

**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 May 14, 2019**

**Call To Order** -- The regularly scheduled meeting of the Board of Fire Commissioners was called to order at 7:35 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. Absent: W. Hyncik. Also present: Chief Huxley, L. Franchino, W. Newberry, E. Perkins, and Attorney Griswold.

**Approval of Minutes** – The minutes from the April 9, 2019 meeting were presented for approval.

*Motion to approve the minutes of the April 9, 2019 board meeting as presented.*

*Motion made by Karsay.                      2<sup>nd</sup> 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. Changes to the list of bills: Remove reimbursement to MTVFC #45 Chief's account for the Amazon/ID card printer (\$930.71) and adjust for its over-reimbursement (\$53.89), both of which reimbursements were made at the April meeting; add reimbursement to MTVFC #45 Chief's account (SCBA batteries \$71.92) – General Ops 2019; reassign payment to Harlingen Garage (towing donated car \$85.00) from 2019 General Ops to 2019 Training appropriation.

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

*Motion made by Spohn.                      2<sup>nd</sup> by Karsay.                      Motion passed without objection.*

**RESOLUTION 2019-33 – Payment of Bills**

*Upon certification that there are sufficient encumbered and unencumbered funds in the 2019 budget to pay the bills as presented, amended and supplemented, and having designated the accounts to which each should be charged, authorization to pay bills in the total amount of \$20,064.65.*

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

*Motion made to transfer the \$400,000.00 "Reserve for Future Capital Expenses" in the 2019 budget to the committed capital fund, and to encumber \$53,000.00 for the 2019 LOSAP contribution.*

*Motion by Parise.                      2<sup>nd</sup> by Karsay.                      Motion passed without objection.*

**Banking-** Commissioner Hyncik will report at the next meeting.

**PUBLIC COMMENT-** None.

## MEETING UPDATES –

**Emergency Services** – No meeting.

**Fire Prevention** – No meeting.

## COMMITTEES –

**Aerial Truck** – Kevin Schroeck presented a summary of the committee’s research, findings and recommendations for replacing the district’s 1999 E-One aerial. The committee investigated a number of alternatives for securing a vehicle suitable for fire company needs, with cost being a key element, and recommends the proposal from Fire & Safety Services (Pierce Mfg. representative) for the manufacture and purchase of a 100’ platform aerial apparatus through the Houston-Galveston Area Council (H-GAC) national purchasing cooperative. The apparatus was priced through H-GAC and NJ State Purchasing Contract, as well as directly by the apparatus manufacturer. The price through H-GAC is the most economical and the net price is below the amount approved and budgeted for the vehicle. The committee also researched the market value of the old aerial through public auction websites and trade publications and determined that Fire & Safety’s offered trade-in of \$50,000.00 is at the high end of sales of similar apparatus. The H-GAC purchasing process is streamlined and efficient, the time factor and cost of creating and disseminating specifications is removed, the terms of the purchase agreement have already been negotiated by H-GAC and its sales organization handles all paperwork, including change orders, if any, making the process far less burdensome and costly than alternative methods of purchase.

The board thanked Mr. Schroeck and the truck committee members all the time and effort they put into bringing this undertaking to fruition.

*Motion made to award a contract for the purchase of the new, and trade of the old aerial apparatus through H-GAC to Fire & Safety Services, Ltd. (Pierce Mfg.) according to the bid proposal and additions/amendments.*

*Motion by Karsay. 2<sup>nd</sup> by Parise. Passed without objection.*

### **RESOLUTION 2019-34 – Award of Contract for Purchase of Aerial Apparatus from Fire & Safety Services, Ltd.**

**WHEREAS**, the Montgomery Township Fire District No. 1 is authorized pursuant to NJSA 52:34-6.2(b)(3) to use a nationally recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within any state when available; and

**WHEREAS**, the Houston-Galveston Area Council (“H-GAC”) is a nationally recognized and accepted cooperative purchasing contracting unit within the State of Texas that utilizes a competitive bid or competitive proposal process in awarding contracts for fire apparatus, among other goods and services, and is authorized by Texas law to extend its contracts to local government units nationwide; and

**WHEREAS**, by Resolution dated July 9, 2013 the Board of Fire Commissioners of Fire District No. 1 (“Board”) approved the fire district’s participation in the H-GAC cooperative purchasing program and thereafter entered into an Interlocal Contract for Cooperative Purchasing with H-GAC for this purpose; and

**WHEREAS**, through the H-GAC cooperative purchasing contract FS-12-17 the Board received information and pricing on an aerial fire apparatus manufactured by Pierce Manufacturing, Inc., of Appleton, WI; and

**WHEREAS**, the Board also sought pricing for the same apparatus manufactured by the same vendor pursuant to State Contract awarded by the New Jersey Division of Purchase and Property and from the manufacturer directly; and

**WHEREAS**, the price of the apparatus through H-GAC is \$19,429 less than that available through NJ State contract, and roughly \$30,000 less than that proposed by the vendor if independently put to bid by the Board; and

**WHEREAS**, there are significant time and cost savings to be realized by not having to pursue independent procurement through the preparation and dissemination of specifications, proposal review and comparison, and contracting process, as well as through HGAC’s administrative services and streamlined payment process; and

**WHEREAS**, the H-GAC bidder’s proposal includes a trade-in offer for the used 1999 aerial apparatus now owned by the Board, which the NJ State Contract did not allow, and which, upon arrival of the new apparatus will no longer be needed for public use in the fire district; and

*WHEREAS, the Board has determined through research into the fair market value of the used apparatus that the trade-in offer is reasonable; and*

*WHEREAS, there are significant time and cost savings to be realized by not having to go through the process of selling the used apparatus through sealed bid or public auction (with commissions payable); and*

*WHEREAS, NJSA 40A:11-37(7) permits including the sale of personal property no longer needed for public use as part of the specifications to offset the price of a new purchase; and*

*WHEREAS, a Notice of Intent to Award a Contract under a National Cooperative Purchasing Agreement for the manufacture and purchase of an aerial fire apparatus was published on April 29, 2019 in the official newspaper of the fire district and there was no public comment in response thereto.*

*WHEREAS, the Chief Financial Officer of the Fire District has certified that there are funds encumbered in the 2019 Aerial Apparatus capital appropriation designated for this purchase and sufficient to enter into this contract through H-GAC.*

**IT IS RESOLVED, that:**

*Subject to document review and comment of counsel, and the vendor accepting amendments to the agreement:*

*1. Pursuant to NJSA 52:34-6.2(b)(3), the Board hereby authorizes an award of contract for the manufacture and purchase of a Pierce 100' Aerial Platform fire apparatus to Fire & Safety Services, Ltd., authorized representative of Pierce Manufacturing, Inc., in the amount of \$1,392,996.98; and*

*2. Pursuant to NJSA 40A:11-37(7), the Board hereby authorizes the trade-in of its 1999 E-One aerial apparatus no longer needed for public use in the amount of \$50,000.00 to offset the price of the new apparatus; and*

*3. The Board may make a payment of \$671,498.49 to the vendor, which if made will result in a \$30,014.09 reduction in the final purchase price of the apparatus; and*

*4. The Chairman is authorized to execute and the Clerk or appropriate commissioner to attest to all documents necessary or desirable to finalize the agreement with the vendor, which agreement shall be available upon request for public examination at the office of the fire commissioners.*

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

## **OLD BUSINESS**

**Election Costs** – Richard Brasloe, Esq. met with representatives from Somerset County fire districts to discuss the recent election costs. He is working with State officials to clarify how certain provisions of NJSA Titles 19 and 40A should interact for the fire district elections so there is state-wide consistency in election procedures; an important concern is standardizing procedures for paying the County Clerks' and Election Board's personnel for their involvement in the process. He also discussed some implications of moving a fire district's election to the November general election. He noted that Trenton lawmakers designated the February election date for fire districts and that a new law enacted last year allows districts who want to move their elections to November to do so.

**Gear Washer/Dryer** – No update.

## **NEW BUSINESS**

**Boat Trailer Donation** – The Somerset County OEM is in need of a boat trailer. The fire district recently had a trailer donated to it by Franklin Township Fire District 2 and as a result, the old trailer is surplus property no longer needed for public use and its market value is debatable.

*Motion to authorize the transfer (donation) of the old boat trailer to Somerset County OEM.*

*Motion by Karsay. 2<sup>nd</sup> by Lemon. Motion passed without objection.*

**RESOLUTION 2019- 35 - Authorizing Transfer of Boat Trailer (attached).**

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

## CHIEF'S REPORT

The fire company responded to 19 calls during April including 2 cooking fires, 2 mulch fires, 1 motor vehicle accident and extrication, and 1 medical assist call.

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

**Events** – Dan Pullen and Pete Schmidke were given special recognition by the Township Committee for their 50+ years of service to the fire company. The deputy and assistant chiefs attended the Somerset County Chief's Alliance meeting.

**Fire Extinguisher Inspection** – Being scheduled.

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

*Motion by Spohn.*

*2<sup>nd</sup> by Karsay.*

*Motion passed without objection.*

### **RESOLUTION 2019-36 – Approval of Purchases and Reimbursements**

*Upon certification that there are sufficient unencumbered funds available in the 2019 budget, authorization of the following expenditures (issue P.O's):*

- 1. MTVFC#1 Chief's Account - \$460.09 (receipts submitted) = Gas leak call and firefighter recognition food (\$314.01 '19 General Ops.) and Lowes for roof prop (\$74.16 '19 Training), which are included in the Treasurer's Report, and adding reimbursement for batteries for SCBA (\$71.92 '19 General Ops.), to be included with the bills being paid at this meeting.*
- 2. NJ Fire Equipment Co. - Not to exceed \$1,680.00 (lowest quote) for DOT hydrotesting of Scott SCBA bottles (60 bottles at \$28 ea.)- '19 SCBA .*
- 3. NJ Fire Equipment Co. – Not to exceed \$1,330.00 (N.J. State Purchasing Contract # to be provided) for SCBA harness inspection (35 harnesses), and if not available on NJ State Contract to lowest quoting vendor – '19 General Ops.*

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

*Nays: None.*

*Absent: Hyncik.*

## ENGINEER'S REPORT

**Preventive Maintenance** – Completed on Tower 45, Tanker 45, Rescue 45. Engine 45-3 out of service for PM at this time. Brush, Utility and Car 1 are next in rotation. Car 2 PM completed earlier this year.

**Equipment Testing** – Pumps (June), hose/ground ladder/appliance (July).

**Extrication Tools** – Repair to hose line on hydraulic ram and annual maintenance being scheduled.

## QPA

Bill Newberry met with the chiefs and the engineer to discuss the QPA role and how he will interact with fire company insofar as procurement. He will meet with the bookkeeper to begin the process of updating the purchase order and tracking systems.

**ADJOURNMENT:** There being no further business to come before the Board, the meeting was adjourned at 9:15 pm. The next regularly scheduled meeting of the board will be held on Tuesday, June 11, 2019 at 7:30 pm.

*Motion made by Spohn.*

*2<sup>nd</sup> by Karsay.*

*Motion passed without objection.*

**BOARD OF FIRE COMMISSIONERS  
MONTGOMERY TOWNSHIP FIRE DISTRICT #1  
RESOLUTION 2019- 35**

TRANSFER OF D&D BOAT TRAILER

WHEREAS, the Board of Fire Commissioners (“Board”) owns a 1997 D&D boat trailer which is surplus property no longer being used for a public purpose in the fire district; and

WHEREAS, the County of Somerset, New Jersey, through its Office of Emergency Management (“OEM”), is able to use the trailer to further its mission of providing public safety and is a public entity and contracting unit to which the Board may sell or donate such equipment under the provisions of the NJ Local Public Contracts Law (NJSA 40A:11-1 et seq.).

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners, Montgomery Township Fire District #1 that the Board may sell or donate, transfer and deliver unto **Somerset County OEM**, the following surplus property no longer needed for public use by the Board:

1997 D&D boat trailer, model UE131-08B, VIN# 1D9213106V0028170

In “as is, where-is” condition and with no warranties or representations as to its quality, state of repair, serviceability or fitness for any particular use or purpose, or its compliance with OSHA or other vehicle or safety regulations or standards, and on the condition that the transferee shall release, hold harmless and indemnify the Board, its officials and employees, from any and all claims or actions at law arising from the use or ownership of the Trailer, whether arising from personal injury, property damage or other liability.

AND IT IS FURTHER RESOLVED that the Chairman and Secretary may execute and deliver all documents necessary or desirable to effectuate the transfer.

Date: May 14, 2019

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

Certified to be a true copy of a Resolution duly adopted by the board on May 14, 2019.

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Michael Parise, Clerk of the Board