

**The Monthly Meeting of the Board of Fire Commissioners
District #3, in the Township of Hanover,
County of Morris, Cedar Knolls, New Jersey
March 4, 2010**

The meeting was called to order at 7:00 PM on March 4, 2010 in accordance with the Open Public Meeting Act of 1975, Chapter 231.

Attendees: Commissioners Gary Keyser, Paul Pilipie and Thomas Quirk

Absent: Commissioners Thomas Harrington and Joseph Martin

Chief James Davidson was also present.

The Board stood for the Pledge of Allegiance.

Commissioner Quirk acted as Chairman in the absence of Commissioner Harrington.

The first order of business was the approval of the minutes from the February 4, 2010 regular monthly meeting. Commissioner Keyser recommended that these minutes should be approved at the next regular meeting since he was not at the February 4th meeting and cannot approve minutes from a meeting he did not attend. Since two other Commissioners were not present at this meeting, there were not enough Commissioners present to approve that particular meeting. It was agreed to postpone the approval of these minutes at this time.

Next, was the approval of the minutes from the February 18, 2010 monthly work session. **Commissioner Keyser made a motion to accept the minutes as submitted, seconded by Commissioner Pilipie, all in favor, with Commissioners Martin and Harrington absent.**

Regarding the March 2, 2010 Reorganization Meeting, Acting Chairman Quirk made a correction on page 1, next to last paragraph. It should read *Commissioner Pilipie read Resolution 10-03-02-09 appointing Vincent M. Montanino of V.M. Associates as Auditor...* instead of Acting Chairman Quirk read... **Commissioner Keyser made a motion to accept the minutes as corrected, seconded by Commissioner Pilipie, all in favor with Commissioners Martin and Harrington absent.**

Correspondence

There was no correspondence to report, but Commissioner Keyser noted that there is a state fire district meeting this Saturday, March 7, 2010 in South Brunswick.

Old Business

Commissioner Keyser indicated that he had spoken to the Commissioners at the last work session about the Memorial Day Weekend Inspection night. He has since received a proposal from the MeadowWood Manor in Basking Ridge for \$3,797.50 for approximately 70 adults and 30 children. The Commissioner believes it will cost less because they don't expect that many people to attend, but he will not know exactly how many to expect until the sign-up sheet goes up. Last year, there were approximately 56 adults attending. Acting Chairman Quirk asked why there were not more members attending and the Commissioner felt it was because it was a holiday weekend and some members choose to go away for the holiday weekend or have other plans.

Commissioner Keyser made a motion to use MeadowWood Manor again, seconded by Commissioner Pilipie, all in favor.

Acting Chairman Quirk asked Chief Davidson if the antenna had been moved relative to the siren repair and the Chief responded, "No, not yet". Commissioner Keyser suggested putting the Countrywood siren on for 5:00 PM every night. The Chief said he would call Horan Electric to see if it was simply a matter of putting a ladder up and throwing a switch. He said it should start the next day.

Commissioner Keyser, in reading minutes from the February meeting in which he was absent, asked why the Board is looking to purchase an ambulance. Commissioner Pilipie responded it was just a suggestion about possibly purchasing the old ambulance and giving it to Whippany as a goodwill gesture. Commissioner Quirk said that he is so tired about the ongoing negotiations that it was just something that came up because he was frustrated. The Commissioner had suggested to the Board that they should tell District #2 that we will take care of our part of town and they can take care of their part for EMS calls. Commissioner Quirk said it was only a suggestion of something to look into and that he was just thinking we should explore every avenue possible.

Commissioner Keyser reported that Commissioner Harrington and he had looked into statute Title 40A, 14A:14/84 where it says Revenue for Fire District Purchases and Limitations in Meetings which has been used before for purchases to be put into the budget. A meeting would have to be advertised and an election at the firehouse for X amount of dollars to do this would have to go into the following year's budget. Because the budget was adopted in January, nothing can be done this year for an ambulance. It would have to be put into the budget for next year.

Commissioner Keyser reminded the Board that Committeeman George Coppola had said that there was going to be a joint meeting between District #2 and #3, but we have not heard anything about that. At that meeting, the Commissioner feels that something should be said to District #2 about 2011's contract. He felt that this next contract agreement will be difficult to get approved by District #2 and that District #3 should start early on working on this because there will most likely be problems. Commissioner Pilipie would like to have a contract for more than one year – it could

have an annual percentage growth. He doesn't want to have to argue every year with District #2. Commissioner Keyser said, hopefully, we will be billing by then. Commissioner Keyser suggested giving Mr. Coppola a call and to ask about setting up a joint meeting at which the Board should make a statement to District #2 about the 2011 contract. The Commissioner felt this Board should start negotiations in June for 2011. Acting Chairman Quirk said that Commissioner Harrington had said he was going to call Committeeman Coppola when he was back from vacation.

Acting Chairman Quirk reported that John Sheridan had not finished the billing committee's report, but is working on it. This way, if anyone wants to see what the billing committee's opinion was, the report will be available.

Commissioner Keyser said there is correspondence going back a year and a half or so regarding whether the volunteers join the fire company or the fire district. The Commissioner felt that the Board should have the new attorney, Anthony Bucco, Jr., Esq., give his advice on which one new members join. Currently, a resolution is passed saying that volunteers join Fire District #3. Technically, they join the Cedar Knolls Fire Department or First Aid Squad. Acting Chairman Quirk said he had a discussion with Richard Braslow, Esq. and Mr. Braslow told the Commissioner that it doesn't matter – it's whatever the department decides to do. Commissioner Pilipie suggested sending a copy of a resolution to the new attorney and have him look at it and have him direct the Board on which way to go. Chief Davidson suggested having Mr. Bucco come to a work session meeting and have the discussion with him in person. It was decided to invite him to come to the April 15, 2010 monthly work session so that the Board can bring him up to speed regarding the Interlocal Agreement and to bring him up to speed on the SLAP program regarding any potential lawsuit.

Commissioner Keyser mentioned that the next Fire Prevention Bureau meeting will be March 25, 2010. He said he wanted to make a motion that the Board approves the amendment to the Fire Prevention Bureau ordinance that was submitted by the Chief. The purpose of discussing this now was so that everyone will be aware of it when it comes up at the upcoming Fire Prevention Bureau meeting on March 25th. Commissioner Pilipie made a motion that the Board agrees on the language to be used, seconded by Commissioner Keyser, all in favor.

Acting Chief Quirk opened the only bid that the Board received for landscaping since the due date was March 4th and no other bids were received. The bid from Giovanni Landscaping was for \$3,700.00/year which would include \$300.00/month for 9 months, \$750.00 for the spring cleanup, \$350.00 for the fall cleanup and \$55.00/hr./man for any additional services for a total of \$3,700.00. The Board needs to get a copy of his Insurance Certificate and Business Registration Certificate. Acting Chairman Quirk suggested writing a letter stating that he cannot do any work until the Board receives a copy of those two certificates for the state of New Jersey. The Board can approve this pending receipt of those two documents. Chief Davidson said he would prepare a resolution for the April meeting;

Acting Chairman Quirk said that he had spoken with Brian Foran who said they can get the wooden barricades anytime they want. Commissioner Quirk said he would pick them up. Commissioner Keyser said he would call Fred Meola to draw up a spec. Chief Davidson said the Board should think about rolling it in with the concrete work that will be done out front by G.M. Masonry.

The Board asked Chief Davidson for the list of officer appointments. The Chief said they would get them in the March work session, talk about them at the April regular meeting, approve them at the May regular meeting and be announced at the Memorial Day weekend Inspection night.

Previously, the Board had discussed giving something to volunteers who went above and beyond their duties in appreciation for outstanding service. However, it was decided that it was not a practice that they wanted to start by awarding recognition gift cards, etc. to the volunteers because it would set a precedent that the Board might not want to start. The Chief suggested a letter from the Board on their letterhead would be appreciated even more and should go into the individual's files. Commissioner Quirk said the Township has something that looks like a certificate that folds open with room inside for a letter of recognition. The Chief indicated that he has some catalogues that they can look through.

Acting Chairman Quirk followed up on whether the Board has insurance liability regarding professional liability when career personnel teach classes like CEVO. Chief Davidson had looked into that and indicated that the Board does have a professional liability clause in their policy.

Acting Chairman Quirk asked if there has been any action taken for when Chief Davidson takes off for his medical leave regarding the minimum staffing requirement. Minimum staffing would be three career people. If the career people go down to two men, you would have to pay 4 hours overtime for each day this happens. Commissioner Keyser asked if this could be discussed further in **Personnel** and the Board agreed.

Commissioner Keyser referred to the February 18, 2010 minutes in which, at the end of page 2, discusses "Mr. Braslow was told by former Chairman Alan VanNess that all communication between the Board and Mr. Braslow was to go through the Chairman of the Board, but Mr. Braslow disregarded those directions resulting in *large invoices*." The Commissioner asked Acting Chairman Quirk when that discussion took place and how much money is being spent. Commissioner Quirk said he did not say *large invoices*. Commissioner Keyser said Commissioner Quirk was wrong regarding large invoices. Commissioner Keyser also felt that Chairman VanNess was no longer part of the Board in 2009 and 2010 and had nothing to do with this Board currently. He asked to see Commissioner Quirk's back-up to make these statements. Commissioner Quirk said that he did not say *large invoices* and would check the tapes for confirmation.

New Business

There were several resolutions which had been postponed from the Reorganization Meeting. **Resolution 10-03-04-14 was introduced designating surety bonds for Commissioners and certain employees. All Commissioners and employees referenced shall be bonded in the amount of \$100,000.00. A motion was made by Commissioner Keyser to accept the resolution as read, seconded by Commissioner Quirk, all in favor.** A roll call vote was taken with Commissioners Keyser, Quirk and Pilipie in favor, with Commissioners Harrington and Martin absent.

Next was the introduction of **Resolution 10-03-04-16 designating The Morris County Daily Record as the Board's official newspaper. A motion was made by Commissioner Keyser to accept the resolution as read, seconded by Commissioner Quirk, all in favor.** A roll call vote was taken with Commissioners Keyser, Quirk and Pilipie in favor, with Commissioners Harrington and Martin absent.

Resolution 10-03-04-17 was introduced designating the approval of payment and claims. A motion was made by Commissioner Keyser to accept the resolution as read, seconded by Commissioner Quirk, all in favor. A roll call vote was taken with Commissioners Keyser, Quirk and Pilipie in favor, with Commissioners Harrington and Martin absent.

Resolution 10-03-04-18 was introduced authorizing the adoption of a cash management plan. The official depositories are the New Jersey State Cash Management Fund and/or TD Bank, NA. A motion was made by Commissioner Keyser to accept the resolution as read, seconded by Commissioner Quirk, all in favor. A roll call vote was taken with Commissioners Keyser, Quirk and Pilipie in favor, and Commissioners Harrington and Martin absent.

Resolution 10-03-04-19 was introduced authorizing a regular meeting schedule for the 2010 – 2011 year. Commissioner Keyser indicated that the Board should change the Thursday, September 16, 2010 work session meeting to Tuesday, September 14, 2010 because the annual fire convention in Wildwood would conflict with the September 16th work session. **Commissioner Keyser made a motion to formally change the schedule to read Tuesday, September 14, 2010 instead of Thursday, September 16, 2010, and to accept the schedule as amended, seconded by Commissioner Quirk, all in favor.** A roll call vote was taken with Commissioners Keyser, Quirk, Pilipie in favor and Commissioners Harrington and Martin absent. Chief Davidson said he would make the change on the legal notice.

Commissioner Keyser suggested putting a blurb in the minutes on the election results. The Chief said that he thought that Commissioner Harrington had faxed the results down to the Division of Government Services. Chief Davidson said he would check on that and, if it was already done, they can attach it to the next work session minutes. It would also show that the budget was approved. .

Commissioner Keyser made a motion to go into closed session for Personnel at 8:30 PM, seconded by Commissioner Pilipie, all in favor.

The monthly meeting was reopened at 8:55 PM.

Treasurer's Report

Commissioner Keyser reported that checks #3901 – 3946 were paid in the amount of \$52,542.21 for the month of February 2010. **Commissioner Pilipie made a motion to accept the Treasurer's Report as submitted, seconded by Commissioner Quirk, all in favor.**

There was no other business to discuss. **A motion to adjourn at 9:00 PM was made by Commissioner Pilipie, seconded by Commissioner Keyser, all in favor.**

Respectfully submitted by:

Paul Pilipie, Secretary