

**BOARD OF FIRE COMMISSIONERS  
MONTGOMERY TOWNSHIP FIRE DISTRICT NO. 1  
35 Belle Mead-Griggstown Road, P.O. Box 130  
Belle Mead, N.J. 08502**

**Meeting Minutes of March 12, 2024**

**Call to Order** – The regularly scheduled meeting of the Board of Fire Commissioners was called to order at the firehouse at 7:30 p.m. by Commissioner Spohn, following proof of publication in accordance with the Open Public Meetings Act. The Annual Meeting Notice was published in the Courier News (official newspaper of the district) and provided to the Montgomery News and Packet Publications, filed with the municipal clerk, posted at the Montgomery Township municipal building, the Board's website, offices and provided to any person requesting same prior to the meeting.

**Roll Call** – Upon Roll Call the following commissioners were present: William Hyncik, Eric Lemon, Michael Parise, Ricky Puleio Jr. and William Spohn. Also present: QPA William Newberry, Attorney Eric Perkins, Treasurer Lynn Franchino, and Chief Kevin Schroeck.

**Certification of Election and Budget Referendum**

Chairman Spohn reported the results from the election and referendum held on February 17<sup>th</sup>. The budget referendum passed with 168 votes in the affirmative and 54 votes in the negative. Commissioners Parise received 214 votes and Commissioner Hyncik received 212 votes. Both were re-elected to a three-year terms expiring in February 2027.

Commissioner Lemon moved certification of the election results. Commissioner Puleio seconded the motion. On a roll call vote, Commissioners Spohn, Hyncik, Lemon, Parise and Puleio unanimously voted in favor of the motion. The certified results will be forwarded to the township clerk and the Director of the Division of Community Affairs,

Attorney Eric Perkins administered the oath of office to Commissioners Parise and Hyncik.

**Board Reorganization**

Commissioner Parise nominated the following slate of officers  
William Spohn, Chair  
Ricky Puleio, Jr. Vice Chair  
Wm. Hyncik, Treasurer  
M. Parise, Clerk

E. Lemon, Engineer

Commissioner Puleio seconded the nominations and the Board unanimously voted to approve them.

Chairman Spohn made the following appointments:

William Hyncik, CFO

Michael Parise, LOSAP administrator

Ricky Puleio, Emergency Services Representative

Eric Lemon, EEOC coordinator

Eric Lemon, Public Access Compliance Officer

Michael Parise, Public Records Officer

Michael Parise, Fire Company Liaison

Eric Lemon, Fire Prevention Bureau Liaison

### **Appointment of Professionals**

#### **Resolution 2024-9 Appointment of Fire District Attorney**

Eric M. Perkins, Esq. of Skillman, New Jersey is hereby appointed as BOFC attorney for a term beginning March 12th, 2024 and ending on March 11<sup>th</sup>, 2025 at an annual contract fee of \$17,000.00 plus expenses, and to prepare Board minutes at a contract fee not to exceed \$2,600.00. This contract is awarded as a professional service under the provisions of N.J.S.A. 40A: 11-5(1)(a) and is on file and available for public inspection at the fire district offices.

#### **Resolution 2024-10 Appointment of Fire District Purchasing Agent**

William Newberry, QPA, LLC of Wall Township, New Jersey, is appointed as Purchasing Officer for a term beginning March 12th, 2024 and ending on March 11<sup>th</sup> 2025 at an annual contract fee of \$6,100.00, plus \$45.00 per meeting should extra meetings be required, plus expenses. This contract is awarded as a professional service under the provisions of N.J.S.A. 40A:11-5(1)(a) and is on file and available for public inspection at the fire district offices.

#### **Resolution 2024-11 Appointment of Fire District Auditors**

Solitario & Tierney, CPA's of Spotswood, New Jersey are retained as BOFC Auditors for the fiscal and LOSAP years ended December 31, 2023, and for financial review services, at a cost not to exceed \$12,000.00. This contract is awarded as a professional service under the provisions of N.J.S.A. 40A:11-5(1)(a) and is on file and available for public inspection at the fire district offices.

### **Resolution 2024-12 Appointment of Fire District Bookkeeper**

Lynn Franchino of Neshanic Station, New Jersey, is appointed as BOFC Bookkeeper for a term beginning March 12th, 2024 and ending on March 11<sup>th</sup>, 2025 at an annual contract fee of \$7,925.00 plus expenses. This contract is on file and available for public inspection at the fire district offices.

### **RESOLUTION 2024-13 Appointment of Fire District Insurance Broker**

The fire district requires the services of knowledgeable insurance professionals to obtain insurance coverages necessary to support fire district operations and Nottingham Agency of Hamilton Square, New Jersey, a licensed broker, has demonstrated a professional relationship with specialized carriers necessary to provide the coverages required. Accordingly, Nottingham Agency is appointed broker of record for a term beginning March 13th, 2024 and ending March 11, 2025, to provide insurance services to the fire district relative to all insurance coverages required in the course of fire district business. Compensation under this contract will be based on commission for services. This contract is awarded as an Extraordinary Unspecified Service pursuant to N.J.S.A. 40A:11-5(1)(a), 40A:11-5(1)(m) and the New Jersey Pay to Play regulations and is on file and available for public inspection at the fire district offices.

Chairman Hyncik moved Resolutions 2024-9, 10, 11, 12 and 13, second by Commissioner Puleio. The Board adopted the listed resolutions by a unanimous vote.

**Approval of Minutes** – The minutes of the February 13th, 2024 meeting were presented.

*Motion to approve the minutes of the February 13th, 2024 board meeting was made by Commissioner Hyncik; 2<sup>nd</sup> by Commissioner Puleio. Motion passed without objection.*

**Public Comment** – None

### **Meeting Updates** –

Emergency Services – No meeting last month  
Fire Prevention – No meeting last month.  
Rescue Task Force- No report.

### **TREASURER'S REPORT**

**Monthly Bills/ Financial Statement Review** – A copy of the Treasurer's report, attached hereto and incorporated as part of these minutes, was made available to each Commissioner with a listing and description of bills to be paid.

*Administration: Elections: \$7,217.88; Office Expenses Bookkeeping: \$1,972.65; Office Expense Other: \$2,150.00; Professional Services: \$4,200.00.*

**TOTAL ADMINISTRATION: \$15,540.53.**

*Operations: General Operating: Medical \$1,201.00; General Operating: Other \$1,091.09; Insurance: \$43,077.62; Maintenance & Repairs: \$1,950.76; Rental Charges/Apparatus Housing: \$13,090.00; Supplies: \$53.30; Training and Education: \$5,383.00; Utilities: \$3,442.57.*

**TOTAL OPERATIONS: \$69,289.34**

**CAPITAL: \$1,500.00 (Training Facility)**

**TOTAL OPERATIONS, ADMINISTRATION AND CAPITAL: \$86,329.87**

*(Additional detail regarding accounts charged and vendors is contained in the Treasurers Report)*

### **RESOLUTION 2024-14 Payment of Bills**

*Upon certification that there are sufficient encumbered and unencumbered funds in the FY 2024 budget to pay the bills as presented and having designated the accounts to which each should be charged, authorization is granted to pay the bills as set forth in the Treasurer's report and FY 2024 Encumbered Check Detail in the total amount of \$86,329.87, allocated to the various administration and operating accounts.*

*Motion to approve accept the Treasurer's report and approve payment of the bills by Commissioner Hyncik, 2<sup>nd</sup> by Commissioner Lemon. Resolution Ayes: Spohn, Parise, Lemon, Hyncik and Puleio. Nays: None*

Commissioner Hyncik moved a resolution transferring \$50,000.00 from the investment account to the operating account. Chairman Spohn seconded the motion, and it was unanimously adopted.

### **PURCHASING OFFICER'S REPORT**

QPA Newberry noted that the Chief will present two requisition reports later in the meeting.

### **OLD BUSINESS**

**Training Facility:** Commissioner Puleio recommended that the BOFC retain the services of 3 D Architecture a firm located in Kendall Park for the purpose of developing bid specifications for the project. The firm quoted a fee of \$4,000 for the work with an initial payment of \$1,500. Chairman Spohn moved a resolution

approving a contract with 3D, authorizing Commissioner Puleio to sign the contract proposal on behalf of the Board and adding the initial payment of \$1,500 to the list of bills for approval tonight. Commissioner Puleio seconded the motion, and it was approved by a unanimous vote.

**Truck Committee:** Commissioner Lemon indicated that he is continuing to work with the Pierce representative to develop the truck specifications. He expects that they will be available at the April meeting. The anticipated price for the apparatus is \$1,307,555.50 and the delivery date is now between 4 and 5 years out. The proposed contract has a 10% inflation contingency which could increase the cost of the apparatus. Mr. Newberry indicated that he has advertised the contract award as required and noted that the Board must pass an authorizing resolution tonight in anticipation of a bid award next month. He stressed that he needs the pricing worksheet by next month so that he can continue the purchase process through H-GAC.

**RESOLUTION 2024-15 AUTHORIZING THE INTENT TO USE AN ALTERNATE PROCUREMENT METHOD PURSUANT TO N.J.S.A.52:34-6.2(B)(3)**

WHEREAS, the Board of Fire Commissioners of Fire District No. 1, Township of Montgomery, County of Somerset, State of New Jersey, is established and operating pursuant to N.J.S.A. 40A:14-70 et seq.; and

WHEREAS, in all matters of procurement, the Board is mandated to comply with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., with the exception of an alternate procurement method as set forth in N.J.S.A. 52-6.2(b)(3) which permits procurements by entering into nationally recognized cooperative agreements; and

WHEREAS, the Board has previously resolved to join a national cooperative, namely, H-GAC. operating under the enabling authority of Texas statutes, and the Board has entered into an agreement thereto without cost or obligation to the Board; and

WHEREAS, prior to using the alternate procurement method, the Board is required pursuant to N.J.S.A. 52-34-6.2(b)(3) to publish notice of its intent to use the alternate procurement method in the Board's official newspaper prior to the meeting at which the Board shall consider same and provide a time for public comment; and

WHEREAS, the Board finds that it is in the best interest of the District and community to utilize H-GAC for the procurement of a fire engine and other related firefighting equipment

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 1, Township of Montgomery, County of Somerset, State of New Jersey, that it authorize the publication of notice, in the appropriate form, informing the

public of its intent to use Sourcewell for the procurement of a pumper fire engine and other related firefighting equipment; and

BE IT FURTHER RESOLVED, that such notice shall be published in the Courier News, posted at fire district headquarters, and posted on the District internet site; and

BE IT FURTHER RESOLVED, that the instant Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent, herewith, is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase of this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not effect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to an in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1 et seq. and the "Destruction of Public Records Law(1953) N.J.S.A. 7;3-8.1 et seq. as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

Commissioner Spohn moved the above-entitled resolution which was seconded by Commissioner Lemon and adopted by a unanimous vote.

**ISO Evaluation:** No update.

**Generator Replacement:** Commissioner Parise reported that he had discussed the anticipated cost of the generator replacement project with Mr. Newberry and confirmed that it is likely to exceed the bidding requirements. He will look for a professional to draw the bid specifications. The existing unit is a Kohler 60 KW, 120 volt which runs on natural gas. A replacement may need to be upsized to accommodate the increased electrical needs of the fire station.

**2023 LOSAP** – Commissioner Parise noted that the proposed 2023 LOSAP allocations have been reposted on the firehouse bulletin board.

**PEOSHA Inspection** – Chairman Spohn noted that the Board has received confirmation that all abatement actions were acceptable, and the inspection is complete.

## **NEW BUSINESS**

**SALE OF 45-102** – Chairman Spohn initiated a discussion on when the existing 2003 apparatus, should be sold. He noted that the extended timetable for the production of the new apparatus considerably changed previous thinking as the Board does want to sell before the new apparatus arrives. Mr. Newberry noted that listing the apparatus for sale on the Government Deals website was an efficient method. After an extended discussion it was agreed that the sale would be considered at a future date when the arrival of the new apparatus could be predicted with more certainty.

## **CHIEF'S REPORT**

Chief Schroeck reported that there were 23 calls for service in the month of February. In addition to the normal business meeting and truck cleaning, the company completed the annual bloodborne pathogen and Right to Know refresher certification classes and had a drill.

The new grant funded radios have been ordered and delivery is expected in late summer. The township is continuing to discuss how the State radio grant monies will be utilized.

The Chief indicated that he is in the process of obtaining quotes for the graphics work on the new command vehicles. Each apparatus will also need to be outfitted with a Knoxbox.

The FDIC registrations have been completed. The invoice to reimburse the chief's account is included in tonight's bills.

Chief Schroeck noted that the State was collecting all containers of firefighting foam due to possible environmental issues as they may contain fluorine. He requested authority to replace the foam by the purchase of 10 five-gallon pails of Class A foam for \$1,690.00 and 10 five pails of Class B foam for \$3,320.00. Both purchases would be from Continental Fire.

Chief Schroeck also requested approval to purchase 5 high water throwbags for swiftwater rescue from Firefighter 1 in the amount of \$298.85.

Commissioner Lemon moved approval of the requested expenditures. Commissioner Hyncik seconded the motion, and the Board unanimously approved the action.

### **Engineers Report**

Tanker 45: Tanker 45 had some electrical issues. Fire and Safety Services repaired the apparatus, and it remains in service.

Rescue 45: The apparatus sustained some damage during a drill but remains in service. Chairman Spohn will contact the insurance company and Commissioner Lemon will obtain a repair estimate.

**ADJOURNMENT:** There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m. The next regularly scheduled meeting of the Board will be held on Tuesday, April 9th, 2024 at 7:30 p.m.