

August 25, 2009

MINUTES

The regular meeting of the Board of Fire Commissioners, Fire District No. 1, was held on the above date at Hose Company No. 1. The meeting was called to order at 7:30 p.m. by Chairman Fisher with Commissioners Bowman, Bixby, Shelley & Pluckhorn present. Also in attendance were Administrator Chesner, Chief Constantine, Jr., Asst. Chief Green, Training Officer Bickmore, Battalion Chief Witkowski, Battalion Chief Poole, Squad Treasurer Collins and Fire Police Lieutenant Boileau.

Chairman Fisher opened the meeting by reading the following "Open Public Meetings Act;" by title only,

Public Notice of this meeting, pursuant to the "*Open Public Meetings Act*," has been given by the Board of Fire Commissioners, Fire District No. 1, of the Township of Moorestown in the following manner; by posting written notice on the Public Meetings Act Bulletin Board in Town Hall on March 6, 2009, and entering the same in the official book of the Fire District in the Municipal Library; mailing written notice to the official newspaper, the Burlington County Times on March 6, 2009; filing written notice with the Clerk of the Township of Moorestown on March 6, 2009; filing written notice with the Clerk of the Board of Fire Commissioners, Fire District No. 1; and mailing written notice to each person who has requested copies of the schedule of meetings and who has prepaid the fixed charge for such service.

Following that, Chairman Fisher led the Pledge of Allegiance to the Flag after which he indicated the emergency exits.

MINUTES:

On a motion by Commissioner Pluckhorn, seconded by Commissioner Bowman, the minutes of the July 28, 2009 meeting were approved by the five Board members present.

TREASURER'S REPORT:

Treasurer Bowman presented the cash report for the month of July indicating balances of \$25,127.05 in the PNC Bank Checking account, \$20,842.38 in the PNC Bank Payroll account, \$329,113.53 in the PNC Bank Sweep account, \$28,746.13 in the PNC Unemployment Trust account and \$746,744.66 in the NJ Cash Management Fund for a total cash balance in all the bank accounts of \$1,150,573.75. On a motion by Commissioner Bixby, seconded by Commissioner Pluckhorn, the cash report was approved by the five Board members present.

Treasurer Bowman presented the Statement of Expenditures through the disbursements of August 25, 2009. He also presented Checks #5751-5778 in the amount of \$60,173.97 plus a payroll transfer of \$45,549.14 which both totaled \$105,723.11. Commissioner Shelley asked Administrator Chesner about the payment to Matthew Bender & Co. in the amount of \$330.00. Administrator Chesner after reviewing the PO indicated the payment is for the District's subscription to Title 5, Title 12 and Title 4A. After the Treasurer and Administrator explained a

few other payments, on a motion by Commissioner Pluckhorn, seconded by Commissioner Shelley, the monthly bills were unanimously approved by the Board.

CORRESPONDENCE:

Chairman Fisher reviewed the correspondence found in the Commissioner's packets. He mentioned the letter that Administrator Chesner sent to both stations on behalf of the Board. The Board requested their opinion and response concerning the position of Fire Chief as to whether we should continue with a Career Chief or go back to a Volunteer Chief. Chairman Fisher made mention that we received letters back from both stations indicating their position.

Chairman Fisher also made mention of the letter received from Robin Austermann of Motiva Enterprises requesting access to our property at 261 W. Main St. for an environmental investigation of possible vapor intrusion of contaminants from our neighboring property at 253 W. Main St. Administrator Chesner explained the letter in detail and stated that he would sign the page that requested permission to gain access if need be by Motiva.

Chairman Fisher mentioned to the group in attendance the passing of Rusty Gunning, the oldest son of Russ Gunning who was a long-time member of the Dept.

ADMINISTRATOR'S REPORT:

Administrator Chesner gave a verbal review of his monthly report dated August 25, 2009.

CHIEF'S REPORT:

Chief Constantine gave a verbal review of his written report dated August 25, 2009.

The fire department responded to 44 calls during the month of July that consisted of 1 fire incident, 1 rescue/emergency medical, 10 hazardous conditions, 4 service calls, 8 good intent calls, 19 false alarms and 1 severe weather call. There were 4 drills and 2 fire police drills.

Chief Constantine made special mention that Training Officer Bickmore resigned as Incident Safety Officer on July 29, 2009. For now the Chief will be appointing that position on the fire ground as required by the Division of Fire Safety.

Chief Constantine stated that he had been keeping the members posted via e-mail of the street closures in town.

FIRE OFFICIAL'S REPORT:

Fire Official Worrell wasn't in attendance to review his written report as filed with the Board. Chairman Fisher mentioned that FO Worrell was attending the Burlington County Fireman's Association Annual Caucus. Administrator Chesner stated that Fire Official Worrell and Asst. Fire Marshal Schweiker did a fine job of handling an issue at 73 E. Main St. Their office was informed that the owner of the property, which was closed for business, was possibly sleeping overnight in a makeshift sleeping area. Both investigated and handled the situation as best they

could under the fire code. The Administrator also mentioned that fire prevention supplies had been ordered.

BIDS & QUOTATIONS:

Administrator Chesner reported the receipt of only one bid package for the lease of the communications tower at Relief Engine Co. He gave a brief history of why the Board decided to lease the tower. He also mentioned that they couldn't accept the bid as received because the bidder, Clear Wireless LLC, indicated that they didn't comply with the Affirmative Action requirements. Because the bid is good for 45 days, the Board asked Administrator Chesner to contact Clear Wireless for clarification on the document and if they comply, to send us the appropriate documents so the Board could consider acceptance of their bid at their next scheduled meeting.

RESOLUTIONS:

None.

APPOINTMENTS & RESIGNATIONS:

Asst. Chief Green reported that Naoji Moriuchi, Peter Clifford, Douglas Oyama and Patrick Collier had been reinstated to active status. Commissioner Shelley asked how they are reinstated to active status. Asst. Chief Green explained that after 6 months, they are notified and warned that they are falling below the minimum requirements. If they fail to meet the minimum requirements after the next 6 months, they receive a termination letter indicating that they will be terminated within 30 days unless they reapply for membership. The membership committee makes the final decision on their reinstatement to active status.

COMMITTEE REPORTS:

Buildings & Grounds: Commissioner Bixby asked Administrator Chesner about the ice machine at Station 312. Administrator Chesner stated that the machine was fixed and working well. A fan had been placed in the closet where the machine's located to help exhaust some of the hot air.

Apparatus: Chairman Fisher reported that the Apparatus Committee didn't meet this past month but would be traveling down to the N.J. State Firemen's Convention in Wildwood to look at the different fire apparatus displays and ask questions concerning their different models.

Station/Master Planning: Commissioner Shelley reported that the Planning Committee will be meeting on Tuesday, Sept. 15th to continue discussions. He advised the Board that he had asked the Chief to provide information to the committee on pressing needs in the Department; those needs will be the topic of discussion at their next meeting.

Recruitment and Retention: Commissioner Pluckhorn mentioned that he would be attending both company meetings to talk with the members about recruiting and he will post sign-up sheets to get members to help with township events in September. Commissioner Pluckhorn also stated that there is no update on the SAFER Grant, although it has been pushed back to October.

Commissioner Pluckhorn talked briefly on the advertising program that he hopes to run from mid September till the end of the year. He stated that Public Relations will be closely tied to Recruitment and Retention. Commissioner Shelley asked if Fire Prevention would do their own public relations or dovetail with Commissioner Pluckhorn's plan. Commissioner Pluckhorn stated that he would get together with Fire Prevention and discuss public relations. Administrator Chesner stated that he would change the agenda to combine recruitment and retention with public relations.

Benefits: Commissioner Bixby reported that he along with Commissioner Bowman, Administrator Chesner and the District Solicitor met and discussed the benefits for retirees and current employees and what changes the Board can do to the District's health plan if they so decided. The benefits cannot be changed for current retirees, but could be changed for future retirees upon the adoption of a resolution indicating the change. Administrator Chesner explained the resolution adopted in 1986 accepting Chapter 88 of the N.J. State Health Benefits which indicates that retirees are covered fully by the Board. If the Board were to change what they would pay for retirees, they would have to adopt Chapter 40 by resolution. Further discussion took place on the topic.

Information Technology: Commissioner Bixby stated that the committee didn't meet, but there was a request for an update to the GPS software on the trucks. Commissioner Bixby indicated that he would secure the software and have it installed. Administrator Chesner stated that Ken Prime from Lockheed met with him and indicated that they are hoping to make a sale with the county and others before they move to the next step. They believe that the media event will stir interest in the county and in other areas.

SQUAD:

Squad Treasurer Collins reported that within the next couple of weeks, refurbished ambulance 3192 will arrive at Station 319.

OTHER BUSINESS:

A lengthy conversation concerning the replacement of retiring Fire Chief Constantine took place. Chairman Fisher recapped what took place to date and asked the Board what their expectations of the Chief of this Dept. are and whether the position should be career or volunteer. Chairman Fisher mentioned that the letter received from Hose Co. indicated that they are in favor of a Career Chief while Relief Engine Co. was in favor of a Volunteer Chief.

Commissioner Shelley made mention that there was a resolution passed years ago, when the paid positions of the District were created, with a second reading that included a job description for Fire Chief. Chief Constantine made mention that the description in the resolution was vague. Commissioner Shelley went on to say that if the Board goes the career path, we would be governed by the rules of Civil Service. Commissioner Shelley explained some of those rules. He also stated that if the Board decided to keep with the career position, the job description of Civil Service would prevail. There was continued conversation on this topic by other Board members.

Chairman Fisher mentioned that he and Commissioner Bowman would be meeting with Asst. Chief Green in the next week or two to review and address his concerns about accepting the position of Acting Fire Chief till such time the Board decides whether to move forward with a Volunteer or Career Fire Chief. Chief Constantine may be part of that meeting.

Commissioner Bixby stated that he would like to see, during this meeting, the process that the Board is going to undertake concerning the replacement of the Fire Chief. After a lengthy discussion, the decision was to have each Commissioner review the N.J. Civil Service Commission's Job Description for Fire Chief 01837. Each Board member was given the task of reviewing the document and making changes as they see fit and sending them to Administrator Chesner who will maintain the master copy of additions and/or deletions. From that, they will see if the job description for Fire Chief can be handled by a volunteer or be better suited for a career position. It was asked that changes be forwarded to Administrator Chesner by the following Monday.

For their review, Commissioner Shelley gave each Commissioner a draft resolution disallowing the providing of healthcare benefits to members of the Board of Fire Commissioners. He asked that at the next Board meeting, the Commissioners discuss the proposed resolution. Chairman Fisher stated that it would be added to next month's agenda.

PUBLIC SESSION:

Chairman Fisher opened the meeting to the public for their comment.

Fire Chief Constantine mentioned that the 200 Club of Burlington County would be having their annual memorial service breakfast on September 11th at the Trinity Episcopal Church in Moorestown. He also mentioned that the fire department would be having a service that night at Hose Co.

Beth Shelley of Moorestown commented that it may be difficult for the Administrator to combine into one Microsoft document all the comments concerning the job description for Fire Chief and that the Board may want to schedule a special meeting to further discuss the replacement of Fire Chief.

David Mann of Moorestown commented on the discussion of the position of Fire Chief. He stated that the Board should ask the Chief to write down his job description, which the Board could work from, since he is the one that knows what he does everyday. He pointed out that during the Board's discussions, there seemed to be a concern over the administrative duties of the Fire Chief and whether a volunteer could handle those duties. Mr. Mann mentioned that the Board should give those duties to administration and if need be hire someone to help with those duties if the current staff could not. He also stated that the Board should try a Volunteer Fire Chief because once you go Civil Service there is no turning back. He further stated that the Board should meet after 3 to 6 months and discuss if the position is working with a volunteer and reevaluate at that time.

Maria Middleton of Moorestown commented that she believes there would be more movement in the officer core and incentive in the Dept. if we went back to a Volunteer Fire Chief. If we went

the route of career, we would be hindered by the requirements of Civil Service and the Board would be stuck with that person.

Barry Middleton of Moorestown agreed with the previous comments and added that the taxpayers of Moorestown would save a great deal of money with a Volunteer Fire Chief. He couldn't believe that the Board has now decided, after having a Career Fire Chief for 5 years, to put together qualifications for the next Fire Chief. He then asked what have been the qualifications for the past 5 years for the current Fire Chief. He went on to say that if a person wants to be a Volunteer Fire Chief they need to go to school and get training. He doesn't think there will be a problem finding people that would want to be the Volunteer Fire Chief and go to school for that purpose.

Joshua Hall of Moorestown commented on the cost savings of a Volunteer Fire Chief and added that if the Board has a person that is willing to volunteer to do the job, why would you then in turn pay someone. He also added that once you go Civil Service it's very hard to turn back.

Chairman Fisher thanked the public for their comments and closed the Public Session.

Chairman Fisher stated there was a need to meet in Executive Session for personnel matters. On a motion by Commissioner Pluckhorn, seconded by Commissioner Bixby, the regular meeting would be recessed to enter into an Executive Session to discuss personnel matters and that the regular meeting would be reconvened for the purpose of adjournment only. Motion carried.

RESOLVED, that pursuant to Section 8 of the Open Public Meetings Act (N.J.S.A. 40A:4-13), the public shall be excluded from that portion of the meeting involving personnel matters.

FURTHER RESOLVED, that the discussion of such subject matter in the Executive Session can be disclosed to the public at such time as is appropriate without prejudice to the interest of the Commissioners of Fire District No. 1 in the Township of Moorestown.

The regular meeting was recessed at 9:27 pm and the Executive Session convened at 9:30 pm.

On a motion by Commissioner Bowman, seconded by Commissioner Bixby, the Executive Session was adjourned at 10:08 pm and the regular meeting reconvened and adjourned at 10:09 pm without further official action.

Respectfully submitted,

Karl A. Shelley
Secretary/Clerk