

**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 April 9, 2019

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. 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 office and on the fire district website, and provided to any person requesting same prior to the meeting.

Roll Call -- Upon Roll Call the following Commissioners were present: W. Spohn, T. Karsay, E. Lemon, M. Parise, W. Hyncik. Absent: None. Also present: Chief Huxley, L. Franchino, W. Newberry, Eric Perkins, and Attorney Griswold.

Approval of Minutes – The minutes from the March 12, 2019 meeting were presented for approval.

Motion to approve the minutes of the March 12, 2019 board meeting as presented.

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

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. Additions to the list of bills: Safety & Survival Training (\$330.00 Ice Rescue) – Training 2019; Wireless Communication (\$600.00 Knox box service) – General Ops. 2019.

Motion to accept the Treasurer's Report and to approve payment of the bills as presented and supplemented.

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

RESOLUTION 2019-25 – Payment of Bills

Upon certification that there are sufficient encumbered funds from the 2018 budget and encumbered and unencumbered funds in the 2019 budget to pay the bills as presented and supplemented, and having designated the accounts to which each should be charged, authorization to pay bills in the total amount of \$28,776.39 (\$571.14 from 2018 encumbered funds; \$28,205.25 from 2019 budget).

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

Cmsr. Lemon abstained only insofar as approval of his training and Nashville Expo costs.

Banking- Commissioner Hyncik will meet with banks to investigate interest rates for capital funds deposits. He will report his findings to the board during the month; action to move money or close/open new accounts will be addressed at the next meeting.

PUBLIC COMMENT- None.

MEETING UPDATES –

Emergency Services – No meeting.

Fire Prevention – No meeting.

COMMITTEES –

Aerial Truck – Kevin Schroeck was unable to attend to present the report and committee recommendations. The board may hold a special meeting for this purpose later this month at a time to be determined.

OLD BUSINESS

Qualified Purchasing Agent –

Commissioner Hyncik stated that he and Cmsr. Spohn had reached an agreement with William Newberry, a qualified and seasoned QPA with experience and familiarity with fire company operations and fire district purchasing. Cmsr. Hyncik emphasized that having a QPA on board will provide a great benefit to the board by appreciably reducing the time the chief and bookkeeper now devote to the purchasing process and allowing them to focus on the priorities of their positions, as well as standardizing and centralizing the solicitation and receipt of purchasing information and required documentation.

Motion to establish the position of Qualified Purchasing Agent for the fire district.

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

RESOLUTION 2019-26 – Designating the Position of Qualified Purchasing Agent. (Resolution attached).

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

Motion to appoint Qualified Purchasing Agent for the fire district.

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

RESOLUTION 2019-27 – Appointing Qualified Purchasing Agent. (Resolution attached).

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

Motion to authorize the Chairman to enter into and execute a contract with William Newberry as QPA for the fire district.

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

RESOLUTION 2019-28 – Approving Contract with Qualified Purchasing Agent

Upon certification of sufficient unencumbered funds in the 2019 budget to enter into this contract, authorization for the Chairman to enter into and execute a contract with William Newberry, LLC, of Wall Township, NJ, to provide Qualified Purchasing Agent services to the board commencing April 9, 2019 through February 28, 2020, at a monthly fee of \$500.00, plus \$45.00 per hour should extra board meetings beyond the regular monthly meeting require his attendance. This contract is awarded as a professional service contract under the provisions of NJSA 40A:11-5(1)(a) and is on file and available for public inspection at the fire district offices.

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

Attorney Search – Commissioners Spohn and Hyncik spoke with a number of candidates. They recommend Eric Perkins, an experienced fire district attorney familiar with the Montgomery Township fire and emergency services, to fill Attorney Griswold's position upon her retirement.

Board Attorney

Motion to hire Eric Perkins, Esq. as Board Attorney, commencing July 1, 2019, upon the same terms and conditions as Attorney Griswold's contract with the board.

Motion by Hyncik. 2nd by Karsay. Passed without objection.

RESOLUTION 2019-29 – Appointing Board Attorney.

Eric M. Perkins, Esq., of Skillman, New Jersey, is retained as Board Attorney from July 1, 2019 through the remainder of 2019 at an annual contract fee of \$13,600.00, plus expenses, and to prepare board meeting minutes at an annual contract fee of \$2,600.00, all annual fees to be paid pro-rata from the commencement date of July 1, 2019. Commissioner Spohn is authorized to execute a contract with Mr. Perkins, which is awarded as a professional service contract under the provisions of NJSA 40A:11-5(1)(a) and N.J. Pay to Play regulations. The contract will be on file and available for public inspection at the fire district offices. Cmsr. Spohn is authorized to execute the contract.

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

Gear Washer/Dryer – No update.

Election Costs – Bridgewater Twp. Fire District #4 has arranged a meeting of representatives from Somerset County fire districts to discuss the recent election costs. Cmsr. Spohn will attend.

NEW BUSINESS -

Local Government Official Financial Disclosure Forms – Must be completed and filed on line by April 30th.

Routine Inspection/Testing; Emergency Repairs/Service –

Motion to approve a policy for obtaining periodic routine inspections and testing and emergency service and repairs.
Motion by Hyncik. 2nd by Spohn. Passed without objection.

RESOLUTION 2019-30 –Authorizing Routine Inspection/Testing; Emergency Repairs/Service.

The chief or his designee is authorized to obtain standard periodic inspections and testing of apparatus and equipment (including but not limited to pumps, hose, extrication tools, ladders, CO monitors) for 2019 without further approval of the board if the cost of inspection or testing (per category) is not expected to exceed \$2,500.00, and to obtain emergency and/or unanticipated service or repairs necessary to protect the apparatus and equipment and to keep same in service and operating safely without prior approval of the board if the cost of service or repair (per incident) is not expected to exceed \$2,500.00 and on the condition that the Chairman (or if unavailable, at least one commissioner) be notified of the service or repair at the chief or his designee's earliest possible opportunity. Routine inspections or testing and Emergency repair or service expected to exceed \$2,500.00 will require prior approval of at least three members of the board. In all cases, Purchase Orders should be obtained from the Purchasing Agent when possible.

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

Critical Materials and Supplies -

Motion to approve a policy for obtaining critical materials and supplies.

Motion by Hyncik. 2nd by Spohn. Passed without objection.

RESOLUTION 2019-31 –Authorizing Purchase of Critical Materials and Supplies

The Chief or his designee is authorized to purchase materials and supplies critical to maintaining emergency service operations without prior approval of the board if the cost of the materials and supplies does not exceed \$1,000.00 and on the condition that at least one commissioner is notified of the need and the proposed purchase prior thereto, or if prior notification is impossible as soon as practicable after the purchase. A purchase of essential materials in excess of \$1,000.00 will require prior approval of at least three members of the board. Purchase Orders should be obtained from the Purchasing Agent when possible.

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise. Nays: None. Absent: None.

CHIEF'S REPORT –

The fire company responded to 11 calls during March including 1 outside equipment fire; 1 vehicle fire, and 1 unauthorized burning. Tanker 45 was at an extended stand-by in Bloomfield for a water main break.

Drills/Work Sessions – SCBA drill; hydrant drill; truck & equipment checks.

Chief's Vehicle – After examination by Wireless Communications it was discovered that the Knox box is unprogrammable, perhaps a bad USB port. It will be sent back to Knox for what should be a warranty repair.

A Motion was made to approve purchases and reimbursements presented to the board.

Motion by Parise. 2nd by Spohn. Motion passed without objection.

RESOLUTION 2019-32 – Approval of Purchases and Reimbursements

Upon certification that there are sufficient unencumbered funds available in the 2019 budget, authorization of the following expenditures:

1. MTVFC#1 Chief's Account - \$37.59 (receipt submitted) for truck committee lunch - 2019 General Ops. (add to bills being paid).
2. Penguin Management, Inc. - \$774.00 for 6 mo. eDispatches.com renewal – 2019 General Ops. (add to bills being paid).
3. Amazon - \$53.76 (lowest quote) for two (2) Igloo Ice Cube Coolers – 2019 General Ops.
4. Home Depot - \$123.54 (lowest quote) for six (6) 10-gal. storage containers – 2019 General Ops.
5. Kevin Kolodziej - \$83.00 (receipt submitted) for glasses broken during call – 2019 General Ops. (add to bills being paid).
6. Change vendor for Apple iPad and keyboard folio case approved at the last meeting from Amazon to Best Buy due to price change - total cost \$319.85 – 2019 Training.

Resolution Ayes: Spohn, Karsay, Hyncik, Lemon, Parise.

Nays: None.

Absent: None.

ENGINEER'S REPORT –

- **Engine 45-2** – Observed during the month; seems to be functioning normally.
- **45-SS** – Onboard charger parts ordered (custom-made). Vehicle in service until parts are ready.
- **45-3** – Modification to hose bed straps made in-house to expedite hose deployment.

Preventive Maintenance – Will be scheduled as soon as possible.

ADJOURNMENT: There being no further business to come before the Board, the meeting was adjourned at 8:40 pm. The next regularly scheduled meeting of the board will be held on Tuesday, May 14, 2019 at 7:30 pm.

Motion made by Hyncik.

2nd by Karsay.

Motion passed without objection.

**BOARD OF FIRE COMMISSIONERS
MONTGOMERY TOWNSHIP FIRE DISTRICT #1**

RESOLUTION 2019 -26

DESIGNATING THE POSITION OF PURCHASING AGENT

WHEREAS, P.L. 2009, c. 166, codified as N.J.S.A. 40A:11-2 et seq., supplementing and amending Chapter 11 of Title 40A of the New Jersey Statutes allows local contracting units in New Jersey to create the position of Purchasing Agent; and

WHEREAS, the Board of Fire Commissioners of Montgomery Township Fire District #1 desires to create the position of Purchasing Agent;

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners that the position of Purchasing Agent is hereby created for the Montgomery Township Fire District #1 ; and

BE IT FURTHER RESOLVED as follows:

- 1) The Purchasing Agent shall be appointed by the Board of Fire Commissioners; and
- 2) The Purchasing Agent shall possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs; and
- 3) The Purchasing Agent shall have the authority, responsibility and accountability for the purchasing activity of Montgomery Township Fire District #1 , to prepare public advertising for bids and to receive bids and requests for proposals for the provision or performance of goods or services on behalf of Montgomery Township Fire District #1 and, subject to prior approval and authorization of the Board of Fire Commissioners to award contracts in the name of the Montgomery Township Fire District #1 as permitted through New Jersey statutes and in accordance with the regulations, forms and procedures promulgated by state regulatory agencies and/or by the Board of Fire Commissioners of Montgomery Township Fire District #1, and to conduct any activities as may be necessary or appropriate to the purchasing function of the Montgomery Township Fire District #1 ; and
- 4) Pursuant to N.J.S.A. 40A:11-3, Local Finance Notice 2015-20 and N.J.A.C. 5:34-5.2, the bid threshold for Montgomery Township Fire District #1 shall be \$40,000.00, along with a quote threshold of \$6,000.00, which thresholds shall automatically include future increases as may be provided by law provided, however, that the Board of Fire Commissioners of Montgomery Township Fire District #1 reserves the right to lower the threshold amount on a case-by-case basis for any individual or category of contract.

<u>ROLL CALL VOTE:</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Spohn	X			
Commissioner Karsay	X			
Commissioner Hyncik	X			
Commissioner Parise	X			
Commissioner Lemon	X			

Certified to be a true copy of a Resolution duly adopted by the board on April 9, 2019.

s/ Michael Parise
Michael Parise, Clerk of the Board

BOARD OF FIRE COMMISSIONERS
MONTGOMERY TOWNSHIP FIRE DISTRICT NO. 1

RESOLUTION 2019 - 27

Resolution Appointing a Qualified Purchasing Agent for the Fire District

WHEREAS, pursuant to NJSA 40A:11-9, by Resolution duly adopted on April 9, 2019, the Board of Fire Commissioners created the position of Purchasing Agent for the fire district; and

WHEREAS, NJAC 5:34-5.1 et seq., establishes the criteria for qualifying as a Qualified Purchasing Agent under New Jersey Law; and

WHEREAS, William Newberry possesses the designation and is certified as a Qualified Purchasing Agent by the Director of the Division of Local Government Services in accordance with NJAC 5:34-1 et seq.; and

WHEREAS, William Newberry has extensive experience in the field of local government purchasing, is familiar with fire department and fire district operations, and has a working knowledge of the nature and scope of goods and services needed for the operation of both entities.

IT IS RESOLVED, that the Board of Fire Commissioners of Montgomery Township Fire District #1 hereby appoints William Newberry (QPA Certification # Q-1580), as the fire district’s Qualified Purchasing Agent authorized to exercise the duties of a Purchasing Agent pursuant to Resolution 2019- 26 of the Board and NJSA 40A:1-2(30) and NJSA 40A:11-9 et.seq., with specific relevance to the authority, responsibility and accountability for the purchasing activity of the fire district; and

IT IS FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Director of the Division of NJ Local Government Services after its adoption.

<u>ROLL CALL VOTE:</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Spohn	X			
Commissioner Karsay	X			
Commissioner Hyncik	X			
Commissioner Parise	X			
Commissioner Lemon	X			

CERTIFICATION

I, Michael Parise, Clerk of the Board of Fire Commissioners of Fire District No. 1, Township of Montgomery, County of Somerset, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared copy of an original Resolution now on file and of record in the Board office which was duly adopted at a public meeting held on the 9th day of April, 2019.

I do further certify that the said Board of Fire Commissioners of Fire District No. 1, Township of Montgomery, County of Somerset, State of New Jersey, is composed of - 5 - members, and that - 5- members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 1, Township of Montgomery, County of Somerset, State of New Jersey, on this 9th day of April, 2019.

s/ Michael Parise
Michael Parise, CLERK
Board of Fire Commissioners
Fire District No. 1
Township of Montgomery