

MOUNT LAUREL FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS
REGULAR MEETING MINUTES
February 21, 2011
Fire Department Headquarters Station
Meeting Minutes #4

IN ATTENDANCE:

1. Commissioner Cornue
2. Commissioner Nash
3. Commissioner Roura
4. Commissioner Shapiro
5. Commissioner Shestack (arrived @ 9:10 PM)
6. Administrator Jones
7. Deputy Chief Colucci
8. Solicitor Braslow

The meeting was called to order by Commissioner Cornue at 8:00 PM.

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

The Public Announcements were read by Commissioner Shapiro.

APPROVAL OF MEETING MINUTES:

Commissioner Nash noted a few minor corrections in the meeting minutes that he had discussed with the Administrator prior to the meeting. Commissioner Shapiro made a motion to approve the minutes of the 10/4/11 Special Meeting and the 10/18/10 Regular Meeting, which was seconded by Commissioner Nash. The motion was unanimously approved by the Board with Commissioner Roura abstaining.

ADOPTION OF RESOLUTIONS:

Resolution #2011-10 “Appointment of Joshua C. Steiner to Active Membership in the Masonville Fire Company #1 and the Mount Laurel Fire Department”. Commissioner Nash made a motion to approve the resolution, which was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

Resolution #2011-11 “Resolution Authorizing the Award of a Non-Fair and Open Contract for FLSA & FMLA Counsel Services in Fiscal Year 2011 to Capehart & Scatchard, P.A.”. Commissioner Roura made a motion to approve the resolution, which was seconded by Commissioner Shapiro. The motion was unanimously approved by the Board.

Commissioner Nash asked the Administrator about the purpose of this last resolution. Administrator Jones explained that the appointment allows Deputy Chief Colucci to consult on FMLA and FLSA issues with Counsel Geaney, who was recommended by the Cherry Hill Fire Department. Commissioner Nash recalled that Deputy Chief Colucci had reported on this at a recent meeting, but he did not know why we needed to appoint an additional attorney in addition to the 2 that we currently have. Administrator Jones stated that Deputy Chief Colucci needed someone with expertise in this area, which our current attorneys did not have. Commissioner Nash recalled that we have had some FLSA problems and questions in the past, but he was unaware they were significant enough to retain a 3rd attorney. He agreed that if we felt that it was necessary and appropriate, he would certainly agree with this retention. Commissioner Cornue apologized because he should have opened this up for discussion before taking a vote on the resolution. He asked Deputy Chief Colucci to provide the Board with an overview on why this appointment was needed. Deputy Chief Colucci stated that he had met with the Cherry Hill Chief and he recommended this firm for FLSA, FMLA and Workmen’s Compensation issues. Recently, an issue involving FMLA came up with an employee and he reached out to Commissioner Cornue for authorization to contact this attorney for advice. Commissioner Nash asked him if he was satisfied with the guidance he received. Deputy Chief Colucci stated that he was very satisfied with Counsel Geaney so far and the advice that he has provided. He now knew that a request for FMLA is time sensitive with a 5 day to response period. Commissioner Nash asked Solicitor Braslow to explain what “non-fair” in the resolution meant. Solicitor Braslow explained that this is language required under the “pay-to-play” statute, where you can either choose to competitively bid for professional services or just make an appointment. Few agencies choose to go through the time and expense of competitively bidding services, so the only option is to use the “non-fair” language provided for in the statute and regulations.

FINANCIAL MATTERS:

- Commissioner Roura made a motion to approve the monthly bills for February 2011 in the amount of \$502,388.08, which was seconded by Commissioner Shapiro. The motion was unanimously approved by the Board.

MONTHLY REPORT BY THE ADMINISTRATOR:

- The Administrator had submitted his monthly report to the Board for their review prior to the meeting. Commissioner Cornue commented that it was good to see that the Station 362 shower reconstruction project is nearing completion. Administrator Jones noted that work should be completed this week and that there have been no extra charges for anything that has been done.

MONTHLY REPORT BY THE DEPUTY CHIEF:

- Deputy Chief Colucci reported that he did not submit a report for this meeting because he will be submitting it before the work session in the future.
- Commissioner Shapiro asked him if he could report on the Brittany Commons fire last Saturday night. He replied that he hadn't had a chance to review this incident in depth but did know that we made a pretty good stop and prevented more damage throughout the rest of the building.

STANDING COMMITTEE REPORTS:

- Commissioner Cornue stated these reports have been moved to the work session meetings and asked each chairman to be prepared to discuss and set their goals for 2011.

OTHER MATTERS:

- 2/19/11 Annual Election Results / Issues: Administrator Jones reported that, unofficially, the 2011 Budget Proposal was approved by a 599 to 227 vote and the New Apparatus Capital Lease question was approved by a 607 to 187 vote, which was a 76% approval margin. A total of 845 voters participated in the election, which was less than the 1761 voters in 2010 even though we did much more public notification this year through the newsletter. Commissioner Nash commented that some of the Station 362 poll workers complained that the people with the signs appeared to be too close to the polling entrance. He investigated and found that they were well beyond the 100' mark that they had to adhere to. He did have a situation with a resident that complained that the election notice and actual ballot were different and he took pictures of the election notice posted on the front door. He advised the resident to call Administrator Jones and discuss his concerns with him. Deputy Chief Colucci added that he had noticed that the election notice wording for the budget proposal was a little different from the sample ballot, although the question intent was the same. Administrator Jones stated that he will look into it. Commissioner Roura commented that everything ran smoothly at Station 361 with many positive comments from voters as they were leaving. Commissioner Shapiro expressed her concern about congestion in the Headquarters Station lobby with people holding non-election related discussions and making it difficult for voters to get through. She recalled that the election statute prohibits "gathering or loitering in the polling place" and that we should note this for next year. She also noted that although she knows that they had good intentions, the members holding up signs in support of the budget may have given voters the impression that they were protesting something. Commissioner Cornue suggested that it might be a good idea to review this with Union President Pine. Administrator Jones cautioned that picketing is their right as long as they don't harass voters and stay at least 100' beyond the polling place entrance. He thought that maybe next year he would mark off the 100' mark with chalk so that it was clear to everyone.
- Commissioner Cornue thanked the residents and our staff for supporting the Budget and our New Apparatus proposal. Deputy Chief Colucci felt that the results show that our residents and voters support us and what we are doing for them. Commissioner Shapiro commended Administrator Jones for bringing in the budget with a 0% increase, which must have been difficult. She said voters commented that they were happy their taxes were not increasing and that somebody in the Township has heard them. Administrator Jones stated that the Finance Committee agreed that this was the best thing that we could do this year and hoped that with a 0% increase, it would help get the New Apparatus proposal passed, which is exactly what happened. He felt that asking residents for more money in this economy was very difficult and he is glad that the Board supported his recommendation. Commissioner Cornue added that Deputy Chief Colucci and members of the Community Relations Committee worked hard in communicating our message to the community through the newsletter and intersection signs and he thought that this was effective.

- **Potential Shared Services Opportunities:** Administrator Jones reported that he has become aware that the Township and the School District are pursuing shared services in purchasing and other things and have held a couple of meetings. He knew that we not been contacted nor had the MUA been invited to be part of those meetings, so he reached out to the Township Manager to see if we could get a seat at the table with the other agencies. He doesn't know how much they are doing yet but until we sit down with them and see, we won't know what we are missing out on. Along with Deputy Chief Colucci, he would like to sit down with the Township Manager to open up a discussion and see where we might be able to help each other. She appears to be receptive to our overture, but only for vehicle maintenance at this point. We aren't sure what that means but he would like the Board's authorization to begin a dialogue. The Board agreed that Administrator Jones and Deputy Chief Colucci should proceed with this and find out whether we can get more involved.

COMMENTS OF FIRE DISTRICT PROFESSIONALS:

- Solicitor Braslow reported that he recently met with the NJ State Association of Fire Districts lobbyist, who reported that all fire service related legislative bills are currently at a stalemate. Bills related to changing our election date also seem to be on the back burner, although he read a number of articles this weekend that attack us again for our low voter turnout. He noted that the lobbyist has observed that there are a significant number of fire district related bills coming from legislators in non-fire district areas. He suspected that we need to be aware that if the Governor is given a Republican dominated legislature after the November election, significant legislation impacting us might get pushed through. He added that the LUARC Commission hasn't met in some time and apparently is no longer viable.

COMMENTS OF FIRE COMMISSIONERS:

- Commissioner Shapiro congratulated Captain Burnett for his recent acknowledgment by the Mount Laurel Board of Education for his efforts in our "Get Fired Up For Literacy" program. She understood that this program has gotten quite popular because 1st place winners receive a ride to school on a fire truck. She also recognized Battalion Chief Kirvan and Theresa Maschke for all of their efforts in making our Community Relations initiatives a success.
- Commissioner Roura congratulated the IT staff and the Administrator for recognition as the only Fire District in Burlington County recognized by the NJ State Comptroller's office for having a website with meaningful and significant public information including financial statements, meeting minutes, meeting calendar, etc.. It appears that almost everybody else either lacks that information or doesn't even have a website.

PUBLIC PARTICIPATION:

- Resident Marilyn Jones, 4314 Church Road, commended the Board on the Budget Forum presentation that they put on last week, stating that it was very informative and to the point. She felt that the newsletter had a lot of good information in it and was a good reminder to vote. She cautioned that the picket signs being held by members at the polling place on election day were of a concern because people couldn't read them and they were a distraction. She felt that we were very lucky this year and should do all that we can to keep taxes down next year. She added that last year, there were a lot of people that were upset because of the possible layoffs, which led to a high voter turnout. Commissioner Cornue thanked her for her comments.

Resolution #2011-12 "Closing of Meeting Pursuant to Open Public Meetings Act". Commissioner Roura made a motion to approve the resolution, which was seconded by Commissioner Shapiro. The motion was unanimously approved by the Board.

**THE OPEN SESSION ENDED AT 8:57 PM.
A CLOSED SESSION BEGAN AT 9:07 PM.
THE CLOSED SESSION ENDED AT 9:45 PM.**

Commissioner Shestack asked if the reorganization meeting date could be moved to Tuesday, 3/8/11 at 8:00 PM because he will be out of town on Monday. He made a motion to that effect that was seconded by Commissioner Nash. The motion was unanimously approved by the Board.

Deputy Chief Colucci reported that the "FirefightersNeeded" firm was here tonight taking pictures of members and apparatus for the recruitment program that they were putting together for us.

Commissioner Cornue asked the Board if they should put an advertisement in the papers to thank the community for coming out to vote and supporting us. Administrator Jones stated that this same question came up last year and that we put up a Thank You on the station message boards.

Commissioner Nash made a motion to adjourn the meeting that was seconded by Commissioner Roura. The motion was unanimously approved by the Board.

THE MEETING ADJOURNED AT 9:48 PM.