

The Board of Fire Commissioners, Gloucester Township Fire District # 4 held a Regular Meeting on Wednesday February 17, 2016 in the meeting room of Blackwood Fire Company. This meeting has been properly advertised according to the State of New Jersey Sunshine Laws.

ROLL CALL

Commissioner Coucoules (here) Commissioner Stout (here)
Commissioner McCann (here) Commissioner Simone (here)
Commissioner Vannoni (here)

Attendees: Solicitor D. Carlamere, Captain J. Cipriano, Local 3249 Shop Steward F. Reiss, Local 3249 President K. Kemery, FF W. Spain

Motion by Commissioner McCann, second by Commissioner Coucoules to approve the regular meeting minutes of January 20, 2016. All in favor, motion carries.

Motion by Commissioner Simone, second by Commissioner Coucoules to approve the Workshop Meeting minutes of February 3, 2016. All in favor, motion carries.

COMMISSIONER REPORTS

Commissioner Stout reported that we received the ratables for 2016 from the Township. The Board has been supplied with a copy. He said Fire District # 4 was the second lowest in losses, with District # 4 losing \$2,744,000. The Township lost \$35,564,600.00 in ratables.

Commissioner Coucoules stated that 841 Telma is 100% repaired. FF Prendergast and Buds Truck Repair had narrowed down the problem, which was a computer and a module and a harness, and 841 is 100% repaired. 842 has a Telma issue, and has a harness ordered by Buds from Alicen Transmission and when that comes in, he will come down to Blackwood Clementon Road Station and repair that. He is 99.9% sure that the harness is the issue, which was one of the issues with 841. When 842 is 100 % repaired, we will send the ladder out to have the light tower repaired and when that comes back we will send the rescue out to have the bearings in the generator repaired. When you put it in PTO with the generator, it makes a horrible noise. He received an email from FF Reiss, stating he went to take the pickup truck down here, and he noticed it had been hit, more than likely a hit and run. He said more than likely everyone trying to pass thru the parking lot at Station # 2. He is stressing that they need cameras down there, especially outside, for that specific reason. He said he had 3 estimates, and he knows they are all under \$2500.00 but he wanted the Board to see them. One was \$2171.00, one was for

\$1618.00, and the winning estimate was for \$600.00. Fantastic Finishes bid it for \$600.00, which would be to remove the stripping on the truck, repair and paint the door and the side, and then we would have to send it out to have it re-stripped. He believes that will cost around \$200.00.

Commissioner Vannoni said we did hold off notifying the insurance company because the damage was minor.

Commissioner Coucoules said he has not received a police report yet, he said he advised Frank to notify the police and have a report made, which he did do. He said he will get the police report, so we will have it in our files. Again, the camera system needs to go in at Blackwood Clementon Road Station especially on the outside of the building. He said the poles also must be installed, parking blocks, anything to stop the public from cutting through the sides of the building. He said FF Prendergast has been ordering things as we need them. The ladder truck now has a full complement of seam lights; he has ordered spare hand lights and chain saw blades, and chains and various other things that were written up on equipment reports.

Commissioner Simone said he has a price for a suppression system at Station # 2 for \$2700.00 and he said as soon as the budget passes the Board can talk about it to see what we will do first. He said he had the fence guy out there and he is waiting on an estimate from him. He said the water main guy is supposed to come out next Thursday. He said he will measure it up and give him a price on the water main, a 4 " main for the sprinkler system. He said he would like to make a motion to buy 6 posts, but he does not know how much they are. He said they are not that expensive, he is guessing at \$50.00 to \$60.00 apiece. That is not counting the covers, and he thinks there are 3 out there already. He would like to but the steel post and get them installed, and then we will have to but 3 additional covers. He said as soon as the budget passes he would like to order the doors for Station # 2.

Commissioner Coucoules said he thought the doors had been measured, but Commissioner Simone said no that have not been measured yet. He also reminded Commissioner Simone about the camera system.

Commissioner Simone said he was not sure how the camera system worked, do we install it or do we have someone install it.

Commissioner Vannoni said we can do either.

Commissioner Simone said David knows about the camera system, so apparently it is not expensive if we install it.

Commissioner McCann said the Board of Fire Commissioners received a letter from Henry Bean concerning the Provident Accident and Insurance renewal for the year 2016. He stated we are currently enrolled in plan # 1, but they also sent the Board descriptions of plan # 2 as well as plan # 3. He said after going over the plans, he would suggest that they stay with plan # 1. He said he would make a copy of all 3 plans, and place them in the Boards mailboxes so they too can look them over. He stated that even if we go with plan # 1, if the Board decides, they could change to one of the other plans, and that could be discussed at the workshop.

Commissioner McCann said Liberty Mutual had sent a gentleman out to do an audit on our Workmen's Comp situations. We received his recommendation paper back, and he said he will give an overview: # 1 - recommendation was that we should consider functional capacity exams before allowing firefighters with certain injuries to return to work, and they recommended that because the department does not have light duty, it is either all or nothing. # 2 claims can be accessed by Risk Track and the Clerk is aware of that. # 3 the firehouse was under renovations at the time of the inspection, but it was still neat and orderly. # 4 the audit also stated the clerk has been calling in all accidents promptly. # 5 It did state that the fire company uses electric cords to charge up the trucks, it is recommended to have the cords retract to keep them off the ground. # 6 the Chief sees that all members are properly trained on the apparatus and its uses, and uses all NFPA protective equipment, and basic first aid is part of the firefighter 1 training program. # 7 was for the Board to establish a safety committee, with members of the board of Fire Commissioners, line officers, and fireman. It states they should meet quarterly and have minutes taken. The Board should review all accidents and use the Safety Net as a reference. Commissioner McCann said he agrees with the findings and would like to discuss this at the next workshop.

Commissioner McCann said he would like to caucus, and discuss something he has received regarding a lawsuit.

Commissioner McCann said the accident that was just reported, if there was substantial damage, was it reported to the insurance company.

Commissioner Vannoni said we did not, as it was minimal damage.

Commissioner McCann asked if the insurance Commissioner was notified.

Commissioner Vannoni stated you were included on the email.

Commissioner McCann said he was carbon copied. He asked if the accident was investigated. He said we have a policy that states all accidents are to be investigated.

Commissioner Vannoni said that a police report will be written, and it was a hit nad run, and the vehicle was not occupied.

Commissioner McCann asked the members of the Board who took care of this if they complied with the insurance company as well as the policies.

Commissioner Vannoni and Commissioner Coucoules replied yes.

Commissioner Vannoni said CPR training is coming up, and the career staff will be attending that. Also, he asked Clerk Fini if she would attend as he thinks it is prudent that she have the class also.

Commissioner Vannoni stated they purchased 2 new MDT's that we talked about at the Workshop; they are in the Commission office and are currently having the software installed. Captain Cipriano will be working with Wireless Communications to get that installed. Then all the major apparatus will have the County software, mapping software, and pre-plans.

CORROSPONDENCE

None

CLERKS REPORT

Clerk Fini reported that she applied for the remaining funds in the Safer Grant, in the amount of \$23,005.05. That will close out the Safer Grant.

Commissioner Coucoules stated that FF W. Prendergast's grandmother passed away, and asked if we can send flowers.

Commissioner Stout said we are not allowed to use taxpayer's funds to purchase flowers. It is against the law.

TREASURER'S REPORT

Commissioner Stout said everyone has been supplied with a bill list for tonight. Total bills are \$25,282.83.

Motion by Commissioner Stout, second by Commissioner Simone to pay the bills in the amount of \$25,282.83. All in favor, motion carries.

Commissioner Stout suggested to the Board that they look at the Profit and Loss sheets, and make sure their line items are correct.

FIRE OFFICIAL'S REPORT

Attached.

Commissioner Vannoni read a letter Fire Official Urso received from the Department of Community Affairs which states, effective January 1, 2015 the State assumed the fire code enforcement for Fire District # 3. He said it looks like we will be losing our enforcement authority for multiple housing units, which is approximately \$4200.00 a year in revenue. It is for the apartments and such within the District, as the State will now assume jurisdiction over that. Fire Official Urso is in the process of seeking clarification on that, but it looks like it is a done deal.

Local 3249 Shop Steward F. Reiss said we will not lose our enforcement, but we will lose the right to bill for the registrations. We can still conduct annual inspections, but we cannot bill registrations fees. He said if they get called on a complaint, they can still conduct an inspection, and they would be able to write a penalty. He stated we still have enforcement authority, but we cannot bill for registrations.

Commissioner Vannoni said Fire Official Urso is reaching out for clarification on the issue, but it is the States opinion that if they are doing one District, then they will take over for all 6 Districts. He said unless Solicitor Carlamere has a different interpretation.

CHIEF'S REPORT

None

PRESIDENT'S REPORT

None.

Motion by Commissioner Stout, second by Commissioner McCann to accept all reports as written. All in favor, motion carries.

OLD BUSINESS

Commissioner McCann reported that the Board received the final ruling from the Government Records Council regarding incident. He stated the Board has basically been cleared of any wrong doing, although we were late in filing one of the reports, it was not a willful, unlawful denial. He said he believes that is now concluded.

Commissioner Vannoni said he wanted to State that we did receive an OPRA request from Local 3249 President K. Kemery, and Clerk Fini has complied with that request.

Commissioner McCann asked Clerk Fini if she keeps a record of requests, and when the requests are filled. She replied yes.

NEW BUSINESS

None

GOOD & WELFARE

Commissioner Stout stated that he will be on vacation for the March Workshop. He will be out of town, but accessible by cell phone.

Commissioner Vannoni said he will be out of the country for the next week, February 19 thru the 28th. He said Vice-Chairman McCann will in charge. He will be back for the Workshop.

COMMENT'S FROM THE FLOOR

Local 3249 President K. Kemery said the Board as well as the Boards labor Council was in receipt of a revised Memorandum of Agreement from the Local for the FAM duties. He asked if the Board has reviewed it and have they taken a position on that.

Commissioner Vannoni said they are going to discuss that during closed session, and they will report on that before the close of the meeting.

Local 3249 President K. Kemery said regarding the multi housing unit, he said he is aware of it as it impacts multiple districts. He said it has a financial on the District and it operations, but this also has a public and fire safety implications. He said as you are well aware, some of the apartment complexes, in District # 4 represent the most challenging firefighting conditions to be found anywhere. To give you a specific timeline, Fire District # 3 relinquished its LEA in January of 2015. The State of New Jersey issued it represented standards, saying when one District takes its authority away, it takes everyone's authority away on multiple housing in July, 6 months later, and when the State issued that it has not offered a specific code or statutory site as a basis for their opinion. He stated he would say to you, if a decision was made by District # 3 and 6 months later this rule was handed down by the State of New Jersey, and the public has a rule that home rule is governing. So the State of New Jersey is pre-empting the Fire District decision making as to who conducts business in this District. You are losing authority because of someone else's actions. You did not know when they took that action, that it was going to negatively impact you. Obviously everyone will be watching this, Solicitor Carlamere, as will the Solicitor for the State Association of Fire Districts will be watching this also. It has ramifications. If it is found to be improper, it needs to be challenged. It has financial and safety implications, because if inspections are not done, as they are locally done now, and there is a drop in service, the drop in service will equate to more fires.

Commissioner Vannoni asked Solicitor Carlamere to work with Fire Official Urso, to see if we can challenge this.

Solicitor Carlamere said he has not seen the letter in any other Districts as of yet. He said his first reaction when he read it was the Director of the department may have the authority to do that, in one town with multiple districts. He said they would not really know where the boundary lines are, so all the towns in that municipality and jurisdictions are now under their control. He said he will research it to see if they have authority to do that.

Commissioner McCann said since there is such a gray area when we lose our ability to inspect, or look for financial registrations, do we just stop doing what we have been doing. Should we

send them a letter that states until we hear a more clear definition from them, we are going to continue exactly as we have been doing as a local enforcing agency on multi housing.

Solicitor Carlamere asked if that was to create dialog back and forth, and if you did send them a letter it would let them know you have turned this over to your Solicitor, for a response and an opinion. You can challenge their jurisdiction. You have already exercised your right to be the local enforcement agency, and they are taking it away because another District is unable to perform. You can challenge it, but he asked if he would be allowed to look into it, and get in touch with someone up there.

Commissioner Vannoni asked Solicitor Carlamere if the Bureau of Fire Prevention should continue to do what they have been doing.

Solicitor Carlamere said yes, until he gets some clarification.

Commissioner McCann said if we give Solicitor Carlamere the authority to send the letter, we need to make a motion giving him that authority.

Motion by Commissioner McCann, second by Commissioner Stout to give Solicitor Carlamere the authority to correspond on the Board's behalf concerning the multi housing issue concerning District # 4. All in favor, motion carries.

Local 3249 President K. Kemery suggested to Commissioner Vannoni that they contact the other Districts the Township that this effects, and even the ones whom this may effect in the future, and have the letter come from all the Fire Districts.

Commissioner Coucoules said that is why he asked if this was addressed directly to P. Urso, maybe it was sent to the wrong District.

Commissioner Vannoni said unofficially it has been discussed that the Boards in the District used to sit down and meet together, on a regular basis. He is currently reaching out to the other Districts to see if they would be interested, and it would be helpful when issues such as this arise.

Local 329 President K. Kemery said he wanted to inform the Board that FEMA will be opening the Safer Grant in the first week of March. He said District # 4 is fully aware of how this works, and again could potentially be in a position to have a firefighter being fully funded for the next several years. He added that the Assistance to Firefighter Grants, which is the grant for the

SCBA, that District # 4 is part of will be reviewed this month. Every grant will be reviewed, and then they will determine who is eligible.

Commissioner Vannoni asked Solicitor Carlamere, in reading title 40, and with Blackwood Fire Company being a volunteer organization, does the Board need to do anything to recognize the Chief and the officers that were elected by the fire company.

Solicitor Carlamere said there is nothing in the statue, they should report who was elected to the Board, but the Board does not have to do anything. There is no formal action on the Boards part.

FF W. Spain asked when Blenheim Fire Company has its next meeting, and he said he will be there to ask them why they have put all the other fire companies in jeopardy and danger. He said without local inspection, he does not trust the State of New Jersey as far as he can throw them. He believes it is all for the money as the State is broke and they are looking for new sources of revenue.

Motion by Commissioner McCann, second by Commissioner Simone to go into closed session to discuss the Memorandum of Agreement and the pending litigation. All in favor, motion carries.

ROLL CALL

Commissioner Coucoules (yes) Commissioner Stout (yes)
Commissioner McCann (yes) Commissioner Simone (yes)
Commissioner Vannoni (yes)

Meeting called back to order.

ROLL CALL

Commissioner Coucoules (here) Commissioner Stout (here)
Commissioner McCann (here) Commissioner Simone (here)
Commissioner Vannoni (here)

Commissioner Vannoni said during closed session the discussed several topics, the first being an employee who has a workmen's comp lawsuit against Liberty Mutual, which is ongoing and there is nothing to report at this time.

Commissioner Vannoni said the Board brought up the topic of the safer Grant, which will be discussed in detail at the Workshop in March.

Commissioner Vannoni stated he had sent an email out about the current uniform policy, and as it stands now we have a uniform policy that dates back to 1996, that we are not currently following. He said they will look to bring that up to the current standards. That will also be discussed at the March Workshop.

Commissioner Vannoni said they discussed the contract, and he stated to Local 3249 President K. Kemery that Attorney H. Long said he will be in touch by Friday.

Commissioner Vannoni said he had one thing to report that he forgot earlier, the Verizon Wireless bill that was astronomical in the month of January, has been fixed, and he wanted to thank Local 3249 Shop Steward F. Reiss, and Capt. Cipriano for their help in getting that resolved. He stated that we are back to where we should be.

Commissioner Vannoni said the Board was in receipt to the counter proposal for the Memorandum of Agreement with regards to the Fire Apparatus Mechanic position. The Board has spoken about this at length, and consulted with the Labor Council. He said the Board had some serious concerns about the language in it, and had been edited. He said unfortunately the Board is at an impasse, because we are now out of time to discuss it any further. So on the advice of our Labor Council; he said he will entertain a motion to take no action on this at this time.

Motion by Commissioner Simone, second by Commissioner Stout to take no action at this time on the Memorandum of Agreement for the Fire Apparatus position. All in favor, motion carries.

Local 3249 President K. Kemery asked if the labor council will report to them what the concerns are, we cannot attempt to fix them.

Commissioner Vannoni said the Board is interested in exploring some other options at this point. He said if they chose to come back to the memorandum, then they will be in touch.

Local 3249 President K. Kemery said what are the other options.

Commissioner Vannoni said contracting the work out, working with other Fire Districts, the Township or a private contractor.

With no further business to discuss.

Motion by Commissioner Stout, second by Commissioner McCann to adjourn. All in favor, motion carries.

DATED: February 17, 2016

BY: _____
Michael Simone, Secretary