

BOARD OF FIRE COMMISSIONERS TOWNSHIP OF OCEAN FIRE DISTRICT NO. 1

MINUTES OF
February 27, 2012

CALL TO ORDER:

The regular meeting of the Board of Fire Commissioners was called to order by President Nelson at 8 p.m. President Nelson announced that the meeting is being held in compliance with the "Open Public Meetings Act". Public Notice of this meeting was mailed to the Clerk of the Township of Ocean and posted at the Oakhurst Firehouse on March 2, 2011, and advertised in The Coaster and in the Atlanticville on March 10, 2011.

After a salute to the flag, a moment of silence was observed.

ATTENDANCE:

The following Board members were present: Thomas Reu, James Hiers, Scott Nelson, Russell Williams and newly elected Stuart Newman. Fire District Administrator J. David Hiers, Fire Marshal Chris Pujat, Maintenance/Repair Technician Michael Fiorentino and the Fire Department and First Aid Squad Officers were also present.

REORGANIZATION OF THE BOARD FOR 2012

The Fire District Administrator – Commissioner Nelson nominated the FDA as the Temporary Chairman to run the reorganization part of the meeting, seconded by Reu. Motion carried.

FDA – The Board congratulated James Hiers upon his re-election and welcomed our newest member to the Board, Stuart Newman. Thank you to all members and residents who came out to vote. The District's 2012 Budget was approved.

Board Clerk Janice Hiers was asked to administer the Oath of Office to Commissioners Elect Hiers and Newman.

Board Clerk Janice Hiers – Administered the Oath of Office.

FDA – The Board thanked Clerk Janice Hiers for the nice job done on the Election and all related matters.

FDA – Called for nominations for Board President and Vice President for 2012. The floor is open for the **Nomination for President**: Williams nominated Nelson, seconded by Reu. The motioned passed unanimously for the President's

position. **Nomination for Vice President:** Williams nominated Hiers, seconded by Reu. The motioned passed unanimously for the Vice President's position.

President Nelson – Expressed his displeasure with the mild turnout for the election. He continued with the regular order of Business. He stated all Board members have a copy of the "Open Public Meetings Act" meeting dates. He read the Resolution pertaining to this Act:

Be it resolved that, in compliance with the guidelines of the Open Public Meetings Act, Chapter 231 of the Public Laws, 1975, the Board of Fire Commissioners, Fire Dist. #1, Township of Ocean hereby gives annual notice that until the next reorganization meeting which will be held in the Oakhurst Fire House at 8:00 pm on Monday, February 25, 2013 or until further notice is given that:

Section 1: The Regular Public Monthly Meetings of the Board are to be held generally on the fourth Monday of every month in the meeting room of the Fire House, 72 Larkin Place, Oakhurst, NJ:

At 8:00 p.m. or as follows:

Monday, March 26, 2012	Monday, September 24, 2012
Monday, April 23, 2012	Monday, October 29, 2012
Monday, May 21, 2012	Tuesday, November 26, 2012
Monday, June 25, 2012	Monday, December 17, 2012
Monday, July 23, 2012	Monday, January 28, 2013
Monday, August 27, 2012	Monday, February 25, 2013

The Work Meetings are to be generally held on first Monday of every month in the meeting room of the Fire House, 72 Larkin Place, Oakhurst, NJ at 7:30 p.m. or as otherwise stated:

Tuesday, September 4, 2011

Section 2. The annual notice for Board of Fire Commissioners meetings will be published in one (1) of the three (3) recognized official newspapers of the Board, either the Atlanticville, The Coaster, or the Asbury Park Press and will be filed with the Municipal Clerk, Township of Ocean.

Section 3. The President of the Board will announce and have placed in the minutes of each meeting a statement indicating that the notice requirement of the law has been satisfied stating the time, place and manner in which the required notice was provided.

Section 4. Only emergency meetings as defined by law may be held without complying with the notice requirements of the law.

Section 5. The Board of Fire Commissioners will hold closed meetings only to discuss those matters, which are specifically exempt from the law. Primarily, these closed portions of meetings will involve personnel matters and material,

which would constitute an unwarranted invasion of an individual's privacy. Only the twelve types of material listed in the law will be discussed or acted upon in private.

Section 6. Before going into closed session, the Board will adopt a resolution indicating the general nature of the subject to be discussed in the closed session and if and when that discussion can be disclosed to the public.

Section 7. Appropriate minutes will be kept of all meetings including the time and place for the meeting, members present, method of notice of the meeting and the subjects considered. Minutes will be available for public inspection except items, which are specifically exempt from disclosure by law.

Section 8. The public's participation in work meetings is welcome and action may be taken.

Section 9. This resolution shall take effect immediately.

Nelson offered the resolution for adoption. **Reu** seconded it. There were no questions. Roll call vote of **Williams**, **Newman**, **Reu** **Hiers** and **Nelson** was unanimous in favor of the resolution.

MINUTES of the January 23, 2012 meeting were read. There being no corrections, the minutes were accepted as read.

CORRESPONDENCE - none.

EXPENSES:

The Bills this evening were reviewed by the Commissioners prior to the meeting and found to be OK. Copies of the bills were on the table for anyone to review. A Resolution to pay the Bills totaling \$ 67,649.03 was presented by Commissioner **Reu**. It was seconded **Williams**. There were no questions. Roll call vote of **Williams**, **Newman**, **Reu**, **Hiers** and **Nelson** was unanimous in favor of the Resolution. **Nelson** did abstain from his physical fitness bill and **Reu** abstained from his father's election day payment.

DISTRICT NO. 1 ORGANIZATIONS' REPORTS:

2nd Lt. Kruse gave the Fire Chief's report. The other officers were committed to another meeting. **Kruse** reported 32 activities for the month of January. Average response time was 4 minutes 59 seconds. Average firefighters per call were 12, for a total of 369 members responding, experiencing 170 man-hours. Mutual aid was given 3 times and received 0 times. **Kruse** noted that **Larry Burnstein** has been approved a driver for truck 37-1-85. He thanked the Board for the 5" hose rollers. They already used them and worked well.

FAS - 1st Lt. K. Dougherty reported 86 total activities for the month, which included 79 Emergency calls. Average response time was 7.45 minutes. A total of 449 Emergency Call Man Hours were experienced. Mutual aid received 12

times and given was 6 times. Dougherty said Captain Degurski was not at the meeting because she was called into work. Dougherty said that the mutual aid with District 2 is working well. Mutual aid for both squads has been busy. The FAS will be requesting preplans for events held at Palaia Park so to better respond to emergencies. Dougherty stated that she e-mailed a copy of the First Aid Exposure Control Plan to the FDA. A first Responder Course will start shortly every Sunday morning for 4 hours, lasting 8 weeks. **Second Lt. A. Beringer** reported the permanent mounts for the O2 bottles have been installed on the remaining 2 Stryker cots by Stryker Co. free of charge. The battery on one of the AED has been replaced. He thanked the Board for the fast response for supplies that were needed. He relayed a request from the Oakhurst Methodist Church's blood drive on March 5. Beringer reported that District 2's paid EMS starts up on March 5. Beringer asked for the Squad to be considered in future communications with our future paid EMS group.

Fire Marshal Pujat reported 184 inspections, including 28 State Registered Establishments, revealing 220 violations, and 1 investigation was conducted during the month. Fees collected for the month totaled \$6,605. The FM said the Opticom is still OOS at Monmouth & W. Park Ave. Pujat mentioned that there will be a prescribed burning at Camp Oakhurst. As much of advanced notice will be given to the FD so they can participate. The sprinkler system and fire alarm system is now working at the Greek Church on W. Park Ave.

Fire Inspector Flannigan

Maintenance/Repair Technician Fiorentino reported that the **P-OSHA** inspection by the State has been completed and we are totally compliant. The other 3 bay doors have been changed over and all the bay doors are updated. Hose testing will be done in May. We have just had our State Boiler Inspection here at Station 1 and everything passed. The batteries have been replaced in 37-1-75 & 37-1-78.

OLD BUSINESS:

Williams – The Application for Licensure will be filed with the State for the ambulance's licensing in the very near future. The FDA will be advertising for future part time employees to staff the EMS, Inc. shortly. Fire District No. 2 has been a big help in sharing their experiences with this whole new program. Their assistance will help us move more quickly. Four background check forms will be mailed tomorrow along with the \$ 18 check for each form. Commissioner Newman's form will be submitted at a later date so not to hold up the process.

NEW BUSINESS:

Nelson - Tonight we have 3 professional Resolutions for Appointments for 2012 to be acted on. The attorney, Joseph Youssef, the accounting firm of Koerner & Koerner and the auditor, William E. Antonides and Company were all appointed. The Resolutions are included in the minutes

The Board has determined the need to renew the services of our Attorney. We are satisfied with the services of attorney Joseph D. Youssef. He is very knowledgeable of, and experienced with, Fire Districts. His fees for service are \$500.00 per meeting, and \$150.00 an hour for other services, plus costs and out of pocket expenses.

To appoint Joseph D. Youssef as Board Attorney, I would like to ask Commissioner **Hiers** to present the Appointment Resolution:

Hiers - Read Appointment Resolution:

**RESOLUTION APPOINTING JOSEPH D. YOUSSEF, ESQ.
BOARD ATTORNEY FOR THE YEAR 2012**

WHEREAS; The Board of Fire Commissioners is authorized by law to engage the services of an attorney to provide such legal services as may be required by the Board during the course of a year; and

WHEREAS; N.J.S.A. 40A:11-5 (1) (a) (i) provides that a contract for professional services may be negotiated and awarded without public advertisement for bids if the contract is for "Professional services"; and

WHEREAS; N.J.S.A. 40A:11-2 (6) defines "Professional services" as those that are rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS; Joseph D. Youssef is a duly licensed attorney admitted to the practice of law in the State of New Jersey.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No. 1, Township of Ocean, that a contract for professional services be and the same is hereby awarded to Joseph D. Youssef, Esq. for the year 2012.

Hiers motioned to adopt this Appointment Resolution, seconded by Reu. There were no questions. Roll call vote of Williams, Newman, Reu, Hiers and Nelson was unanimous in favor of the Resolution.

Nelson – The second professional Resolution for Appointment is for the Accountant. I ask Commissioner Reu to read that Resolution.

Reu – To read Resolution:

**RESOLUTION APPOINTING Koerner & Koerner, P.A.
Certified Public Accountants for the Year 2012**

WHEREAS; The Board of Fire Commissioners is authorized by law to engage the services of an accountant to provide such accounting services as may be required by the Board during the course of a year; and

WHEREAS; N.J.S.A. 40A:11-5 (1) (a) (i) provides that a contract for professional services may be negotiated and awarded without public advertisement for bids if the contract is for “Professional services”; and

WHEREAS; N.J.S.A. 40A:11-2 (6) defines “Professional services” as those that are rendered or performed by a person or persons licensed in accounting services to practice a recognized profession, whose practice is regulated by law, and the performance of which services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS; Koerner & Koerner, P.A. is a duly Certified Public Accountant firm certified to the accounting principles in the State of New Jersey.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No. 1, Township of Ocean, that a contract for professional services be and the same is hereby awarded to Koerner & Koerner, P.A. for the 2012.

Reu motioned to adopt this Appointment Resolution, seconded by Williams. There were no questions. Roll call vote of Williams, Newman, Reu, Hiers and Nelson was unanimous in favor of the Resolution.

Nelson – The last Professional Appointment Resolution is for the Auditor for 2012. I would ask Commissioner **Newman** to read the Resolution.

Newman – To read Resolution:

**Resolution Appointing William E. Antonides and Company
Certified Public Accountants
To Serve as the Auditor for the Year 2012**

WHEREAS; The Board of Fire Commissioners is authorized by law to engage the services of an auditor to provide such auditing services as may be required by the Board during the course of a year; and

WHEREAS; N.J.S.A. 40A:11-5 (1) (a) (i) provides that a contract for professional services may be negotiated and awarded without public advertisement for bids if the contract is for "Professional services"; and

WHEREAS; N.J.S.A. 40A:11-2 (6) defines "Professional services" as those that are rendered or performed by a person or persons licensed in accounting services to practice a recognized profession, whose practice is regulated by law, and the performance of which services require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS; William E. Antonides and Company is a duly Certified Public Accountant firm certified to the accounting principles in the State of New Jersey and will perform the 2011 Audit for the Board of Fire Commissioners, Fire District No. 1. The audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in GOVERNMENT AUDITING STANDARDS, issued by the Comptroller General of the United States. Those standards require that the audit be planned and performed to obtain reasonable assurance about whether the financial statements are free of material misstatement.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No. 1, Township of Ocean, that a contract for professional services be and the same is hereby awarded to William E. Antonides and Company for the 2011 audit.

Williams motioned to adopt this Appointment Resolution, seconded Hiers. There were no questions. Roll call vote of Williams, Newman, Reu, Hiers and Nelson was unanimous in favor of the Resolution.

Nelson – There is another Resolution required by State Law that needs to be acted upon after the Board's Annual Meeting which is a Cash Management Plan. I ask Commissioner Hiers to read the Resolution.

**BOARD OF FIRE COMMISSIONERS
TOWNSHIP OF OCEAN FIRE DISTRICT NO. 1
Monmouth County, New Jersey**

CASH MANAGEMENT PLAN

WHEREAS, N.J.S.A. 40A:5-2 of the Local Fiscal Affairs Law, requires a Board of Fire Commissioners to adopt a Cash Management Plan in accordance with N.J.S.A. 40A:5-14, for the deposit, investment, or both deposit and investment, of its funds pursuant to that plan; and

WHEREAS, the Cash Management Plan shall designate a public depository or depositories; the designation of any fund that meets the requirements so noted; and the authorization for investments as permitted, or any combination thereof, as applicable; and,

WHEREAS, the Cash Management Plan shall be approved annually by a majority vote of the Board of Fire Commissioners, and may be modified from time to time as deemed necessary by the Board of Fire Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the following Cash Management Plan of the Board of Fire Commissioners, Township of Ocean Fire District No. 1, be and hereby is adopted:

A. DESIGNATION OF OFFICIAL DEPOSITORIES:

The following financial institutions are designated official depositories:

Wells Fargo Bank
Investors Bank
TD Bank
Amboy Bank

B. DEPOSIT OF FUNDS:

All funds shall be deposited within Forty-eight (48) hours of receipt when possible and practical.

When cash flow permits, excess funds from the operating account shall be deposited in Certificate(s) of Deposit to maximize interest earnings.

The designated depositories shall be solicited for best rate and term for Certificate(s) of Deposit.

C. MONTHLY REPORT OF CHANGES IN DEPOSIT ACCOUNTS:

Any deposit accounts established or redeemed shall be reported at the next regularly scheduled Board Meeting or Work Session.

D. AUTHORIZED SIGNERS:

All five (5) Fire Commissioners shall be authorized signers on all accounts, any three (3) of which must sign to withdraw funds.

Hiers offered the Resolution to adopt the 2012 Cash Management Plan, seconded by Reu. There were no questions. Roll call vote of Williams, Newman, Reu, Hiers and Nelson was unanimous in favor of the Resolution.

This Cash Management Plan which was adopted by the Board of Fire Commissioners, Fire District No. 1, Township of Ocean, by Resolution, will be so noted in the Minutes of the Regular Meeting held on: February 27, 2012.

Hiers – Reported we changed over from the old Verizon DSL to the new Optimum System for the computer. We should realize a savings by this changeover. We still have issues with the phone system which needs to be taken care of on the other side of the building. This work should be done in the very near future. Sorry for the inconvenience and appreciate your patience.

Williams – The Truck Committee got together Feb. 22 to see the Sutphen “Quint” Demo. The committee likes a lot of the features the Sutphen offered. The committee is planning to meet in the near future to discuss the next step in the process.

Reu – The Accountant has recommended that the Board open 2 new checking accounts for the purpose of tracking the monies coming in and going out for the new EMS, Inc. Corporation. The FDA has been directed to open an “Operating and Payroll” Account. To get the new accounts started, monies from the Board’s Business Checking Account will be transferred to the new checking Accounts. Reu offered the Resolution to advance the Payroll Account \$30,000 and the Operating Account \$20,000. When EMS, Inc. begins with a positive cash flow, all the monies lent will be paid back to the Board’s Business Checking Account.

Newman – The fire officers requested in their 2012 budget to purchase 10 complete sets of gear. The gear is under State Contract. We have been informed that the State pricing is going up effective March 31st. To take advantage of the current price, Newman offered the following Resolution to purchase 10 full sets of gear, to include coat, pants, hat, boots, and harnesses at the approximate cost of \$3,000 each, totaling approximately \$30,000. It was seconded by Williams. No questions were asked. Roll call vote of Williams, Newman, Reu, Hiers and Nelson was unanimous in favor of the Resolution.

Hiers – motioned to accept the recommendation of the officers for Larry Burstein to be driver on 37-1-85, seconded by Reu. Roll call vote of Williams, Newman, Reu, Hiers and Nelson was unanimous in favor of the Resolution.

Nelson – In closing, Nelson stated there will be a meeting with the employees of the Board along with the Board Attorney, 2 commissioners and the FDA to go

over and discuss new Terms and Agreements for employment, March 1, 2012 at 1:30 pm.

There being no further comments from the audience, the meeting was adjourned 8:55 PM.

Respectfully submitted,

J. David Hiers
Fire District Administrator

MINFEB12

Items for Discussion prior to the Meeting:

- Install officers
- Recognize Tony w/plaque.
- 3 professional resolutions
- Adopted Budget Approved back from the State.
- Need to open 2 new Bank Accts. For EMS, Inc.-Operating & Payroll
- To Start EMS, Inc. – Need to Borrow money from Board Acct. then reimburse when EMS has positive cash flow.
- State Police Background checks for EMS Inc.
- Attorney reviewed additional forms prepared by acct. for EMS Inc.
- State Inspection of Boilers at Station #1.
- Met with Insurance Co. W/C up approx. 5K due to State increases.
- Website Compliance for District needed.
- Cash Management Plan Resolution.
- Meeting Dates Resolution.
- Does the Board Want Copies of Special Mtg. & WS Minutes Monthly?
- The Fleet Maintenance Program is Working Well. Very Thorough and reasonable.
- State Fire District Meeting March 3rd in Piscataway.
- Look to purchase 10 sets of Gear, approx. \$30 K.
- Will be meeting with Nelson Engineering re: Parking Lot.
- A CD with TD Bank is coming due in the beginning of March. Permission to move if I find a better rate.