

Workshop Meeting, November 11, 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 were zero (0) line officers or firefighters present; and there were zero (0) members of the public present at the start of the meeting.

It was noted that Mr. Jay C. Sendzik, Esq., the district's legal counsel, was also present. He reported that his daughter and co-counsel, Ms. Kate Sendzik-Haines was unable to attend this meeting as originally anticipated; due to a scheduling conflict, with her attending another meeting elsewhere. However, Mr. Sendzik has the information she was going to present and will do so for her.

At the outset, Mr. Sendzik stated his office will need copies of the payroll records from "ADP," for the years 2012 and 2013. They are needed to substantiate payroll and amounts withheld for pension contributions.

Mr. Sendzik then began to brief the board on the two apparatus purchasing plans approved by the NJ Department of Community Affairs. He reviewed the Houston-Galveston Area Council Plan (HGA) from Texas. He then noted several items relative to the NJ-DCA plan including:

The board must adopt a Resolution approving the purchase from KME-Kovatch Apparatus; which Mr. Sendzik will prepare. The resolution will note that the Approved Specifications for the Apparatus will be noted as Schedule "A" and will be attached;

Items such as Inspection Trips, tool Mounting, Dealer Delivery, etc, would be eligible for inclusion in the Capital Project, as long as they are included in a purchase contract;

Professional fees for legal and financial counsel would be part of the total cost for the project;

Any material change is a deviation of the specifications. All will require a Written Change Order, noting the change and its cost;

Mr. Sendzik will prepare & provide a Change Order Form that complies with all provisions of New Jersey statutes, rules, and regulations.

Mr. Sendzik advised there was a new aspect of the law affecting Resolution or Finalization of Capital Projects. He advised that now, in order to close or cancel a Capital Project; the board must submit to the public for their approval; a Referendum Question closing or canceling the project and returning any remaining monies to the district's treasury.

It was agreed that the clerk will provide Mr. Sendzik (for his review) copies of the meeting minutes for Special Truck Workshop Meetings; as related to the Purchase Proposals, their review including any exceptions, and decisions made regarding selection of a vendor.

Vice Chairman Greg Scarlato stated the Mr. John O'Keefe, the sales person for Pierce Manufacturing has requested a copy of the listed exception from KME-Kovatch. He asked if he should provide it, or hold up for a formal "OPRA" request.

Mr. Sendzik advised holding up on providing it, until Mr. Sendzik has an opportunity to review it. Once he is satisfied, he will advise just releasing the list, without going through the "OPRA" process.

The clerk and the vice chairman will email the enumerated documents to Mr. Sendzik's office.

Mr. Sendzik then moved onto the issues surrounding the Fire Commissioners Pensions. He noted Ms. Sendzik-Haines has made good progress and hopes to have all the enrollment and back contribution issues resolved by year end.

He reported that Chairman Equils is the only commissioner fully up to date in status & payments. However, he noted that the State is in a perpetual back long (usually about 1 year) in posting accrued contributions.

On Clerk Kelly – error was made when Monmouth County enrolled him as an employee. He was enrolled under a single employer, instead of as a multi-employer. Nothing has been paid by fire district since the last half or 4th quarter of 2007. Designation cannot be changed until December 15 of this year, at which time the change will be made.

On Purchaser Eadicicco – His enrollment in the Defined Contribution Retirement Plan (DCRP) is active. Once Ms. Sendzik-Haines receives the payroll records from ADP and Mr. Barry Osborn's office; His contributions can be calculated and paid. Final resolution will of course be dependent on Trenton's clearing up their backlog.

On Vice Chairman Scarlato and Treasurer Stalling – Their enrollment applications were posted with the wrong location number, which has been corrected now. They also have the wrong starting date. They are posted as May 22, 2010, when they should be March 2, 2010. This date will be corrected also, and all owed contributions will be paid.

Clerk Kelly noted that he and the other three (3) commissioners have had their employee responsible contributions withheld over this period of several years. He asked Mr. Sendzik if the commission was not therefore responsible for payment of both the employer and the employee portions of the contributions.

Mr. Sendzik replied yes, the board was responsible, as the fund withheld from the members continue to be held in the Un-Reserved Funds Account of the district, as they were never paid out.

Lastly, Clerk Kelly advised Mr. Sendzik that after all these existing pension problems are rectified, Chairman Equils is interested in looking into possible purchasing additional back time that was never been credited in NJ-PERS.

The board then moved to the issues regarding the continuation of the Joint Board of Fire Commissioners.

It was noted that while to control and operation of the Howell Fire Bureau was taken over by the township, the Joint Board was granted by municipal ordinance; certain advisory and supervisory authority or responsibility for the bureau; as well as the bureau responsibility to report to the "Joint Board."

It was also noted that the formerly sanctioned Joint Board has jointly purchased radio communications equipment and other issues or items.

It was impressed upon Mr. Sendzik, that this district feels it is critical to have these arrangements continue, and that some form of agreement (Joint Operations/Shared Services/Mutual Aid, etc.) must be developed and concluded.

Mr. Sendzik agreed to reach out to the 2 attorney representing Districts 1,2, and 5; and District 3, which he also counsels. He will attempt to reach some form of agreement for presentation and discussion at the December "Joint" meeting.

This concluded the conversation and Mr. Sendzik left the meeting at 20:23 hours, and the board resumed its regular agenda.

Purchaser Eadicicco had prepared the bills and vouchers, for recording and processing to print checks by Treasurer Stalling. He asked to leave the meeting so he could go to his regular job. No one objected and he was excused at 20:29 hours.

CRITICAL CORRESPONDENCE: Clerk Kelly reported the following:

Glatfelter Claims Management – Vehicle Damages for Unit 488 to be paid in the amount of \$8,553.05 (Net less \$1K Deductible; Plus a second payment for Towing, in the amount of \$160.00;

NJ Turnpike Authority – EZPass accepted our toll payment but has not waived the Administrative Fee per their latest correspondence;

Asbury Park Press – 2 Affidavits of Publication;

James M. Gaul – Driver's Accident Report Involving Unit #488;

Liberty Mutual Insurance Group – James Gaul/Unit #488 MVA;

Glatfelter Claims Management – Unit #488 Motor Vehicle Accident.

11/11/2013

OLD BUSINESS: Clerk reported receiving Accident Report from James M. Gaul, the operator of Unit #488 who was involved in a motor vehicle accident, which caused damages to Unit #488. The board has not yet received any report from the fire company's Accident Investigation Committee. It was understood the committee has met, but no report or recommendation have been issued to date.

Question asked about disposing of old – out of service SCBA air bottles. Dated time for use has expired. Board needs engineers or line officers to provide a letter or note, detailing how many bottles are involved, so the board can declare them as "Obsolete Equipment" and remove them from inventory, so they can be junked or otherwise disposed of.

On recently purchased portable air compressor for Engine 475; some commissioners feel it is too for use on current apparatus (Engine 475) and asked where it could be used. Commissioners Scarlato & Stalling suggested it be returned, as it is not the "Pancake" style compressor the board envisioned.

Mr. Stalling suggested the new air tools could be operated using a SCBA bottle, if a single fitting is purchased, allowing use until the new truck is delivered and put in service. It was informally decided to place the item on tomorrow's agenda for resolution.

It was also informally agreed to place an item on tomorrow's agenda, to authorize payment to Atlantic Auto Body, Howell; in-between meetings, for body repairs to Unit #488; if the vehicle is completed before the next regular meeting.

NEW BUSINESS: Chief Engineer Marty Kelly requested the board purchase a new supply of equipment marking labels/decals, as the current inventory is gone. He requested a total of 750 decals, covering 3 different sizes, costing \$275.00

The board informally approved placing the item on tomorrow evening's agenda for action.

NEW TRUCK Next meetings are scheduled for Thursday, Nov 14 and Thursday, Nov 21; to meet with the auditor, to make sure all financial issues regarding the truck purchase are addressed. They will also provide another opportunity to meet with the district's attorney, if additional counsel is needed.

TREASURER'S REPORT Following the completion of the voucher and check entry by Treasurer Stalling, he reported bills totaling \$22,982.98, requiring a transfer of \$15,000.00. 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 Nothing was presented.

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

ADJOURNMENT This concluded the business for the workshop, so a motion to adjourn was made by Commissioners Scarlato and Stalling, and passed by the board.

The meeting closed at 20:48 hours.
Respectfully Submitted,

Robert J. Kelly
Clerk of the Board

RJK/rjk