

**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 April 9, 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. Absent: Chief Kevin Schroeck.

**Approval of Minutes** – The minutes of the March 12th, 2024 meeting were presented.

*Motion to approve the minutes of the March 12th, 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: Advertising: \$205.90; Elections: \$1,003.29.*

**TOTAL ADMINISTRATION: \$1,209.19.**

*Operations: General Operating: Other \$209.56; Rental Charges/Apparatus Housing: \$13,090.00; Supplies: \$1,042.05; Training and Education: \$641.02; Utilities: \$4,803.74.*

*TOTAL OPERATIONS: \$19,786.37*

*TOTAL OPERATIONS and ADMINISTRATION: \$20,995.56*

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

### **RESOLUTION 2024-15 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 \$20,995.56, 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 \$100,000.00 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's requisitions will presented during the Chief's report later in the meeting. Mr. Newberry noted that he is following up on the Holmatro tool purchase. He will be developing a new process to track approved purchases.

### **OLD BUSINESS**

**Training Facility:** Commissioner Puleio reported that he has met with the architects who are working on preliminary drawings which should be available by the May meeting. Assuming that the drawings are satisfactory, bid specifications will be prepared and the project may be before the Board for bid award at the June meeting.

**Truck Committee:** Commissioner Lemon reported that he has received a final price from Fire & Safety Services, Ltd. for the purchase of the new Pierce Velocity Pumper in the amount of \$1,307,555.58. The delivery date for the apparatus is uncertain and could be several years out. The proposed contract has a 10% Persistent Inflationary Environment (PEI) contingency which could increase the

cost of the apparatus. Mr. Newberry indicated that he has received the necessary supporting pricing worksheet and advertised the contract award for tonight's meeting as required by statute.

During the ensuing Board discussion, it was noted that the monies for the contract would continue to earn substantial interest until the truck is delivered. It was also noted that the Board will receive some unknown amount of revenue when the existing apparatus is sold. Given the uncertain delivery date it will not be possible to sell the existing apparatus at the present time.

**RESOLUTION 2024-16 AWARDING CONTRACT TO FIRE & SAFETY SERVICES, LTD., THROUGH THE USE OF THE HGAC PROCUREMENT PROCESS 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 charged with the responsibility of fire suppression, protection and prevention within the Township of Montgomery; and

WHEREAS, in order to fulfill its mandated responsibility as set forth above, the Board finds and determines a need to purchase firefighting apparatus. Specifically, a Pierce Velocity; and

WHEREAS, the Board is authorized to use what is commonly known as an alternate method of procurement (National Cooperative) pursuant to N.J.S.A. 52:34-6.2(b)(3); and

WHEREAS, the Houston-Galveston Area Council (HGAC) is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code, and

WHEREAS, the Board by Resolution , authorized participation in said HGAC, a recognized National Cooperative, and entered into a contract to effectuate same, and

WHEREAS, the Board published a Notice of Intent to utilize the HGAC process for fire apparatus on March 31, 2024, and provided a time period for public comment on same; and provided a time period for public comment on same; and

WHEREAS, thereafter, the Board received information and pricing on a Pierce Velocity Pumper; and

WHEREAS, the Board conducted a cost analysis and establish that entering into the alternate procurement method through HCAC would be the most effective contractual solution to the purchase of the needed fire apparatus; and

WHEREAS, the Board has received from Fire & Safety Services, Ltd, all supplemental documentation which complies with the laws of the State of New Jersey for entities awarded a contract by a public entity;

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 pursuant to said statute made, it enter into a contract to purchase a Pierce Velocity Pumper from Fire and Safety Services Ltd. 200 Ryan Street, South Plainfield, New Jersey 07080, through HGAC in the amount of One Million Three Hundred Seven Thousand Five Hundred Fifty-Five dollars and fifty-eight cents (\$1,307,555.58); and

BE IT FURTHER RESOLVED, that the sum of One Million Four Hundred Sixty Thousand dollars and zero cents (\$1,460,000.00) appears in the 2024 budget under the caption of Fire Apparatus/Engine and is hereby appropriated under the said caption of the Capital Improvements section of the Board 2024 budget; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified as of the date of the within Resolution and shall be chargeable to the above said line item as incurred to the maximum amount of same unless otherwise increased as permitted by law and a separate certification of availability of funds is made by the Board Treasurer; and

BE IT FURTHER RESOLVED, the Board Chairman be authorized to enter into a contract on behalf of the Board and the Clerk attest thereto; and

BE IT FURTHER RESOLVED, that the contract entered into be available for inspection in the District office during normal business hours, and

BE IT FURTHER RESOLVED, that the within 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 Lemon moved the above-entitled resolution which was seconded by Chairman Spohn and adopted by a unanimous vote.

**ISO Evaluation:** No update.

**Generator Replacement:** Commissioner Parise reported that the fire company will be appointing representatives to the working group developing the replacement specifications.

**2023 LOSAP** – Commissioner Parise noted that the proposed 2023 LOSAP allocations have been reposted on the firehouse bulletin board and that he has received no requests for correction. He moved a resolution approving the payment of \$53,820.00 of LOSAP funds for the 2023 year to Corebridge Financial so that they can be applied to the 16 individual member accounts. Commissioner Puleio seconded the motion, and it was unanimously approved.

## **NEW BUSINESS**

**WORKERS COMPENSATION** It was noted that a claim was filed under the policy for what appears to have been a minor injury. The matter was resolved and the claim has been closed. Member statistics for the past year have been provided to the carrier for the annual premium audit.

**WORKPLACE HARRASSMENT PREVENTION TRAINING** - Chairman Spohn moved a resolution in the amount of \$1,305.00 to Trialiant to provide a harassment prevention training class. The resolution was seconded by Commissioner Lemon and approved by a unanimous vote.

**EXCESS AND OUTDATED EQUIPMENT**- The Jersey City fire department is collecting donations of excess and outdated equipment to be provided to rural departments unable to afford necessary equipment. It was agreed that a list of items will be prepared and approved for donation at next month's meeting. It was noted that the donation should include a signed hold harmless agreement and a certification that the equipment will not be resold.

**FINANCIAL DISCLOSURE FILINGS** – Chairman Spohn noted that the filings are due by April 30<sup>th</sup>. Mr. Perkins noted that the Township Clerk will be sending copies of the forms to all members of the Board during the upcoming week.

## **CHIEF'S REPORT**

In the absence of Chief Schroeck, Chairman Spohn read his report. There were 27 calls for service in the month of March. In addition to the normal business meeting and truck cleaning, the company completed a rail safety/extrication drill and had a driver training refresher class.

No new information is available on the delivery date for the new grant funded radios. The township is continuing to discuss how the State radio grant monies will be utilized.

The Chief is waiting on a quote for the graphics work on the new command vehicles from Pinnella. He will obtain an additional quote from Cranbury Custom Lettering. Each apparatus will also need to be outfitted with a Knoxbox.

Seven members will be attending the FDIC convention.

The Chief requested approval to purchase one hose bag, one SCBA mask and turnout coat from N.J. Fire Equipment. He also requested approval to purchase 5 wye fittings from Continental Fire at a cost of \$3,121.80.

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

## **Engineers Report**

Rescue 45: The insurance appraiser has estimated the cost of the repair of the damage to the apparatus to be in the amount of \$9,828.00.

**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, May 14th, 2024 at 7:30 p.m.