

**Montgomery Township District No. 1
Board of Fire Commissioner's Meeting**
35 Belle Mead-Griggstown Road
PO Box 130
Belle Mead, NJ 08502

Minutes of September 8, 2015

Call To Order -- The regularly scheduled meeting of the Board of Fire Commissioners was called to order at 7:30 p.m. by Commissioner Spohn, following proof of publication in accordance with the Open Public Meetings Act. Notice of the meeting was posted at the municipal building, the Board's office, and advertised as required by law.

Roll Call -- Upon Roll Call the following Commissioners were present: W. Spohn, T. Karsay, E. Fedun, J. Kessler, W. Hyncik. Absent: None. Also present: Chief J.Huxley, Attorney Griswold, Lynn Franchino, Engineer M. Fedun and Rescue Truck Committee Chair R. Kennedy.

Approval of August 11, 2015 Minutes -- The Board reviewed the minutes of the August 11, 2015 regular meeting.

A motion was made to accept the Minutes of the August 11, 2015, board meeting.

Motion made by Fedun. 2nd by Karsay. Motion passed without objection.

PUBLIC COMMENT- None.

TREASURER'S REPORT

Monthly Bills/Financial Statement Review -- A copy of the Treasurer's report was made available to each Commissioner with a list and description of the bills to be paid. Four items were added to the list of bills being paid at this meeting: Harlingen Garage (\$234.04) for maintenance on Chief's vehicle ('15 Maintenance & Repairs); Vantage Communications LLC (\$188.32) for August telephone charges ('15 Utilities); Verizon Wireless (\$18.83) ('15 Utilities); and FF1 (\$496.92) for previously approved Streamlight batteries ('15 General Operating).

Payment to Skylands Area Fire Equipment (\$80.99) will be approved but won't be sent to the vendor until the chief verifies the entire order has been received.

2015 Supplemental Fire Services Grant (\$1779.50) and the balance of funds from closing the TD Bank accounts (\$24.90) will be deposited in the PNC Operating account.

A motion was made to accept the Treasurer's Report, to approve payment of the bills as presented, supplemented and amended, and to transfer money to the checking account for the purpose of paying the bills and meeting expenses.

Motion made by Hyncik. 2nd by Fedun. Motion passed without objection.

RESOLUTION 2015-38 – Payment of Bills and Transfer of Funds

The Chief Financial Officer having certified there are sufficient funds in the 2015 budget and encumbered funds from the 2014 budget to pay the bills as presented, supplemented and amended, and having designated the accounts to which each should be charged, a Resolution passed

authorizing payment of the bills as presented in the total amount of \$34,369.22 ('14 encumbered \$315.08; '15 budget \$34,054.14) and authorizing the transfer of \$75,000.00 from the PNC Bank investment account to the PNC operating account for the purpose of paying bills and meeting expenses.

*Resolution Ayes: Spohn, Karsay, Hyncik, Kessler, Fedun. Nays: None. Absent: None.
Abstention: Commissioner Fedun abstained from voting on payment to Harlingen Garage.
Commissioner Spohn abstained from voting on payment to Sunrise Office Systems.
Commissioner Karsay abstained from voting on payment to Karsay Coffee, Inc.*

MEETING UPDATES

Emergency Services – No meeting.

Fire Prevention – Information is being sought from other fire districts as to how they notify emergency service responders of potential unsafe conditions in unoccupied/abandoned residential structures. Cmsr. Spohn reported that the NJ Fire Code provides for the posting of placards on abandoned/unoccupied commercial structures but no such provision is made for residential property. The number of unoccupied residences has increased in recent years, particularly due to foreclosures and related abandonments, and present safety concerns. Fire Prevention has asked the township to address this issue by ordinance or other formal action. Discussion continued on pre-planning software that would allow the sharing of information among fire and emergency services in real time. The Fire Prevention Open House will be held at MTVFC#1 this year on October 22nd. School presentations will take place throughout October.

COMMITTEE REPORTS

Rescue Truck – Rich Kennedy reported that the final inspection trip will take place this coming weekend and that by the end of next week the vehicle should be at the manufacturer's rep in New Jersey for mounting and prep work. The truck should be delivered to the firehouse in mid-October. If loose equipment is needed to equip the vehicle a list will be presented to the board at its October meeting.

Command Vehicle – It appears there may not be a 2015 NJ State Contract for the vehicle. The chief will research other purchasing co-ops to see if the purchase can be made through one of them. One request for bid documents for the radios and installation has been requested. Because of advertising constrictions, the bid was made returnable at the October 13, 2015 meeting.

OLD BUSINESS

2014 Fire District Audit – Underway.

Hose – The hose lost at the No. Brunswick fire still has not turned up. Pursuant to prior approval, the chief will order replacement hose.

Belle Mead Plaza Development – The Township Planning Board met between Commissioners' meetings to hear and potentially grant variance requests by the developers. Because of the exigency of the situation, and the potential impact a Planning Board decision could have on the delivery of fire services and on public safety, Commissioner Spohn was given written approval by a majority of the Board to execute a retainer agreement with a Land Use law firm to look into the developers' applications and the Board's rights and options, and to attend the Planning Board meeting on behalf of the fire district if necessary.

A Motion was made to ratify and memorialize the execution of a retainer agreement with the Herold Law Firm with regard to the proposed Belle Mead Plaza Development.

Motion made by Fedun. 2nd by Karsay. Motion passed without objection.

RESOLUTION 2015-39 – Ratification of Award of Professional Service Contract

WHEREAS, by Motion passed at the Board of Fire Commissioners' August 11, 2015 meeting the Chairman was authorized to investigate hiring an attorney with a land use background if it became advisable to have the Board's interests represented in matters involving the proposed Belle Mead Plaza Development; and

WHEREAS, events after the August 11, 2015 meeting made it apparent that it was necessary to engage an attorney prior to the September Board meeting, and prior to a quorum of the Board being able to meet; and

WHEREAS, the Chairman presented the facts and circumstances to Board members in writing and received the written approval of a majority of the Board to proceed with engaging an attorney to review and protect the Board's public service and safety interests insofar as matters that would be presented to the Montgomery Township Planning Board at a meeting to be held on August 17, 2015 relating to the proposed development; and

WHEREAS, the initial costs associated with retaining legal representation was not expected to exceed \$2,500.00; and

WHEREAS, the Chief Financial Officer certified that there were sufficient unencumbered funds in the 2015 budget to pay this fee.

IT IS RESOLVED that the execution by Chairman Spohn of a Professional Services Agreement with Herold Law P.A., dated August 14, 2015, is hereby ratified and approved; and it is

FURTHER RESOLVED that payment of a \$2,500.00 retainer fee to Herold Law be added to the list of bills and be paid at this meeting, chargeable to the 2015 Professional Services appropriation; and it is

FURTHER RESOLVED that representation beyond the \$2,500.00 retainer will be subject to further Board action and approval.

Resolution Ayes: Spohn, Karsay, Hyncik, Kessler, Fedun. Nays: None. Absent: None.

Commissioner Spohn gave a brief report of the August 17th Planning Board meeting. He recommended the Board approve retaining a traffic engineer to address the impact proposed traffic on Covert Drive (resulting not only from the Belle Mead Plaza Development but also from municipal plans to designate Covert Drive as a public thoroughfare and the future development of property which will be accessed via Covert Drive) will have on the safe and efficient provision of fire services in the fire district.

A Motion was made to retain a traffic engineer in connection with the Belle Mead Plaza Development and Covert Drive issues.

Motion made by Spohn. 2nd by Fedun. Motion passed without objection.

RESOLUTION 2015-40 – Award of Professional Service Contract

WHEREAS, the Board has a statutory obligation to provide fire protection services in its district at the highest possible level, and

WHEREAS, the Board has determined that information learned during and after the August 17, 2015 Montgomery Township Planning Board meeting regarding the Belle Mead Plaza Development and Covert Drive usage makes it advisable to engage a professional traffic engineer to address

matters before the Planning Board that are likely to impede the safe and efficient provision of fire protection services within the fire district; and

WHEREAS, *the initial costs associated with retaining a traffic engineer are not expected to exceed \$2,500.00; and*

WHEREAS, *the Chief Financial Officer has certified that there are sufficient unencumbered funds in the 2015 budget to pay this fee.*

IT IS RESOLVED *that Chairman Spohn be authorized to enter into a Professional Services Agreement with a professional traffic engineer to be recommended by Herold Law P.A. and approved by Commissioner Spohn; and it is*

FURTHER RESOLVED *that services rendered beyond the \$2,500.00 retainer (chargeable to the 2015 Professional Services appropriation) will be subject to further Board action and approval.*

Resolution Ayes: Spohn, Karsay, Hyncik, Kessler, Fedun. Nays: None. Absent: None.

NEW BUSINESS

MEMS – Chairman Spohn presented a request from the squad for the fire district to purchase AED's (defibrillators) to replace models they now use which will become obsolete due to revised American Heart Association CPR protocols. The AED's will benefit the community in general as well as fire personnel (the request noted that in 2014, sudden cardiac death accounted nationally for the largest share of on-duty firefighter deaths). The cost of two units, after trade-in rebates, will not exceed \$3,000.00.

A Motion was made to authorize the purchase of two (2) AEDs for use by MEMS.

Motion by Hyncik. 2nd by Fedun. Motion passed without objection.

RESOLUTION 2015-41 – Authorizing Purchase for MEMS Equipment

The Chief Financial Officer having certified there are sufficient unencumbered funds in the 2015 budget, authorization pursuant to NJSA 40A:14-85.1 to purchase two (2) Physio Control AED 1000's for use by Montgomery Township Emergency Medical Services, pursuant to lowest quote received from Physio Control, Inc. at a total cost not to exceed \$3,000.00, chargeable to the 2015 EMS appropriation.

Resolution Ayes: Spohn, Karsay, Hyncik, Kessler, Fedun. Nays: None. Absent: None.

CHIEF'S REPORT

The fire company responded to 16 calls during August, 2015, including an open burn, a dumpster fire and two motor vehicle accidents.

Drills/Work Sessions – Drafting and holding tank operations; stabilization drill at the fire academy; truck & equipment checks and apparatus cleaning.

Water Rescue Vehicle – Fabrication work is complete. The vendor submitted its invoice to the chief. Painting and lighting is yet to be done.

ENGINEER'S REPORT

Vehicle Repairs/Service – 45-103– two front tires need replacement. Available on State Contract at \$705.00 each.

*A Motion was made to approve purchases and reimbursements presented to the board.
Motion by Fedun. 2nd by Hyncik. Motion passed without objection.*

RESOLUTION 2015-42 – Approval of Purchases and Reimbursements

The Chief Financial Officer having certified there are sufficient unencumbered funds available in the 2015 budget, and encumbered funds in the 2014 budget, a Resolution passed authorizing the following expenditures:

- 1. Three (3) pair Stearns neoprene cold weather gloves, pursuant to lowest quote from The Fire Store at a cost of \$21.99 each, the total expenditure not to exceed \$65.97, plus \$10 est. shipping, chargeable to the 2015 General Operations appropriation.*
- 2. Eight (8) Thermal Imaging Camera batteries pursuant to lowest quote from Battdepot.com, at \$13.99 each, the total expenditure not to exceed \$111.92, plus \$25.00 est. shipping, chargeable to the 2015 General Operations appropriation.*
- 3. Payment to Trimmer Welding, LLC, for modification and fabrication work to the water rescue vehicle, in the amount of \$5,168.34, pursuant to previous approval (April '15) and additional ladder work, chargeable to the 2015 Repairs appropriation, which invoice will be added to the list of bills and paid at this meeting.*
- 4. Purchase of two (2) Goodyear tires from American Tire & Auto Care, pursuant to NJ State Purchasing Contract #82527 at a cost of \$705.00 each, plus mounting, disposal, etc.; the entire purchase not to exceed \$2,000.00, chargeable to the 2015 Repairs appropriation.*

Resolution Ayes: Spohn, Karsay, Hyncik, Kessler, Fedun. Nays: None. Absent: None.

ADJOURNMENT: There being no further business to come before the Board, the meeting was adjourned at 9:24 pm. The next regularly scheduled Board meeting is to take place on Tuesday, October 13, 2015, at 7:30 pm.

Motion made by Spohn. 2nd by Karsay. Motion passed without objection