

Workshop Meeting, April 8, 2013

Chairman Raymond Equils called the meeting to order at 19:00 hours, followed by the Pledge of Allegiance. Chairman Equils then read the Opening Statement, noting this meeting was advertised on Sunday, December 30, 2013 in the Asbury Park Press and posted on two (2) municipal Bulletin Boards and in the firehouse, as required by the Open Public Meetings Act, commonly referred to as "The Sunshine Law."

Roll call was taken with Commissioners Eadicicco, Equils, Kelly, Scarlato, and Stalling being present. It was also recorded that there was one (1) chief officer and zero (0) firefighters or public present at the start of the meeting. Also present was the board's Legal Counsel, Mr. Jay C. Sendzik, Esq.

Purchaser Eadicicco began preparing the bills and vouchers, for processing by Treasurer Stalling to print checks.

Chairman Equils turned the floor over to Counsel Sendzik, for his report and discussion of various issues.

First item was pension issues regarding several commissioners. It was noted no one has received a printed statement from NJ-PERS since 2007. Mr. Sendzik noted they should have been received up through December of 2011. He will have to check to see if they were ever sent out, and if so, to whom. Perhaps they were sent to Mr. Osborn's office, for distribution.

As for enrolment in the Defined Contribution Retirement Pension (DCRP) by Commissioners Scarlato, Stalling, and Eadicicco – the Clerk noted that no confirmation of enrollment, account statements, or notices for deposits due or payments made were ever received from DCRP.

Mr. Sendzik replied that re-filing of enrollment applications may be necessary, but any past time would be accrued and past payments would be allowed and made. It was also noted that no payments to NJ-PERS have been made for Commissioner Kelly for the past 5 years. Mr. Sendzik stated that Mr. Osborn has communicated with state pension personnel, submitting calculations and figures they requested, and is waiting for them to respond, which should clarify payments and monies due to be paid.

Lastly, Mr. Sendzik stated he would have his daughter and law partner stay on the pension issues, as she maintains professional contacts with persons in the state pension system. She will also interact with personnel in Mr. Osborn's office on these matters. Mr. Sendzik will report back on the issues in 2 weeks.

Medical Examinations: Board members inquired about the rights of an employer to obtain personal/medical information on an employment required and employer provided medical examination.

Mr. Sendzik stated the employer has rights to information outside the restrictions of "HIPPA" in those instances where the medical examination is a requirement for employment. He will research and provide a definitive answer on which statutes/laws that supersede "HIPPA" in these instances.

He will also provide a sample of a cover letter and list of essential duties for a member to medically qualify as a firefighter, to be provided to any doctor doing the qualifying medical exam. He will also provide a sample of a cover letter and policy covering "Out of Duty" injuries and "Return to Service" release slip, for "Non Line of Duty Injuries" sustained by a member on their own time.

On Open Public Meetings Act: Members need to have district provided e-mail accounts for messaging. This protects privacy of personal e-mail accounts from prospect of discovery during an investigation for claims of violating the public meeting act.

On Public Contract Bid List for Trucks and Apparatus: Mr. Sendzik cautioned prices are not necessarily the lowest bid cost possible. Act just eliminates need to publicly advertise for sealed bids. He also advised using a Private Consultant to prepare specifications for apparatus purchases, to eliminate prospect of local favoritism.

Insurance Issues: Agreed bringing William Newberry from VFIS to the May Workshop meeting is a good idea; to discuss various levels of insurance for coverage of members and others in/on the property. He also suggested the board change the terms of the lease to include leasing the entire facility, to cover all building and contents.

This concluded discussions with Mr. Sendzik, and he left the meeting at 20:56 hours.

The board then took a short recess, after a motion authorizing same was made by Commissioners Eadicicco and Scarlato, and passed by the board. The board resumed the public motion at 21:06 hours, after Commissioners Scarlato and Stalling made a motion to do so, which was passed by the board.

CRITICAL CORRESPONDENCE: Clerk Kelly reported the following:

Letter from Robert Hotmar regarding insurance coverage for Associate Members;
Annual Contract from ESI Equipment, for Service on Holmatro Extrication Tools, which will be held until the May meeting;
Ramtown Fire Company Membership Committee regarding uniform for Robert Tolomei;
Payment for WPCS/Quality Communications being held until invoice is corrected;
Membership Application from Timothy Smigelsky;

OLD BUSINESS: Vice Chairman Scarlato reported Asst Engineer John Thompson took the trailer hitch for Unit 488 to work and modified assembly to the proper height for our. He also added an electrical adapter modifying the electrical connection so that the truck and foam trailer connections match.

NEW BUSINESS: Chairman Equils reported that Adelphia Fire Company has submitted personnel for consideration of the Township Valor Award for the recent structure fire and rescue of the occupying resident. Approval is needed by the fire districts, before the award can take place.

Commissioners Kelly and Scarlato made a motion to approve presenting Valor Awards to the involved 19-2 firefighters. The motion was passed unanimously.

All commissioners informally agreed to place approving the purchase of a Class "A" Uniform for Robert Tolomei and approving Timothy Smigelsky's Membership Application on tomorrow's agenda.

Regarding letter from Robert Hotmar, all agreed to hold it until the board meets with its insurance carrier and the Mr. Sendzik reports back from tonight's exchange.

TREASURER'S REPORT Following the completion of the voucher and check entry by Treasurer Stalling, he reported bills totaling \$32,705.12, requiring a transfer of \$35,000.00. These amounts agreed with the calculations prepared by Purchaser Eadicicco.

The Treasurer's Report was accepted on a motion by Commissioners Kelly and Scarlato, and passed unanimously by the board.

GOOD AND WELFARE Board discussed continued uses of fire house by members (specifically the pending Kelly Bridal Shower and the Schaible Birthday Party) and the related insurance issues not being questioned. It was suggested and informally agreed for anyone using the properties to provide proof of their household insurance, until the issue is visited with the district's insurance carrier.

PUBLIC COMMENT With zero (0) firefighters and with zero (0) members of the public being present, there were no other comments offered.

ADJOURNMENT This concluded the business for the workshop, so a motion to adjourn was made by Commissioners Stalling and Eadicicco, and passed by the board. The meeting closed at 21:39 hrs. Respectfully Submitted,

Robert J. Kelly
Clerk of the Board

RJK/rjk