

**MOUNT LAUREL FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS
REGULAR MEETING**

January 19, 2010
Fire Department Headquarters Station
Meeting Minutes #3

IN ATTENDANCE:

1. Commissioner Cornue
2. Commissioner Nash
3. Commissioner Roura
4. Commissioner Shestack
5. Commissioner Shapiro
6. Chief of Department Gallos
7. Administrator Jones
8. Solicitor Braslow

NOT PRESENT:

1. Deputy Chief Colucci

The meeting was called to order by Chairperson Shestack at 7:38 PM.

The Pledge of Allegiance was recited and a moment of silence observed.

The Public Announcements were read by Commissioner Shapiro.

PUBLIC HEARING ON 2010 BUDGET OPENED

Commissioner Shapiro made a motion to open the Public Hearing on the 2010 Budget, which was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

ADOPTION OF RESOLUTIONS;

Resolution #2010-11 "Authorization for the Board of Fire Commissioner to read Budget by Title". Commissioner Roura made a motion to approve the resolution, which was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.

Commissioner Shapiro read the 2010 Budget by title and the audience was reminded that there are copies of the budget available in the back of the room.

COMMENTS AND QUESTIONS FROM PUBLIC REGARDING APPROVED 2010 BUDGET:

Theresa Maschke, 508 Perry Drive, questioned the salary and wages annual comparison figures on page 6, line #A-9. She questioned why the 2010 salaries and benefits were lower than those in 2009 and asked why they are not the 2009 figures plus 4%. Administrator Jones stated that there is no requirement to keep a line item amount at the same funding level from one year to the next by adding the 4% allowed under the CAP. He explained that there are a number of things that go into the salaries and benefits figures and that several employees previously covered by this line item have been moved to other line items to reflect changes in their assignments. He clarified that this is the budget format required by the State and that we are required to use it even though it is difficult to understand. Commissioner Shestack added that what Administrator Jones was explaining is normal and that, for example, last year a portion of the Chief of Departments' salary and benefits was included in the Bureau of Fire Prevention because we did not have a Fire Official, which meant that the Chief of Department had to cover this position and allocate part of his time to this responsibility. We now have a dedicated Fire Official and the Chief of Department is no longer filling this additional role, so the allocation of his salary and benefits will be shown differently. He added that a percentage of every firefighter's salary is charged to the Bureau of Fire Prevention because they all perform inspections periodically.

Ms. Maschke repeated that she did not understand how the figures came down in 2010. She felt that budget figures should be at least the same as the year before with increases as necessary. Commissioner Shestack explained that there are good reasons for the numbers to go down from 1 year to the next and he cited health benefits as an example – a married employee last year gets divorced and is now single. The cost of his health insurance benefits now go down to reflect this change in status. Ms. Maschke asked if this savings could be kept in the budget and used for something else. Commissioner Shestack said that this is exactly what happens, that savings in 1 line item are reallocated for something else such as hose, maintenance and other costs that we couldn't budget for in 2009.

Administrator Jones provided her with another example. He cited employer pension costs for 2010, which were \$75,000 more that they were in 2009, which is a lot more than a 4% increase. In fact; it amounted to an 18% increase, so we moved money from several other areas of the budget to cover this additional expense. He stated that we start every year with a "zero" budget and then decide on the allocation for each line item based on what was spent the year before and any new needs that we are anticipating for the new year. He noted that our budget for employer pension obligations in 2009 was \$573,000 and this year it is \$655,000.

Ms. Maschke asked about a revenue line item on page #SS-3, "NJTP Stand-by Fees", comparing 2009 at \$7,500 to the 2010 figure of \$4,300. She understood that this was money that the New Jersey Turnpike pays to the Fire District to cover the services that we provide to the Turnpike, but did not understand why the number would drop from 1 year to the next, especially with all of the recent news coverage about our rescue of the truck driver on the bridge, the explosion last July and other exposure that we have had. She questioned why, as a taxpayer, were they not paying their fair share and why did we have to pick up the slack. Administrator Jones indicated that the revenue figure is an estimate that we make for standby revenue that we expect to receive from them each year. Deputy Chief Colucci added that we also receive per truck stipends for each call that we run on the Turnpike and despite the big headlines that she has cited, we may have experienced many less runs and not be collecting as much in 2010. Administrator Jones added that this is not a number that we can control and Ms. Maschke questioned why we can't. Administrator Jones replied that the Turnpike Authority decides how much money they are going to give us every year for standby fees. Commissioner Shestack added that they could opt to give us nothing because their costs of operations were exceeding their revenues from tolls and they have to cut expenses. Ms. Maschke asked what the status of the "fee for service" billing was and when will it be in place. Commissioner Shestack replied that we are working with the Township to get the ordinance passed so that we can begin charging for services rendered.

Battalion Chief Kirvan asked if the 2010 Budget is in a format that can be posted on our website. Administrator Jones replied that the Approved 2010 Budget was posted when it was passed in December; and the Adopted 2010 Budget will replace it after it is approved tonight.

Commissioner Roura made a motion to close the Public Hearing, which was seconded by Commissioner Shapiro. The motion was unanimously approved by the Board.

Administrator Jones noted that we received notification today by e-mail that our 2010 Budget has been approved by the DCA and we can proceed to adopt it this evening.

ADOPTION OF RESOLUTIONS;

Resolution #2010-12 "2010 Adopted Budget Resolution Mount Laurel Fire District #1, Fiscal year: From January 1, 2010 to December 31, 1010". Commissioner Cornue made a motion to approve the resolution, which was seconded by Commissioner Nash. The motion was unanimously approved by the Board by a 5 'aye' to 0 'nay' vote.

APPROVAL OF MINUTES:

- Special Meeting of March 3, 2009. Commissioner Roura made a motion to approve the minutes, which was seconded by Commissioner Shapiro. The motion was unanimously approved by the Board.

ADOPTION OF RESOLUTIONS;

Resolution #2010-13 "Resolution to Approve 2009 LOSAP Program Final Certified List of Eligible Volunteer Members". Commissioner Shapiro made a motion to approve the resolution, which was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

Resolution #2010-14 "Authorized Signatories for Bank Account". Commissioner Roura made a motion to approve the resolution, which was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.

FINANCIAL MATTERS:

- Commissioner Shapiro made a motion to approve the monthly bills totaling \$126,389.89, which was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

MONTHLY REPORT BY FIRE OFFICIAL:

- Commissioner Shestack asked if there were any questions on Fire Official Kownatsky's report or any questions for the Chief of Department. Commissioner Nash asked the Chief of Department about references in the Fire Official's report regarding a Division of Fire Safety inspection where they were pretty tough on us. Chief of Department Gallos reported that Lieutenant Burnett had been working with the State Fire Marshals' Office last year to straighten out problems that he had identified. He invited the representative in to introduce him to newly appointed Fire Official Kownatsky and help establish a working relationship. During the meeting, the representative made some off-base comments and demanded information and a meeting with the Administrator. Fire Official Kownatsky became uncomfortable with what was going on and suggested that the representative schedule a follow-up visit. Fire Official Kownatsky met with the Chief of Department to inform him about what was going on and for guidance on what to do. Chief of Department Gallos reached out to contacts he had at the State and County and essentially resolved the matter by reporting the representative's behavior to his superiors. He reported that the representative has been reassigned and that we would be getting a new one.

Commissioner Nash asked Chief of Department Gallos if we were doing something wrong to warrant such behavior and Chief of Department Gallos replied that we were not. He stated that the State devises the format that is to be used when reporting activities and information and it is a pretty simple process. He added that the Administrator has been correctly been filling out these forms for over 20 years and they have never been questioned by the State.

MONTHLY REPORT BY ADMINISTRATOR:

- The Administrator had submitted his monthly report to the Board for their review prior to the meeting.

Administrator Jones reported that he still has a few encumbrances and adjustments left to make before he closes out the 2009 books. He stated that we hold off on our discretionary spending items until the very end of the year to make sure that we don't overspend and need the funds to cover other things. Most of the purchases are being charged to the State grant that we receive at the very end of the year. He had worked with the Chief of Department on an equipment list and it has taken him a while to price it and identify the best vendors.

COMMENTS FROM DIVISION #1 CAPTAIN (or his designee)

- None.

COMMENTS FROM DIVISON #2 BATTALION CHIEF

- None.

MONTHLY REPORT BY THE CHIEF OF DEPARTMENT:

- Chief of Department Gallos had submitted his monthly report to the Board for their review prior to the meeting. He reported that December was a very busy month for the Department with 3 back-to-back working fires, 2 in Mount Laurel and 1 in Moorestown, along with the NJ Turnpike rescue on 12/23. He is processing several individual and crew awards internally and through the County Fire Chief Association to recognize the extraordinary efforts of the members that performed the rescue.

MONTHLY REPORT BY DEPUTY CHIEF:

- None.

STANDING COMMITTEE REPORTS:

TRAINING:

- Commissioner Nash had nothing to report.

LONG RANGE PLANNING:

- Commissioner Nash had nothing to report.

EQUIPMENT:

- Commissioner Roura had nothing to report.

BUILDING & GROUNDS:

- Commissioner Roura had nothing to report.

FIRE PREVENTION:

- Commissioner Shapiro nothing to report.

COMMUNITY RELATIONS:

- Commissioner Shapiro asked Battalion Chief Kirvan to summarize the Committee's activities for the month. He reported that our Facebook account was now up and Firefighter Cimino was in charge of administering it. In the next few days, we will start pounding people with the budget message and a request to vote. There have been no problems yet with negative comments and we currently have about 300 followers. He stated that the Fire Forum is set for 2/13/10 at Headquarters and he is trying to decide who the presenters will be. This year we will have a Q & A panel up front consisting of the Administrator, Chief of Department, Deputy Chief and a couple of Commissioners. He had previously asked for permission to purchase lawn signs to advertise it, but he stated that he now thinks that that may be too much because we will also be using last years' lawn signs for the election at the same time and he doesn't want to confuse people. He will put out a couple of press releases to make people aware of the Fire Forum and has put a notice on the signs in front of the stations. He will probably put up some flyers at the supermarkets and community areas to try to generate more awareness. He has had stickers made up for last year's election signs to change the date. The Administrator is ordering more wire stands to replace ones that broke last year. He has commitments from a number of members to meet on Election Day morning to hand out flyers at the morning hot spots (7-11, Dunkin Donuts, Wawa). The MUA stuffer mailer is ready to go to print and will have the polling locations on the back. He is a little concerned that the MUA may start balking at inserting the stuffers in their monthly bills because EMS and the Township have both had something in recent MUA billings. He was considered requesting funding next year to starting up the newsletter again next year.

Lieutenant Burnett reported on the literacy contest and that this effort has generated some excellent public relations. The reading program was entitled "Fired up for Literacy" and involved grades K through 4. The idea was to get the kids involved in reading over the spring break. He thanked Theresa Maschke for all of her help, along with Ms. Dubois from the Mount Laurel Library. He reported that 126 children participated in the contest, reading a total of 53,000 minutes and that we have 5 winners and 30 runner-ups. He thanked Target for donating the backpacks and Battalion Chief Kirvan's mother for attaching the MLFD patch on them. When it's time for the winners to actually get their ride to school on the fire truck, he will try to get some television media coverage. The Chief of Department or a Battalion Chief will participate and we'll get the school principal involved so that we'll hopefully generate better participation next year. He stated that one of the best things is that this was all being done at no cost to the Department. He said that when he was calling the parents of the kids, he got a lot of great feedback from them.

INSURANCE:

- Commissioner Shestack had nothing to report.

INFORMATION TECHNOLOGY:

- Commissioner Shestack had nothing to report.

FINANCE:

- Commissioner Shestack had nothing to report.

PERSONNEL:

- Commissioner Cornue had nothing to report in Open Session.

LABOR / MANAGEMENT RELATIONS (combined):

- Commissioner Cornue had nothing to report.

OTHER MATTERS:

- None.

COMMENTS OF FIRE DISTRICT PROFESSIONALS:

Solicitor Braslow reported that a bill has finally been signed regarding the filing deadline for Commissioner candidate petitions, which previously had to be filed 28 days prior to the election. The bill would change it to 29 days so that it falls on a Friday at the close of business.

Solicitor Braslow reported that he is investigating the background of a bill that would permit members of volunteer fire companies and emergency response squads to hold municipal elective office, which could include sitting on Fire Commissions. This bill was apparently introduced on 12/14/09 and signed into law on 1/15/10, but without anyone in the fire service being asked to comment or provide testimony on it. It may cause a conflict with a longstanding Local Finance Board (LFB) ethics advisory opinion that prohibits Fire Chiefs, Assistant Fire Chiefs, Deputy Chiefs, Fire Company Presidents and Vice-Presidents from holding the position of Fire Commissioner. He reported that apparently, this bill amends the law that prevents dual office holding. He read the paragraph that they have added and which affects us: "It shall be lawful for a member of a volunteer fire company, ambulance, first aid, hazardous materials or rescue squad including an officer of a company or squad to serve as an elected official on a governing body of a municipal government wherein the emergency services are provided that the volunteer should refuse himself from any vote concerning the emergency services provided that which he is a member." He stated that the fire service has been divided on this issue for some time and the DCA has not yet commented on the new law and how they will implement it. He stated that although he isn't too happy with it, it appears on the face of it that the law has now voided that LFB ethics advisory opinion about fire company or squad officers serving on an elected body. He has asked the DCA to provide him with some clarity on the issue.

COMMENTS OF IAFF LOCAL 4408 PRESIDENT (or is designee):

- None.

COMMENTS OF FIRE COMMISSIONERS:

- Commissioner Shapiro thanked Battalion Chief Kirvan, Theresa Maschke, Lieutenant Burnett and every body that has been involved in the Community Relations activities for doing such a great job in moving our initiative forward at very little cost.
- Commissioner Shestack added that the union has created a non-partisan informational website (www.firefightersforasafemountlaurel.com) that they are using to provide the public with factual information on some of the different issues we are facing. He felt that it was professionally done and he was very happy with the content. He commented on the recent snowstorm and thanked the members for a phenomenal job.

PUBLIC PARTICIPATION:

- None.

Resolution #2010-15 "Closing of Meeting Pursuant to Open Public Meetings Act". A motion to approve the resolution was made by Commissioner Roura, which was seconded by Commissioner Nash. The motion was unanimously approved by the Board.

THE OPEN SESSION ENDED AT 8:40 PM.
A CLOSED SESSION BEGAN AT 8:50 PM.
THE CLOSED SESSION ENDED AT 9:38 PM.

Resolution #2010-16 "Authorizing the Award of a Non-Fair and Open Contract for Labor Counsel Services for Fiscal Year 2010 to Lane J. Biviano, Esq." Commissioner Roura made a motion to approve the resolution, which was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.

Resolution #2010-17 "Appointment of Brandon F. Copeland as a Junior Member of the Mount Laurel Fire Department". Commissioner Roura made a motion to approve the resolution, which was seconded by Commissioner Cornue. The motion was unanimously approved by the Board.

THE MEETING ADJOURNED AT 9:39 PM.