

Minutes

The regular meeting of the Board of Fire Commissioners, Fire District No. 2 was held on the above date at the Lenola Fire House. The meeting was called to order at 7:00 p.m. by President Wesolowski.

All Commissioners were present with the exception of Commissioner Grant. Also in attendance were Chief Grant, Hall Manager/Fire Inspector Matthew Orsini, Deputy Chief Dan Shields, Battalion Chief Lenny Philips and Administrator Booth.

President Wesolowski identified the emergency exits and opened the meeting by reading the following statement in accordance with the "Open Public Meetings Act":

This meeting of the Board of Fire Commissioners, Fire District No. 2 of The Township of Moorestown is being held in accordance with the Open Public Meetings Act of 1975. Pursuant to the "Act", on February 21<sup>st</sup>, 2013 the required notice was submitted to the Burlington County Times and the Moorestown Sun.

Additionally, on February 21<sup>st</sup>, 2013 the required notice was posted on the bulletin board, reserved for such notices, in the lobby of the Town Hall, 2 Executive Drive, Suite 9A, Moorestown, NJ 08057, on the bulletin board of the Moorestown Municipal Library, 111 West Second Street, Moorestown, NJ 08057 and on the bulletin board of the Lenola Fire House, 229 North Lenola Road, Moorestown, NJ 08057 and filed with the Clerk of the Township of Moorestown on this date.

Lastly, written notice was posted on the official website, MoorestownFireDistrict2.com on February 21<sup>st</sup>, 2013 and mailed to each person who has requested copies of the schedule of meetings.

An affidavit certifying that the aforesaid delivery and posting of notices was prepared and signed by the Administrator.

Wesolowski called for a salute to the flag and a moment of silence.

**Minutes:**

On a motion by Commissioner Niedermayer, seconded by Commissioner Ruggiano, the minutes of the January 8<sup>th</sup>, 2014 regular meeting were approved by the four commissioners present.

On a motion by Commissioner Niedermayer, seconded by Commissioner Maahs, the minutes of the January 8<sup>th</sup>, 2014 Executive Session were approved by the four commissioners present.

**Chief's Report:**

1. Report for January, 2014 was submitted by Chief Grant and filed.

2. Chief Grant provided a status of the implementation of EZ Fire software for the fire department.
3. Chief Grant informed the Board the battery charges in the trucks are from the 1980's and earlier and when the new computer was installed on truck 3135, it drained the battery completely when it went into "sleep" mode. Thus, starting with 3135, battery conditioners will be mounted on each truck to address this issue.

**Captain's Report:**

1. Battalion Chief Philips gave report for January.
2. All apparatus and equipment were checked regularly throughout the month and are operational.
3. The following maintenance and/or repairs were performed throughout the month:
  - Truck 3132: Lock release is not functioning in the cab raise & lower remote (repaired in February).
  - Truck 3133: No reported problems.
  - Truck 3135: No reported problems
  - Truck 3138: No reported problems.
4. Fuel used:

<u>Squad</u>	<u>Fire Co.</u>	<u>Other</u>	<u>Total</u>
214.7G	55.1G	4.0G	273.8G
5. Report submitted and filed

**Hall Rental Chairman's Report:**

Hall Rental Manager Orsini gave the following Hall Rental Chairman's Report:

1. There were three paying and one non-paying affair during the month of January. There were approximately 45 inquiries via email and telephone. In addition, there were eight bookings during the month for 2014.
2. Four Cleanings are scheduled to be paid for during the month. All security deposits are scheduled to be returned.
3. Updated calendar will be posted in lounge.

**Squad Report:**

Deputy Chief Dan Shields gave the following Squad Report:

1. During the month of January the Squad responded to 123 EMS calls and 18 Fire calls for a total of 141 calls.
1. Deputy Chief Dan Shields informed the Board the person responsible for the billing will be brought in-house starting in March and will be working out of Chief Joe Shields' Office.
2. Shields mentioned the Squad is having some storage issues and asked if they could build a secure cage next to the existing Fire Department cage in the storage room. Brief discussion ensued. The Squad mentioned they would provide keys to Chief Grant and Maintenance Personnel Ruggiano to access the air handlers when needed. A motion by Commissioner

Niedermayer second by Commissioner Maahs to allow the Squad to build a secure cage in the storage room of the Fire House was approved by the four commissioners present.

**Bills:**

The Statement of Expenditures, listing the bills to be paid was provided to the Board members for review prior to the meeting. Administrator Booth discussed the bills highlighted on the Statement of Expenditures. Bills received after the Statement of Expenditures was prepared were read by Administrator Booth at the meeting.

There being no questions on the bills, a motion by Commissioner Niedermayer, seconded by Commissioner Ruggiano to pay the following bills and any regular bills that come in was approved by the four commissioners present.

(List of Bills paid in February is available upon request)

Commissioner Maahs abstained on all Fire Official Maahs' invoices.

Commissioner Ruggiano abstained on all invoices relating to his position as a Vehicle and Building Maintenance Employee.

**Communications:**

Administrator Booth discussed the following communications:

1. The Adopted 2014 Budget was submitted to the state on January 6, 2014.
2. The Notice of Annual Election and Publication of the 2014 Budget Summary was published in the Burlington County Times on January 24, 2014 as well as posted on both the Bulletin Board at the Fire House and the official website of the District.
3. Ballots for the 2014 Election were provided to the Burlington County Clerk for absentee ballot requests.
4. 2014 Election Press Release was prepared and posted on the official website.
5. Received the NJ State Association of Fire Districts December 7, 2013 Quarterly Meeting Minutes.
6. W-2 Statements were distributed to all employees.
7. 1099 Misc. Forms were distributed to all persons or vendors requiring such.
8. Received the 2013 Survey of Occupational Injuries and Illnesses.
9. Banking information and list of current Commissioners were sent in response to a request from our Auditor in preparation for the upcoming 2013 Audit.
10. Sent letter and a check in the amount of \$1,750.00 representing the Fourth Quarter, 2013 Dedicated Penalty monies to the LVFC.

**Old Business:**

1. The Fire House Repaving Parking Lot Project was discussed. Administrator Booth informed the Board Dante Guzzi Engineering Associates will provide a service contract to be signed.

**Resolution:**

Resolution 2014-05 “*Authorizing the Award of a Professional Services Contract to Dante Guzzi Engineering Associates, LLC*” was read by President Wesolowski. A motion by Commissioner Niedermayer and seconded by Commissioner Maahs to pass Resolution 2014-05 was approved by the four commissioners present on a roll call vote:

Wesolowski	-Aye
Grant	-Absent
Niedermayer	-Aye
Maahs	-Aye
Ruggiano	- Aye

2. Logistical issues relating to a large scale fire/event were discussed. Administrator Booth mentioned as discussed at the January Board Meeting an email summarizing the issue along with specific questions raised by the Board were sent to Solicitor McCloskey on December 20, 2013. In speaking with Solicitor McCloskey on January 13, 2014, he did not believe there was a need to establish a process to invoice the business for “extraordinary expenses” should such an event occur.

McCloskey recommended since LVFC would be acting in the interest of the property owner when incurring these “extraordinary” expenses, they should work with the owner/insurance company to recoup expenses. As previously discussed, compensatory penalties are included in the current Fire Code if an owner has been given notice of a violation which directly or indirectly results in a fire, however, if the owner was not under violation, there is no current regulation that states the cost could or could not be recouped. Recouping expenses would probably be determined on a case by case basis and would most likely depend on the nature of the expenses and the insurance company. Booth also relayed that there is no guarantee expenses could be recouped if the business owner was not under violation at the time of the event; however, the LVFC would be making decisions on behalf of the business owner whom has the obligation to prevent further loss. Actions taken to suppress the fire would most likely be viewed by an insurance carrier as part of the process to restore building and therefore probably would be covered. McCloskey also recommended, if possible, obtain owner/insurance representative approval for the “extraordinary” expenses (fuel, crane, etc.). If this was not an option, the Fire Chief would be acting on behalf of the owner to prevent further loss when giving approval to incur these expenses. McCloskey recommended that during the annual registration process the Bureau request insurance carrier name, policy number, coverage and 24 hour contact information for each business should such an event occur. Fire Prevention Specialist Orsini stated the annual registration forms were revised to include said information.

Lengthy discussion ensued. The primary concern discussed is that there is no guarantee these “extraordinary” expenses will be recouped and, having to pay a large amount as was the case for the Delanco Fire Department (\$200,000.00), would have a significant impact on the district’s surplus, capital plans and resident tax rates. A suggestion to combine efforts with District #1 and the Township to pass an ordinance to have the business owner be responsible for expenses over and above the customary cost of suppressing a fire was discussed. In addition, having a document available for the owner or insurance company representative to sign at the scene to cover said expenses was also discussed. Booth agreed to discuss these suggestions with Solicitor McCloskey.

The Board also agreed the Chief should have the authority at the scene to make the call on approving costs for fuel. Other “extraordinary” expenses should be discussed with owner/ insurance representative. If business owner or insurance representative is not available then a commissioner would be consulted to approve expenses. Having a representative from the Board in the command bus during a large scale fire/event to approve “extraordinary” expenses was also discussed.

Wesolowski mentioned the Board will continue to discuss matter with input from the Board Solicitor.

3. The Risk Control Recommendation letter from the Board’s insurance carrier (VFIS) received January 8, 2014 was discussed. Chief Grant discussed the action steps to address recommendations 13-1 (Implement Driver Selection Criteria), 13-2 (Institute On-going Drivers Training) and 13-3 (Install Hose Securement). Administrator Booth briefly discussed the action steps being considered to address recommendation 13-4 (Establish Alcohol Distribution and Consumption Rules/Regulations). Booth will prepare the response with input from Chief Grant and Hall Manager Orsini and send to VFIS by the end of February.
4. The planned purchase of the Fire Official Vehicle was discussed. President Wesolowski mentioned the purchase order for the 2014 F-150 Crew Cab 4x4 Pick-up was placed on January 17<sup>th</sup>, 2014. Wesolowski also mentioned the order would take approximately 10 weeks. Commissioner Ruggiano asked and President Wesolowski answered a question regarding the communications package option on the truck.

**New Business:**

1. President Wesolowski discussed the “Draft” 2014-2015 Notice of Annual Scheduled Board Meetings. Brief discussion ensued. The 2013-2014 Notice of Annual Scheduled Board Meetings was approved by the four commissioners present. Booth stated said notice will be published by the end of February.
2. Administrator Booth briefly discussed the 2014 Election Process. A single petition nominating one candidate for the open seat on the Board was received. The ballots were finalized and printed. Ballots were provided to the County for “mail-in” ballot requests. All required public notices were published and posted. In addition, arrangements have been made

with the Judge and Tellers for the election scheduled for Saturday, February 15, 2014. A sample ballot was shared with the Commissioners.

3. Administrator Booth discussed using a supplier other than PSE&G for electricity. Booth mentioned she has received rates from third party suppliers that are lower than the current PSR&G rates for electricity. Booth stated according to Local Public Contracts Law a resolution is required to enter into a contract for the purchase of electricity.

**Resolution:**

Resolution 2014-06 “*Authorizing the Award of a Contract for the Purchase of Electricity*” was offered on a motion by Commissioner Niedermayer, seconded by Commissioner Ruggiano. On a roll call vote, the resolution was adopted by the four commissioners present. This resolution authorizes the Board Administrator to enter into a contract on behalf of the Board with an appropriate vendor for the supply of electricity.

**Meeting opened to public:**

There being no further questions or comments from the public, this portion of the meeting is closed.

**There being no further business to come before the Board, by Proper Action, meeting adjourned at 8:15 p.m.**

Respectively Submitted,

Elizabeth A. Booth  
Board Administration