

BOARD OF FIRE COMMISSIONERS
Montgomery Township Fire District No. 2
PO Box 264
Blawenburg, New Jersey 08504

MINUTES OF DECEMBER 7, 2017

CALL TO ORDER

The regularly scheduled meeting of the Board was called to order by Commissioner Martin at 7:00 pm, following proof of publication under the Open Public Meetings Law (Annual Meeting Notice published in the official newspaper of the district and provided to two other newspapers, filed with the municipal clerk, posted at the Montgomery Township Municipal Building, Board offices and fire district web site).

ROLL CALL

Present: Commissioners P. Martin, M. Ruppert, J. Sudol and S. Weingart. Absent: Commissioner L. Laughlin. Also present: Chief Gurzo, L. Franchino and Attorney Griswold.

APPROVAL OF MINUTES

The Board reviewed and discussed the minutes of the November 9, 2017 meeting.

A Motion was made to accept the minutes of the November 9, 2017 meeting as presented.

Motion made by Martin. 2nd by Weingart. Passed without objection.

TREASURER'S REPORT

BILLS

A copy of the Treasurer's Report was made available to each commissioner with a list and description of the bills to be paid. Two sets of turnout gear approved in September are too small to accommodate internal harnesses and will be returned to the vendor for credit. As a price adjustment is expected, the invoice from Skylands Area Fire Equipment for turnout gear (\$27,729.83) will not be paid at this meeting and will be placed on the encumbrance list for payment when the final invoice arrives.

A number of invoices were added to the lists of bills being paid at this meeting: FF1 for 8 Kevlar head harnesses (\$2,764.80) and MTVFC Chief's account for computers, chain saw and bulbs (\$4,816.96), both chargeable to the 2017 Supplies appropriation; Harlingen Garage for maintenance & inspection of the chief's vehicle (\$621.98), Bergey's for repairs to Tower 46 (\$455.19) and to 46-107 (\$652.33), MTVFC Chief's account for wheel chock and holder, flashlights & wands and food (\$723.98) and Comcast (\$74.95), all chargeable to the 2017 General Operating appropriation; Nottingham Insurance for commercial package renewal (\$9,177.03), chargeable to the 2017 Insurance appropriation; Mark A. Kasrel, MA, Inc. for leadership training sessions (\$1,120.00), SCESTA for Incident Management class (\$175.00) and MTVFC2 Chief's account for Nashville Conference expenses, Fire Police training class, firefighter retention program, training room supplies, drill food (\$22,549.67), all chargeable to the 2017 Training appropriation. The Chief Financial Officer certified that there are sufficient

encumbered and unencumbered funds in the 2017 budget to pay the bills as presented, amended and supplemented, and designated the account to which each would be charged.

The list of encumbrances (Table 4) will be updated to reflect those approved at this meeting and to clear excess funds from prior encumbrances.

Motion to accept the Treasurer's Report, to be updated with year-end encumbrances and cleared of excess funds previously encumbered, and to approve payment of the bills as presented, amended and supplemented.

Motion made by Martin. 2nd by Sudol. Passed without objection.

RESOLUTION 2017-51 - Payment of Bills.

The Chief Financial Officer having certified there are sufficient funds unencumbered and encumbered in the 2017 budget to pay the bills as presented, amended and supplemented, and having designated the accounts to which each should be charged, a Resolution passed authorizing payment of the bills in the total amount of \$67,859.13.

Resolution Ayes: Martin, Ruppert, Sudol, Weingart. Nays: None. Absent: Laughlin.

RESOLUTION 2017-52 – Approval of Encumbrances

The Chief Financial Officer having certified there are sufficient funds unencumbered in the 2017 budget, authorization to encumber those items included in the revised Table 4 of the Treasurer's Report presented at this meeting, along with an additional \$27,729.83 for the Skylands turnout gear payment being held over from this meeting and \$59,837.50 in general operational encumbrances for year-end expenses to be detailed in the updated report.

Resolution Ayes: Martin, Ruppert, Sudol, Weingart. Nays: None. Absent: Laughlin.

OLD BUSINESS

Insurance - The 2018 renewal premium for the Property and Casualty policy (\$9177.03) is less than anticipated and is being paid at this meeting. The Workers' Compensation renewal premium has not yet been communicated by the provider; funds for the first quarter payment, due before year end, have been encumbered (\$4800.00).

MEMS Agreement – Tabled until the January, 2018 meeting.

Building Generator – Commissioner Martin secured references for general maintenance/repair vendors. Modern Group Power Systems provided the most responsive competitive quote addressing fire district needs, consideration being given to the age and condition of the generator and the vendor's experience and references.

Motion to enter into a 1-year service agreement for generator preventive maintenance and repairs.

Motion made by Sudol. 2nd by Ruppert. Passed without objection.

RESOLUTION 2017-53 – Authorizing Firehouse Generator Service Agreement.

The Chief Financial Officer having certified there are sufficient unencumbered funds in the 2017 budget, authorization to enter into a 1-year preventive maintenance/service agreement with Modern Group Power Systems out of Edison, NJ at a cost of \$810.00 annually, chargeable to the 2017 General Operating appropriation. Commissioner Martin is authorized to execute the contract on behalf of the fire district.

Resolution Ayes: Martin, Ruppert, Sudol, Weingart. Nays: None. Absent: Laughlin.

2018 BUDGET

After discussion, the proposed fire district budget for 2018 (synopsis appended to these minutes) was presented for approval. The estimated tax rate remains the same as last year - \$0.047 per \$100 assessed valuation.

Motion by Martin.

2nd by Sudol.

Passed without objection.

RESOLUTION 2017-54 – Approval of 2018 Fire District Budget (attached).

Commissioner Martin expressed his thanks to all who devoted time to preparing this budget.

Rescue Apparatus (45-156) – The scope of the project has been defined. A question will be included on the February, 2018 election ballot seeking voter approval of the purchase and inclusion of the cost as a capital expense in the 2019 budget.

Engine 108 Replacement – The committee is meeting monthly. They have defined the intended function of the apparatus (Class-A engine/first out) and are in the process of delineating elements of the current engine that they would like to incorporate into this vehicle as well as enhancements to increase its versatility.

Commissioner Martin reported that Commissioner Laughlin has requested to step down as a board representative on the Engine 108 replacement committee. Commissioner Ruppert will take his place.

Command Vehicle/Car 46 Committee – Specifications have been prepared and will be distributed to board members for comment. The board intends to authorize bidding this project at its January, 2018 meeting.

LOSAP – Historic reviews will be forthcoming.

Records Retention – Document organization underway.

Firefighter Certifications – It was reported at the Fire Prevention Meeting that if a proposed Fire Code provision is adopted certifications for certain specialized training will need to be sent to the state for documentation and recording.

Pre-Plan License – Due to interface issues, among other things, the chief does not feel the system would be beneficial at this time. Commissioner Martin suggested the license be purchased for one year to determine the system's usefulness.

Rocky Hill Hook & Ladder Co. Agreement – Rocky Hill's fire chief will address the board early next year to present the fire company's annual report and to discuss matters and address concerns, particularly response to District #2's Blue Hill area where Rocky Hill supports the fire district most.

CHIEF'S REPORT – The fire company responded to 22 calls during November, 2017, including a structure fire (townhouse) and a vehicle extrication with helicopter medivac on Rt. 601. At both incidents Station 46 was the first to arrive on scene with 2 trucks; volunteers performed the extrication swiftly and efficiently. The chief has received numerous compliments on his crews' performance.

Public Health Event – The township's free rabies clinic will be held at the firehouse on January 20, 2018.

Events-

- The fire company will be busy with community holiday events, including Operation Santa, underway now.
- The fire company's holiday part will be held December 16th.
- The fire company's installation dinner will be held January 6, 2018.

Background Checks – The trustees are researching vendors for more comprehensive services than the local police can provide.

Boiler Inspection – The 2018 inspections were completed and no issues found. Approval stickers were issued.

A Motion was made to approve purchases presented to the board.

Motion by Martin. 2nd by Weingart. Passed without objection.

RESOLUTION 2017-55 –Approving Purchases and Expenditures.

The Chief Financial Officer having certified there are sufficient unencumbered funds in the 2017 budget, a Resolution passed authorizing the following expenditures:

- 1. Purchase of seven (7) carabiners for turnout gear from Skylands Area Fire Equipment at a cost of \$500.00, including shipping, chargeable to the 2017 Supplies appropriation. The vendor overlooked this item when sending and billing the turnout gear already received.*
- 2. Purchase of custom safety signs for firehouse apparatus bay doors pursuant to the only quote obtainable from Image Arts, Inc. at a cost of \$870.00, chargeable to the 2017 General Operating appropriation.*
- 3. Purchase and mount one (1) tire for 46-108 from Richie's Tire Service at a cost not to exceed \$800.00, chargeable to the 2017 General Operating appropriation.*
- 4. Encumber \$13,600 for transportation, housing, misc. costs (to be reimbursed upon submission of actual costs incurred), and additional course registration for attendees at the 2018 FDIC convention, chargeable to the 2017 Training appropriation.*

Resolution Ayes: Martin, Ruppert, Sudol, Weingart. Nays: None. Absent: Laughlin.

ENGINEER'S REPORT –

Apparatus –

Tower – Issue causing high voltage alarm activation has been repaired. The vehicle's generator is still out of service, however, if the lights are converted to LED's there may be no need for the generator.

Engine 7 – Problems with the CAFS unit control head again. The unit is out of service at this time.

Brush – Issues cited in recall notice have been repaired. Even though reprogrammed the Check Engine Light still comes on periodically, perhaps because the vehicle is not run often enough.

NEW BUSINESS –

LOSAP – Of the 46 volunteers eligible to participate in the program for 2017, to date 38 have earned contributions.

LOSAP Program Amendment– Revision of Plan Document – There are funds being held in LOSAP accounts for members who have not vested in the program and who have either separated from the fire company or who have not met the fire company's requirements for Active Membership for a number of years. The board finds it advisable to establish a policy to

recoup these funds as authorized by law and to amend its LOSAP program document to clarify the circumstances under which money being held in the dormant LOSAP accounts of non-active, non-vested members will be returned to the fire district.

Motion to amend the fire district's LOSAP as set forth in the proposed Amendment and Restated LOSAP Resolution attached to these minutes to address the circumstances under which money being held in the LOSAP accounts of non-active, non-vested members will be returned to the fire district, and prior to formal adoption to advertise and hold a public hearing on the proposed action at the board's regularly scheduled meeting at 7:00 pm on January 4, 2018 at the Montgomery Township Volunteer Fire Company firehouse at 529 Route 518 in Blawenburg, NJ.

Motion by Martin.

2nd by Sudol.

Passed without objection.

Fire District Elections – The Local Finance Board recently distributed a Notice dealing with fire districts, including the opportunity for fire districts to voluntarily elect to move their elections to the general election date in November. This will not be an option until at least the 2019 election year. Further guidance will be forthcoming.

2018 Annual Election – The election and budget referendum will be held on Saturday, February 17, 2018, with polls open from 2-9 pm. The closing date for the receipt of candidates' petitions to run for the two 3-year seats on the board is 5pm on January 12, 2017. Petitions are available from and shall be submitted to the Clerk of the Board, Stephen Weingart. Petitions can also be secured by calling 609-466-3967.

PUBLIC COMMENT – None.

ADJOURNMENT -

There being no further business to come before the Board, the meeting adjourned at 10:00 p.m. The next regularly scheduled meeting and public hearings on the LOSAP amendment and 2018 approved budget will be held on January 4, 2018 at 7:00 pm.

Motion by Martin.

2nd by Weingart.

Passed without objection.

RESOLUTION 2017-54

2018 FIRE DISTRICT BUDGET RESOLUTION
Montgomery Township No. 2

FISCAL YEAR: January 1, 2018 to December 31, 2018

WHEREAS, the Annual Budget for the Montgomery Township Fire District No. 2 (the "Fire District") for the fiscal year beginning January 1, 2018 and ending December 31, 2018 has been presented before the Board of Commissioners of the Fire District at its open public meeting of December 7, 2017; and

WHEREAS, the budget as introduced is in compliance with the Property Tax Levy Cap Law (N.J.S.A. 40A:4-45.44 et. seq.); and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 1,061,474.00, which includes an amount to be raised by taxation of \$ 919,020.00, and Total Appropriations of \$ 1,061,474.00; and

WHEREAS, the amount to be raised by taxation to support the district budget shall be the amount to be certified to the assessor of the municipality to be assessed against the taxable property in the district, pursuant to N.J.S.A. 40A:14-79. Such amount shall be equal to the amount of the total appropriations set forth in the budget minus the total amount surplus and miscellaneous revenues set forth in the budget; and

WHEREAS, in calculating the amount to be raised by taxation, the Fire District has taken into account the assessed valuation of taxable property in the Fire District;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Fire District, at an open public meeting held on December 7, 2017 that the Annual Budget, including all related schedules, of the Fire District for the fiscal year beginning January 1, 2018 and ending December 31, 2018 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the Fire District's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Fire District will consider the Annual Budget for adoption on January 4, 2018.

s/ Stephen Weingart
(Secretary's Signature)

December 7, 2017
(Date)

Board of Commissioners Recorded Vote

| Member | Aye | Nay | Abstain | Absent |
|------------------|-----|-----|---------|--------|
| P. Martin | X | | | |
| L. Laughlin, Jr. | | | | X |
| M. Ruppert | X | | | |
| J. Sudol | X | | | |
| S. Weingart | X | | | |

Montgomery Township
Board of Fire Commissioners
Fire District No. 2
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PROPOSED
SECOND AMENDMENT AND RESTATEMENT OF LENGTH OF SERVICE AWARD PROGRAM
(LOSAP)

WHEREAS, the Board of Fire Commissioners, Montgomery Township Fire District No. 2 deems is appropriate and necessary to maintain a program to ensure retention of existing volunteers and to provide incentives for recruiting new volunteer firefighters in the district, and

WHEREAS, the Board of Fire Commissioners, Montgomery Township Fire District No. 2, by Resolution dated December 16, 1998 adopted a Length of Service Award Program (LOSAP) in accordance with New Jersey Public Law, Chapter 388 (NJSA 40A:14-183 et seq), which LOSAP was approved by the district voters at the Board's annual election and budget referendum held on February 20, 1999, and

WHEREAS, by Resolution dated December 5, 2002, pursuant to said law and the rules and regulations promulgated thereunder, the Board adopted a Restatement and Amendment to the LOSAP to clarify certain provisions therein and to include automatic periodic Consumer Price Index adjustments to participants as allowed by law; and

WHEREAS, the Board now deems it advisable to further amend the LOSAP to clarify the circumstances under which the funds in an unvested, inactive volunteer's LOSAP account will revert back to the fire district; and

WHEREAS, a public hearing on this amendment to the LOSAP was duly held on January 4, 2018, after which the Board considered this Resolution for adoption; it is hereby

RESOLVED, by the Board of Fire Commissioners, Montgomery Township Fire District No. 2, that the following provisions are to be those of the restated and amended LOSAP:

1. The Length of Service Award Program (LOSAP) originally adopted on December 16, 1998, and as amended by Resolution dated December 5, 2002, is hereby restated and amended in accordance with New Jersey Public Law, Chapter 388 (NJSA 40A:14-183 et seq), to reward active members of the Montgomery Township Volunteer Fire Company No. 2 for their loyal, diligent and devoted services to the residents of Montgomery Township Fire District No. 2.

2. The LOSAP shall provide for fixed annual contributions, at the maximum contribution level allowed by law including automatic periodic Consumer Price Index adjustments, to a tax deferred income account for each volunteer member who meets the criteria set forth herein.

3. Such contributions shall be made in accordance with a Length of Service Award Plan adopted by the Board of Fire Commissioners and approved by the State of New Jersey, which Plan shall be administered in accordance with the laws of the State of New Jersey and of the United States, including the United States Internal Revenue Code, and this Resolution. The Board of Fire Commissioners shall have the right to enter into an agreement with the Contractor of its choice to service the LOSAP, and to terminate and/or amend such agreement with the Contractor as it deems advisable.

4. The LOSAP shall provide for an annual contribution for each eligible volunteer member who meets the criteria as follows:

(a) Members eligible to participate in the LOSAP are those who meet the definition of ACTIVE MEMBER as defined in Section 3.02, as revised November 9, 1994, and as may be revised in the future, of the Bylaws of Montgomery Township Volunteer Fire Company No. 2.

(b) For Service Credits earned after the Effective Date of the Restatement and Amendment to the LOSAP adopted by Resolution of the Board of Fire Commissioners on December 5, 2002, eligible members shall receive an annual contribution in an amount determined by the total Service Credit points a member earns in a calendar year as follows:

Service Credit Points

0 but less than 50 points
50 but less than 84 points
84 but less than 96 points
96 but less than 110 points
110 or more points

Contribution

No Contribution
20% maximum contribution allowed by law
50% maximum contribution allowed by law
75% maximum contribution allowed by law
100% maximum contribution allowed by law

(c) Prior Service Credits shall be granted up to a maximum of three (3) years of Service Credit. A year of Service Credit, for purposes of Prior Service Credits, shall be any three (3) years out of the ten (10) years immediately prior to the Effective Date of the originally adopted LOSAP in which a member accumulated the highest number of points as determined by the point schedules in “(d)” and “(e)” below. The Contribution Schedule according to which Prior Service awards shall be made is that of the originally adopted LOSAP. The maximum contribution for a year of Prior Service shall be \$1000.00.

(d) Service Point Schedule: Service Points shall be granted in accordance with the following schedule. In determining points earned in Categories 1 through 4 below, the percentage of attendance at each category shall determine the points awarded. For example, if there are 20 drills and a member attends 15 of them (75%) the member will be awarded 75 points in this category.

1. Attendance at Business Meetings – 12 points maximum
2. Attendance at Announced Work Sessions – 50 points maximum
3. Attendance at Drills – 100 points maximum
4. Response to Emergency Calls – 171 points maximum

(e) Bonus Points shall be awarded to eligible members for attendance at any of the following activities:

1. Attendance at a Fire Company Committee Meeting and/or Committee Work Session – ½ point per meeting or work session
2. Attendance and completion of Fire Schools accredited by Somerset County, the State of New Jersey, or the US Government or agencies thereof – ½ point per hour of class
3. Response to Mutual Aid Cover-up Assignments – ½ point per hour
4. Basement Pumps – ½ point per hour

The maximum points that may be accumulated in any single Bonus Category, 1 through 4 above, during a calendar year is fifteen (15) points. The maximum points that may be accumulated in all Bonus Categories combined during a calendar year is thirty-three (33) points.

5. Beginning with the 2019 LOSAP year, if prior to becoming vested in the LOSAP a volunteer is not on an approved leave of absence and as of the end of the LOSAP year has failed, or thereafter fails to meet the requirements of an ACTIVE MEMBER of Montgomery Township Volunteer Fire Company No. 2 for five (5) consecutive years, that person will be deemed to have voluntarily terminated his participation in the LOSAP program and all funds held in or accrued to that person’s LOSAP account shall be returned to the fire district’s surplus funds. Notice of termination shall not be required. Such person may participate in the LOSAP in the future by becoming an active member of the fire company and beginning a new vesting track in the LOSAP.

6. The calendar year for the LOSAP shall be January 1 to December 31 of the same year.

7. This Second Amendment and Restatement of the LOSAP should not impact the voter approved annual cost of the program as set forth in the 2002 Amended and Restated LOSAP Resolution, taking into account adjustments as allowed by law.

8. This Resolution shall not take effect until final adoption by the Board of Fire Commissioners of Montgomery Township Fire District #2, following a public hearing to be held on January 4, 2018.