

March 3, 2022 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 March 3, 2022 in accordance with the Public Meeting Act of 1975, Chapter 231. The Board observed a moment of silence for all those who have given their lives in service of their communities and nation.

ATTENDANCE: Commissioners Steven Cornine, Mary Lou DeSimone, Michael Dugan Jr., Robert O'Hare, and Shawn Waldron were present.

Chief DiGiorgio, Administrator Schultz, Fire Co. President James Hark Jr., Lt. McGuinness, FF Ujfalussy, EMT Perrone, Committeeman Cahill, Mr. Dugan Sr., and Ms. Wolkin were also in attendance.

PUBLIC PARTICIPATION: Ms. Wolkin questioned whether the Cedar Knolls residents would see a tax increase due to the new firehouse in Whippany if the 2 Fire Districts consolidated. Ms. Wolkin asked that this be taken into consideration when the time came to decide on the consolidation. Commissioner Cornine thanked Ms. Wolkin for taking the time to come tot the meeting. Commissioner Cornine reported that the Consolidation item on the agenda tonight is just to acknowledge the formation of a group to look into the possibly consolidating the 2 Districts. Commissioner Cornine assured Ms. Wolkin that debt servicing would be a huge part of any plan and that the public would be able to address the group about the plan. Ms. Wolkin thanked everyone and left the meeting.

CORRESPONDENCE: The District received the minutes from the 4th quarter meeting of the New Jersey State Association of Fire Districts. Copies were distributed to the Board. Chief DiGiorgio reported that the 1st quarter 2022 meeting is this Saturday and it will be a Zoom meeting. Chief DiGiorgio noted that the link to the meeting is at the bottom of the 1st page if anyone is interested in attending.

Chief DiGiorgio reported that he received notice this week from the Morris County 200 Club that Lt. Belott and FF Sulpy are being recognized with a meritorious service award for being part of a rescue that was made in Madison. Chief DiGiorgio reported that they are being recognized on Thursday, May 5th at

the Legacy Castle in Pompton Plains along with a couple of Madison firefighters. Chief DiGiorgio commended Lt. Belott and FF Sulpy for the great job. Chief DiGiorgio invited the Board and anyone else to attend the event. Chief DiGiorgio reported that he will speak to Fire Co. President Hark Jr. about donating to the Morris County 200 Club via their annual ad journal. Chief DiGiorgio noted that the 200 Club asked that they be allowed to announce the awards at a press conference before it was posted on any social media outlets. Commissioner Waldron reported that he plans to attend and that 2 Board members at a minimum should attend. Commissioner DeSimone felt it was something to think about.

Chief DiGiorgio reported that the District received notice from Director Peoples of County Communications regarding a Services Satisfaction Survey submission from a Whippany resident on February 12 about a call that the District responded to. Chief DiGiorgio reported that the survey the overall service was rated excellent and that the respondent was amazed how quickly police and EMS arrived. The survey noted that a life was saved that night and that FF/EMT Colin and EMT Bergman will get recognition put in their file. Commissioner Waldron asked that a copy be given to them as well.

APPROVAL OF PREVIOUS MINUTES:

The minutes from the February 17, 2022 Regular Meeting were reviewed.

Amendments to Previous Minutes: Commissioner O'Hare noted that the Insurance Committee report incorrectly stated that the Committee met with BCBS about a health plan when the Committee instead met with Mr. Siino and chose a BCBS health plan.

Commissioner Cornine made a motion to approve the amended minutes from the February 17, 2022 Regular Meeting. Commissioner O'Hare seconded the motion. All were in favor. Commissioner Waldron abstained.

REPORT OF THE TREASURER:

Commissioner Waldron reported that over the next few weeks he will be looking at a couple of areas when the District can save a few dollars.

Commissioner Waldron reported that the February 2022 financial reports have been distributed to the Board. Commissioner DeSimone asked if EMS revenue

was still up. The bookkeeper reported that EMS revenue in February was not as high as January but was 2.5% above budget year to date.

Report of Fire Commissioner Board Committees and Chief of Department:

CHIEF'S REPORT: Chief DiGiorgio distributed his Bi-Monthly report on February 25, 2022. Chief DiGiorgio had the following addition to his report.

Chief DiGiorgio reported that the District is working on the annual workplace conduct training and he reached out to the person who conducted the training the last 2 years to see if the format could be changed and if there was anything they wanted to work on. Chief DiGiorgio reported that the person recommended a new company which sent the District information on the new format for the training. Chief DiGiorgio reported that he sent the information to the Board. Chief DiGiorgio reported that the new format is online, user friendly, and interactive. Chief DiGiorgio asked the Board to review the information and provide him with feedback. Chief DiGiorgio noted that he was told that since COVID most employers are going this route and since the District has such a hard time getting everyone in the room at the same time this might be helpful. Commissioner DeSimone noted that instead of having a live person doing the training, one would watch a video and then do an activity and noted that this is what is done where she works. Commissioner DeSimone reported that one of the issues she had last year was that none of the sessions were recorded. Commissioner DeSimone felt this format would ensure that everyone gets the exact same information regardless of when they choose to do the training. Chief DiGiorgio reported that the trainer last year asked that the sessions not be recorded because she felt that if people were going to interact on specific topics that she could work with, she noted a reason why she did not want that recorded. Chief DiGiorgio reported that all the power points that she used were uploaded into Power DMS so new people could look at them. Commissioner Dugan Jr. asked if the training was required every year. Chief DiGiorgio reported that the Board recommended that there be annual workforce conduct training. Commissioner DeSimone noted that it is becoming a requirement at a lot of companies and felt that it should be done here as well.

Chief DiGiorgio concluded his report. Commissioner DeSimone asked if anyone had any questions for Chief DiGiorgio. There were no questions.

Commissioner DeSimone reported that the Board members had a list of the Board Committees and asked that each Board member to pick the ones that they would like to be on this year. Commissioner DeSimone reported that the finalized list would be out for the next meeting.

EMS: Commissioner O'Hare reported that he had nothing beyond the commendations for the 4 individuals that was already discussed.

BUDGET: Nothing to report.

PERSONNEL: Nothing to report.

NEGOTIATIONS: Nothing to report.

LIAISON TO THE VOLUNTEERS: Commissioner Dugan Jr. reported that there will be a Fire Co. meeting on Monday, March 14.

BUILDINGS AND GROUNDS: Commissioner O'Hare reported that there is a sink hole in the parking lot across the street that the USPS rents from us that needs to be fixed. Chief DiGiorgio reported that Lt. Belott received a quote of \$1800 to make the repairs. Chief DiGiorgio reported that he will work with the Treasurer to move forward with the repair.

Commissioner O'Hare reported that the hallway painting project has been started in response to the survey and commended FF/EMT Martin for leading the project. Commissioner O'Hare asked President Hark Jr. to bring up the project at the Company meeting to see if anyone would like to help paint.

APPARATUS/EQUIPMENT AND MAINTENANCE: Nothing to report.

INSURANCE: Commissioner O'Hare reported that the District is looking to change the workmen's compensation policy but was not sure of the status.

BY-LAWS: Nothing to report.

WEBSITE: Commissioner Waldron reported that he spoke to Administrator Schultz about updating some out of date information on the website.

PLANNING COMMITTEE: Commissioner Cornine reported that the Consolidation Committee met on March 1 and the shareholders were identified and that after tonight Jim Davidson will start reaching out to all the different groups to set up

meetings. Commissioner Dugan Jr. reported that the consolidation Committee will meet the 1st Tuesday of every month.

Commissioner O'Hare suggested that the District Planning Committee should resume meeting to plan for this District and run parallel to the Consolidation Committee meetings. Commissioner O'Hare felt the District needed to be able to operate in either direction, whether the Districts merge or remain independent.

Commissioner O'Hare reported that the structural engineer has assessed the building. Mr. Dugan Sr. reported that the structural engineer should provide a final report to the District by the end of March. Commissioner O'Hare felt the report should go to the planning committee so they will know what can and cannot be done with the building. Commissioner Waldron reported that he spoke with Mr. Dugan Sr., who has been dealing with the structural engineer, and as long as they are involved he is willing to stay involved with the project as a liaison to the Board. Commissioner O'Hare suggested that the Board make Mr. Dugan Sr. and adjunct to the committee.

LIASON TO EXEMPTS: Nothing to report.

RECORDS RETENTION: Commissioner O'Hare reported that the District is still waiting on the for State approval to destroy some records.

LIAISON TO HANOVER TOWNSHIP COMMITTEE: Nothing to report.

OLD BUSINESS: Commissioner DeSimone reported that a couple months ago she spoke with Chief DiGiorgio about job descriptions and wanted to know if responsibility for training was added to FF Ujfalussy's job description since he has been this duty for a few months. Chief DiGiorgio reported that the District did not have a designated training officer so that responsibility is not in the job description. Chief DiGiorgio reported that is the same as Lt. McGuinness taking the lead on Fire Prevention which is not specifically listed in his job description. Commissioner DeSimone was concerned about an employee coming back to the Board and saying something they are asked to do is not in their job description. Commissioner DeSimone asked Chief DiGiorgio to revisit the job descriptions since the existing ones are pretty old.

Chief DiGiorgio reported that he sent out the results of the survey in a Word document for the Board members to make comments on and that to date he has

not received any comments back. Commissioner DeSimone asked if the Board had decided how they were going to direct the responses. Commissioner O'Hare felt that they had not but that he had a suggestion. Commissioner O'Hare reported that there are a number of things in there that were discussed at the last meeting and he made a note that a committee would be set up consisting of 1 member of the Fire Co., one member of the Board, one member of the full-time staff, and one fire officer to decide which branch of the organization would take ownership of which survey responses. Commissioner DeSimone asked if the Fire Co. liaison would communicate to the membership the items in the survey that had already been addressed or wait until the 4-person committee had met. Commissioner O'Hare felt the Board could communicate to them about items that were addressed. Commissioner DeSimone asked who would decide on the committee members. Commissioner O'Hare felt the Board could decide which of them would be on the committee, President Hark Jr. would choose the Fire Co. designee, and that Chief DiGiorgio would choose the full-time staff and fire officer. Chief DiGiorgio reported that he already went through the survey responses, picked out which the fire officers would address, and met with the officers about the items. Chief DiGiorgio reported that the next step was to meet with the Board so they could choose the items they would address. Chief DiGiorgio reported that it was his understanding that the Board respond to him in the Word document so that he could compile all the responses and report everything out to the organization. Commissioner Waldron reported that the communication thing is something he is having trouble with. Commissioner Waldron reported that he sat on the other side of this table 2 weeks ago and listened to Chief DiGiorgio say the same thing as he did tonight about the Board getting their responses back to him so he could compile them. Commissioner Waldron reported that at that meeting the Board made comments about being lax on responses in the past and they were not going to be lax any more by moving forward more quickly with things. Commissioner Waldron noted that it has been 2 weeks and nothing has been done. Commissioner Waldron did not understand it and apologized to Chief DiGiorgio because he should have had this information. Commissioner Cornine felt that a committee of a couple Board members would need to formulate the Board responses because they could not all meet outside scheduled public meetings or that the Board responses would need to be discussed in the public portion of one of the scheduled meetings.

Commissioner Waldron asked approximately how many items the Board had to address. Chief DiGiorgio reported that while he highlighted the items that the officers would address, he did not do the same thing for the Board because he felt they should choose the items that they wanted to address. Chief DiGiorgio noted that one Board member commented at the last meeting that the Board is responsible for all the items on the survey. Commissioner Waldron asked if anyone on the Board took notes on each bullet point that was discussed and how they were answered. Commissioner DeSimone reported that it was all recorded. Commissioner O'Hare reported that he took some notes but not on everything. Commissioner DeSimone felt that the Board would need to look at the transcript. Mr. Dugan Sr. reported that before he left he had a conversation with the bookkeeper who had mentioned that she has to transcribe 3 ½ hours of tape and asked how she should go about it, whether it should be summarized or verbatim. Mr. Dugan Sr. reported that he told the bookkeeper to transcribe the tape verbatim since that was how the other minutes had been transcribed. Commissioner O'Hare reported that he spoke with the bookkeeper after Mr. Dugan Sr. and felt the minutes should reflect the essence of what was discussed at the meeting. Commissioner O'Hare felt it was more important that the parties capture what needs to be looked at in the survey and respond to it. Mr. Dugan Sr. felt that one of the main issues brought up in the survey was transparency and that publishing the transcript would have been the most transparent way to go. Commissioner Waldron felt if the Board does not have a transcript they would not be able to answer the questions the same way they did that night. Commissioner Cornine reported that the recording is kept for a long time and anyone who wants to can have access to it. It was decided that Commissioners O'Hare, Cornine, and Waldron would listen to the tape and capture the Board responses to the various bullet points so those responses could be disseminated to the organization.

NEW BUSINESS: The Board decided to move the May 5, 2022 Regular Meeting forward a day to May 4, 2022 so that they could attend the 200 Club ceremony. Commissioner Desimone said she would notify Administrator Schultz of the move so he could make the needed notifications.

Commissioner Waldron reported that he was willing to discuss the next topic in open session instead of closed. Commissioner Waldron reported that after discussions with this Board, Administrator Schultz and legal counsel he was told

he could not be both a compensated EMT and a Commissioner so he submitted his letter of resignation from his EMT position. Commissioner Waldron reported that he has since done some research in the Policies and Procedures Manual and found that employees may be granted a personal leave of absence for up to 3 months at the sole discretion of the Fire Chief if the leave does not cause undue operational disruption. Commissioner Waldron reported that there is a note in the manual stating that leaves are not granted for the purpose of seeking employment with another employer. Commissioner Waldron noted that in his case he would not be working for a different employer and asked Chief DiGiorgio if he can take a 3 month leave of absence so that if his being a Commissioner does not work out he would not lose his position. Commissioner Waldron noted that if his leave request is granted he would ask to rescind his resignation and that may affect another resolution before the Board tonight. It was decided that the 2 resolutions would be tabled and the Board attorney would be contacted for an opinion on the leave request. Chief DiGiorgio reported that pending attorney approval, he would grant the leave of absence. Chief DiGiorgio reported that however the situation plays out, he will have a void in the schedule to fill and that if a Per Diem employee was moved to Part Time, it would be for a probationary period. Chief DiGiorgio reported that after that probationary period if need be the person could move back to Per Diem. Commissioner Waldron reported that the Per Diem employee would still be able to pick up the extra hours to cover the void his leave would make but he would be doing so at the Per Diem rate as opposed to the higher Part Time rate. Commissioner O'Hare reported that he would call the attorney tomorrow. Chief DiGiorgio reported that he is going to move forward with a Per Diem job announcement since there will be a need to backfill since the schedule is lean right now. There was a discussion on how many hours a Per Diem and Part Time employee could work, their Terms and conditions of Employment, and hourly rates. Commissioner Waldron asked if the new Terms and Conditions had been adopted. Chief DiGiorgio reported that the Terms and Conditions had been adopted but the new pay rates had to wait until the 2022 Budget passed to be adopted and should be brought before the Board soon.

Commissioner Waldron reported that 5 months after the District had a Lieutenant leave, the District is running a shift with someone who is doing a lieutenant's job at a FF/EMT salary. Commissioner Waldron reported that from other public

service agencies he has been involved with, there is a mechanism where if an individual works out of title for a certain period of time they receive the higher salary for that title. Commissioner Waldron asked if the Board thought it was fair that a F/EMT is running a shift for more than 4 months. There was a discussion on the way various agencies handle this type of situation. Commissioner Cornine asked if Commissioner Waldron brought this up because he thought it was a bad labor practices issue or because he felt the position needed to be filled. Commissioner Waldron reported that he brought this up for both reasons. Commissioner Waldron reported that he brought up the out of title pay as a temporary solution to a current situation but he also doesn't understand why the district has gone 4 months with 3 shifts and 2 lieutenants. Commissioner Waldron asked if there was another plan for reorganization within ranks. Commissioner Cornine felt that it was the Chief's responsibility to present to the Board the staffing plan that he needs operationally and it was the Board's responsibility to vote for whatever makes sense and is fiscally responsible. Commissioner Waldron asked Chief DiGiorgio to let the Board know if he feels a 3rd lieutenant is needed. Chief DiGiorgio reported that during his presentation to the budget committee in September 2021, he did ask that the lieutenant position be filled. Chief DiGiorgio reported that as the budget process progressed there was a captain's position and an addition firefighter position put into the budget. Chief DiGiorgio reported that now that the budget has passed, the District is able to look at filling the some of the positions that were budgeted for, either through promotion or from outside. Chief DiGiorgio noted that not all the positions were not funded for a full year due to budget constraints, so the District may have to wait until later in the year to fill the positions. Chief DiGiorgio also noted that he would ask the Board on what basis the promotion would we be promoting on and they would probably ask him the same question. Commissioner Waldron felt that if these positions are going to be filled by mid-year and the Board needs to approve them and determine how to do it, then it is something that needs to be discussed now. Chief DiGiorgio asked that he, the Treasurer sit down with Administrator Schultz to find out when and what the budget will allow based on salaries moving forward. Mr. Dugan Sr. reported that the captain position was put in for half a year with the intention that the captain would train to replace the Chief. Mr. Dugan Sr. reported that the 4th FF/EMT position was eliminated due to budget constraints. Mr. Dugan Sr. reported that the Board was made aware of

these positions because there was discussion on why the position would be captain instead of assistant chief. Mr. Dugan Sr. reported that the budget allows for a captain and 3 lieutenants. Chief DiGiorgio felt that it would have been 3 officers, a captain and 2 lieutenants. Commissioner Waldron felt there needed to be discussions on what the responsibilities of the captain position would be. Commissioner Waldron asked what was decided about out of title work. Commissioner Cornine felt that it was a contractual issue and would need to be looked at. Commissioner Waldron reported that he would then wait for them to bring it to the Board.

Commissioner Dugan Jr. left the meeting to go on a call.

REMINDERS:

The next regular meeting of the Board of Fire Commissioners will be held on Thursday, March 17, 2022 at 7:00 P.M at the firehouse.

The Joint Fire Prevention Board Meeting will be held on Monday, March 14, 2022 at the Whippany Fire House at 6:30 P.M.

RESOLUTIONS: Commissioner Cornine reminded the Board that 2 resolutions would be tabled for now and the remainder would be voted on by consent agenda.

Commissioner Cornine read Resolution 22-03-03-26 authorizing the formation of a Consolidation Committee.

Commissioner Cornine read Resolution 22-03-03-27 accepting the resignation of Volunteer Morrison.

Commissioner Cornine read Resolution 22-03-03-28 accepting the resignation of Volunteer Wilson.

Commissioner Cornine made a motion to introduce the resolutions, seconded by Commissioner Waldron. All were in favor. Commissioner Dugan Jr. was absent.

PUBLIC PARTICIPATION: Mr. Dugan Sr. reported that a contractor will need to come in to patch up the holes that the structural engineer made in the ladder bay and the outside of the building on the 3rd floor.

ADJOURN: A motion was made by Commissioner Waldron, seconded by Commissioner Cornine, to adjourn the meeting. All were in favor. Commissioner Dugan Jr. was absent.

The meeting was adjourned at 8:12 p.m.

Respectfully submitted by

Steven Cornine, Secretary