sale of old Unit 30.**

**Administrator Schultz read Resolution 21-02-18-16 authorizing a conditional offer of employment be extended to P. Dorman.**

**Administrator Schultz read Resolution 21-02-18-17 authorizing a conditional offer of volunteer employment be extended to D. Harrington.**

**Commissioner Dugan Sr. made a motion to introduce the resolutions, seconded by Commissioner Callas. All were in favor. Commissioners Dugan Jr. and O'Hare were absent.**

Administrator Schultz turned the floor over to Commissioner Quirk to address the Board. Commissioner Quirk reported that he is tendering his resignation from the Board effective March 1, 2021. Commissioner Quirk reported that he has a lot of things going on both personally and at work. Commissioner Quirk reported that he does not feel that he could put in the necessary time and do the job that he would really like to do on the Board of Fire Commissioners. Commissioner Quirk reported that it was a tough decision to make but felt that it was best for both himself and the Board because they do not get a part time commissioner this way. Commissioner Quirk apologized for bailing but said that he really had no other choice. Administrator Schultz reported that he would miss Commissioner Quirk and said he appreciated the latitudes and courtesies that he has extended to him during his tenure.

**EXECUTIVE SESSION: Administrator Schultz read Resolution 21-02-18-18 to enter into executive session. Commissioner Callas made a motion to introduce the resolution, seconded by Commissioner Dugan Sr. All were in favor. Commissioners Dugan Jr. and O'Hare were absent. The Board went into closed session at 7:35 p.m.**

The Board had a discussion covered under the auspices of attorney / client privilege.

**The Board came out of closed session at 7:48 p.m.**

Administrator Schultz asked the Vice Chairman for permission to go back to Correspondence. Commissioner Callas approved going back to Correspondence.

Administrator Schultz read the following letter from Fire Company President Hark Jr. into the minutes.

Chairman Robert O'Hare,

I am writing to you on behalf of the Cedar Knolls Fire Department's volunteer members regarding a concern brought to my attention after the January company meeting and addressed on the floor during the February 08, 2021 company meeting.

On January 11, 2021, Members and staff of the Cedar Knolls Fire Department and Hanover Township Fire District 3 received an email notification that three fire district employees had started a 14-day "Self-isolation" period because of a positive COVID-19 test from an employee. Since Chief DiGiorgio put this message out, I have received numerous complaints and concerns from the volunteer membership regarding the outbreak's circumstances. It has been reported that the outbreak was a result of two District Commissioners not following the administrative orders and guidelines that have been in place for months now. One of the administrative orders, Admin order 20-50, states that anyone entering the firehouse must be masked at all times. The only exception to this rule is "Employees may remove face masks when they are situated at their workstations and are more than six feet from other individuals at the workplace, or when an individual is alone in a walled office." Additionally, there are bright orange signs posted throughout the building, stating that individuals must wear masks inside the building.

Since March, members have been informed at meetings and via multiple correspondences, they are not to come to the firehouse if they may be sick or have been around someone infected with or are currently being tested for COVID-19. It is incredibly irresponsible and unacceptable these two individuals found it was appropriate to visit the fire department, without the use of PPE, after knowing they were exposed to numerous presumed positive individuals. Multiple volunteer members expressed their frustration with this incident and brought up how a few former members even lost their positions within the department for similar circumstances.

Furthermore, they risked having the department shut down temporarily if they had spread it to more individuals present on that day. Our members and staff continue to put their own lives at risk responding to calls, donning the proper PPE to lessen their exposure in the field, doing everything they are supposed to do to

stay safe. They shouldn't have to worry that that carelessness of one of their own will be why they get infected with COVID-19. Unfortunately, these two individuals' decisions on that January day did just that. This incident should be investigated appropriately and adequately addressed.

Sincerely,

President James Hark Jr.

Commissioner Callas asked if Fire Co. President Hark Jr. was coming forward as the complainant in the matter. President Hark Jr. reported that he had at least six volunteer members contact him about this but that his name can be added to the list. Commissioner Callas reported that there are procedures to be followed and someone has to lead the way. President Hark Jr. reported that he will take the lead since he speaks for the fire Co. and signed the letter. Administrator Schultz reported that will forward the letter to the Personnel Committee as soon as it is decided who will be on the committee after March 1.

Commissioner Quirk thanked the Commissioners, Administrator Schultz, and Chief DiGiorgio for all the assistance they gave him during his tenure and that he would miss the job. Commissioner Quirk also thanked the career staff and volunteers. Commissioner Quirk noted that he is only a phone call away if there is something he can help with. Administrator Schultz asked for confirmation that commissioner Quirk has one of the old surface tablets. Commissioner Quirk reported that he did have one of the old ones and would turn in his equipment before March 1. Administrator Schultz reported that since it is not cost effective to repurpose the old equipment, he would like Board approval to allow Commissioner Quirk to keep the tablet. The Board approved the request. Commissioners Dugan Jr. and O'Hare were absent.

**ADJOURN: A motion was made by Commissioner Quirk, seconded by Commissioner Callas, to adjourn the meeting. All were in favor. Commissioners Dugan Jr. and O'Hare were absent.** The meeting was adjourned at 7:55 p.m.

Respectfully submitted by

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Thomas Quirk, Secretary