

Workshop Meeting, January 13, 2014

Chairman Raymond Equils called the meeting to order at 19:05 hours, followed by the Pledge of Allegiance. Chairman Equils then read the Opening Statement, noting this meeting was advertised on Sunday, December 29, 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. Also present was the district legal counsel, Mr. Jay C. Sendzik, Esq. 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.

Chairman Equils then turned the floor over to Mr. Sendzik, who was present to advise the board on a few items.

On the KME/Kovatch Purchasing Contract: Mr. Sendzik advised there was one change to the section regarding Liquidated Damages. He approved language exempting the manufacturer from damages caused by delays outside their control. He advised the board to approve the change as it is a standard clause in most manufacturing contracts.

On any visits that the board may have to KME's manufacturing facility in PA: Mr. Sendzik cautioned that not more than 2 commissioners should visit the facility at the same time; to avoid any possible conflict with the Public Meetings Act. And, that board members cannot discuss or act on issues such as change orders, outside of a public meeting.

He also clarified that "Change Orders" must be used for true changes that do not add new items at additional costs, above that which was agreed to in the purchase contract. Change orders may be authorized when necessary for items that require modifications which may cost an increased sum, but the allowable amount should be capped by the board, such as not to exceed \$5,000.00, or some other amount established by the board.

On the new Open Public Meeting Act Requirements: Mr. Sendzik outlined the new advertising requirements for public meetings, as dictated by a recent court decision. Meeting advertisements will now require not only the meeting information; but must include posting of the agenda and any supporting documents pertaining to actions to be taken at a meeting. He also explained the possible consequences of not doing this.

He also noted that the 48 hour Period for Emergency Notification of a Special Meeting applies to 48 hours from the date of publication of the notice.

On a question from Chairman Equils about Purchasing Property (land and/or building) for Office Space and Storage or Materials and Equipment: Mr. Sendzik noted the board has sizeable funds in both reserved and unrestricted accounts. He stated any purchase would require voter approval, garnered through either a question at the regular election or a special election conducted on a regular ballot, or at an advertised meeting.

He noted there are conflicting opinions from Trenton as to if this type of purchase could be made if contained in an annual budget, or if it could be done outside of a budget, if the necessary cash is on hand. This would need a formal clarification through the fire district's auditor, Mr. Barry J. Osborn, CPA.

Mr. Sendzik also noted an action like this may also require municipal action for items such as land use approval, tax exempt status for the property, zoning variances, parking requirements, etc.

Mr. Sendzik stated he saw no problem adding a second Capital Purchase question for this purpose, to next month's Annual Election Ballot. This would be in addition to and separate from

the already authorized question regarding purchasing a new SCBA Air Compressor and Air Bottle Filling Station.

It was informally agreed that the board must act tomorrow night, to establish a dollar amount for a land purchase (if the board agrees to the idea), in order for the question to appear on the February 15th ballot.

This concluded Mr. Sendzik's presentations and he left the meeting at 19:48 hours; at which time the board resumed its regular agenda.

CRITICAL CORRESPONDENCE: Clerk Kelly reported the following:
James Eadicicco – Nominating Petition;
William B. McMahon, Sr. – Nominating Petition;
Various Public Notices for Upcoming Election and 2014 Meetings;
Liberty Mutual Insurance Company – Follow up on Worker's Compensation Claims for John Thompson and James Gaul;
Howell Fire Bureau – 2 Site Plans for Fire Hydrant Placement & Approval.

OLD BUSINESS: The board reviewed site plans for two (2) developments on Ramtown-Greenville Road. Saw no obvious problems with plan for Woodmere at Howell development. Will be on agenda for action at tomorrow's regular meeting.

Additional questions were raised about how many houses are being built on the former William's property on Newton's Corner Road. Need to determine that and are there any public water plans that need review and approval.

NEW BUSINESS: On site plan for Alpine Estates, the second development proposed on Ramtown-Greenville Road; board did not have a site plan that enumerated size of property lots, to determine spacing between hydrants.

Clerk will contact Chief Robert Hotmar @ the Fire Bureau for another site plan showing this information. It was informally agreed the board would review and act on this development tomorrow night also, if the information is available by then.

NEW TRUCK Vice Chairman Scarlato made a motion authorizing the Clerk to schedule and publicly advertise a Pre-Construction Meeting, following a visit to the KME plant, if it becomes necessary to hold one in between scheduled monthly workshop and regular meetings.

Also the Clerk will inform Mr. James Phillips of 1st Priority/KME of the necessary time frame involved for scheduling and a advertising meetings, usually 10 to 14 days. Motion seconded by Commissioner Eadicicco, and passed by the board.

TREASURER'S REPORT Following the completion of the voucher and check entry by Treasurer Stalling; he reported bills totaling \$23,361.48, requiring a transfer of \$17,000.00. These amounts agreed with the calculations prepared by Purchaser Eadicicco.

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

GOOD AND WELFARE Chairman Equils reported he has the IRS-W2 Tax Forms for distribution to the board members.

G&W (cont'd) Vice Chairman Scarlato commented that there seem to be a lot of keys floating around for the fuel depot. He would like to change the lock and re-issue keys only to those persons responsible to have them.

Clerk Kelly added there seems to be a lot of access to the Engineer's Office also and suggested those locks be changed and new keys be issued there also.

Commissioners Kelly and Stalling then made a motion to change locks and keys for both these utilizations, as discussed. The motion was passed unanimously by the board.

Treasurer Stalling commented that the re-lighting project for Tanker 495 was on track. Whelen Lighting corrected some manufacturing issues and the light assemblies should be available for installation shortly.

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 Eadicicco and Scarlato, and passed by the board.

The meeting closed at 21:05 hours.

Respectfully Submitted,

Robert J. Kelly
Clerk of the Board

RJK/rjk

01/13/2014