

MOUNT LAUREL FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS
REGULAR MEETING MINUTES
March 21, 2016
Fire Department Headquarters Station
Meeting Minutes #4

IN ATTENDANCE:

1. Commissioner Ridenour
2. Commissioner Roura
3. Commissioner Shestack
4. Commissioner Hamilton
5. Chief of Department Colucci
6. Deputy Chief Burnett
7. Administrator Jones
8. Solicitor Braslow

NOT IN ATTENDANCE:

1. Commissioner DiPietrantonio

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

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

Public announcements were read by Commissioner Hamilton.

APPROVAL OF MINUTES:

Commissioner Roura made a motion to approve 3/3/16 Special Meeting minutes that was seconded by Commissioner Shestack. The motion was unanimously approved by the Board.

Commissioner Ridenour administered the oath of office to Fire Prevention Specialist Michael Wenz.

RESOLUTIONS:

Resolution #2016-12 “Appointment of David J. Hernandez as a Contributing Member (Photographer) of the Mount Laurel Fire Department”. Commissioner Roura made a motion to approve the resolution that was seconded by Commissioner Shestack. The motion was unanimously approved by the Board.

The Board took a brief recess at 8:03 PM so that the families of the new members could take pictures. The Board reconvened the meeting at 8:08 PM.

Resolution #2016-13 “Authorization for the Sale of Surplus Equipment Assets”. Commissioner Roura made a motion to approve the resolution that was seconded by Commissioner Hamilton. The motion was unanimously approved by the Board.

FINANCIAL MATTERS:

Commissioner Roura reported that he had reviewed the March bills and noted several large payments that were made this month, including bond issue interest payments, contractor progress payments and the annual employer pension payment of approximately \$950,000. Commissioner Roura made a motion to approve the payment of monthly bills totaling \$1,520,512.43 that was seconded by Commissioner Hamilton. The motion was unanimously approved by the Board.

MONTHLY REPORT BY ADMINISTRATOR:

The Administrator had submitted his monthly report to the Board for their review prior to the meeting and there were no comments or questions from the Board.

MONTHLY REPORT BY CHIEF OF DEPARTMENT:

Chief of Department Colucci reported that he did not submit a report this month because nothing had changed from his 3/3/16 meeting report. He noted that the Shop was handling 2 warranty issues involving the new KME apparatus and the paint on his vehicle

COMMITTEE REPORTS:

Building and Grounds: Commissioner Ridenour asked Administrator Jones to report on the status of the construction projects. Administrator Jones reported that he had provided an update in his monthly report and added that the site work improvements would begin shortly now that the winter weather was clearing. Part of the site work improvements included removal and replacement of the pavers @ Station 362 to eliminate tripping hazards and he asked the Board if it would mind allowing Department members to have their pick of the pavers before the contractor dug them out and removed them from the site for disposal. If enough of the pavers were removed by our members, we may be able to get a credit from the site work contractor on labor and disposal costs. Chief of Department Colucci added that he believes that Battalion Chief Evans has asked each of the Station Captains if they have a need for any of the pavers for future projects that they are considering. After a brief discussion, the Board approved the Administrator's request and suggestion.

Commissioner Ridenour asked Deputy Chief Burnett to update the Board on some of the Station 362 internal improvement projects that he was working on. Deputy Chief Burnett reported that he has obtained contractor quotes to paint and replace the carpet in several areas of the station along with the replacement of the exhaust hood in the kitchen. He hoped to begin this work in mid-April in the bunk room and then in the 2nd floor gym/dayroom area. He reported that the kitchen exhaust hood system is a residential system and does not vent outside, which has contributed over the years to a buildup of grease and dirt on the walls of the kitchen. Commissioner Shestack stated that he thought we had decided to purchase new kitchen appliances last year and Deputy Chief Burnett replied that we did purchase new appliances at the end of last year but that we now had to determine what level of hood exhaust system protection that we wanted to install. Commissioner Shestack felt that we should go with a full suppression system similar to those at the other 2 stations because staff live at these facilities and he felt that we had an obligation to give them good accommodations. Deputy Chief Burnett stated that he was pricing out several options so that we can make a final decision.

Commissioner Ridenour brought up the wording of the election ballot and Solicitor Braslow wanted to provide the Board with some information on what was required. He explained that the Title 40:40A statutes don't provide a lot of guidance about the wording of the budget proposal question on the annual election ballot. Section 40A:14-72 provides that "***The legal voters thereat shall determine the amount of money to be raised for the ensuing year and determine such other matters as may be required.***". Section 40A:14-78 provides that all matters that are to be voted on shall be in the form of a question. Section 40A:14-78.5 provides information on the annual election and if "***the question of finally adopting the budget is voted affirmatively upon by a majority of the legal voters voting in the election, the budget shall be considered finally adopted, and the Board of Fire Commissioners shall certify the amount to be raised by taxation to support the district budget to the assessor of the municipality***". He stated that many Fire Districts word their budget proposal questions differently, but he always recommends that they include the "amount to be raised by taxation" and the total budget amount and felt that whatever wording that we come up with should be reviewed by the DCA to make sure that it meets their approval and requirements.

Commissioner Shestack expressed his concern about the State being so worried about taxpayers understanding ballot questions, because here we are trying to simplify the wording and eliminate wording that misleads people and we might not really be able to do it. He referred to the budget proposal question on the Evesham Fire District ballot that reads "***Shall the sum of \$X be raised by taxation for the operation and maintenance of the Fire District for the year X***", which is a little different from our ballot question. Solicitor Braslow agreed with his concerns and added that regarding the exact wording that we need to include, there is very little guidance coming out of the DCA on this and not much direction can be found in the statutes. Administration Jones agreed with Solicitor Braslow's assessment and felt that what little guidance that we can glean from the statutes indicates that the phrase "raised by taxation" should be part of the question, even if it seems to be confusing to people. He suggested that maybe we can put an interpretive statement with it to clarify and clearly indicate the impact on the tax rate. Commissioner Shestack stated that most of the time when you challenge a statute, people are challenging it for their benefit but in this situation, we wanted to challenge it because the average taxpayer doesn't seem to understand the words "raised by taxation" and we have an obligation to make sure that our ballot questions are clear and understandable.

Solicitor Braslow stated that he understood what Commissioner Shestack was saying but that he could not support changing the wording to say that the budget amount is 'X' and the net amount is 'X' without saying "raised by taxation" because that phrase is sprinkled throughout the statute. Commissioner Shestack suggested that Solicitor Braslow contact the Deputy Director of the DCA to discuss what we want to do in clarifying the budget proposal question and our concerns about how taxpayers mis-interpret that phrase. Solicitor Braslow replied that he will call them tomorrow and try to get clarification. Commissioner Hamilton asked what the penalty would be if the Board clarifies the question the way that we think it should be so that taxpayers can understand what they are voting on. Administrator Jones replied that the problem would be that if you put a budget proposal question on the ballot that doesn't meet the requirements that the DCA requires it to meet, the question could be deemed invalid, which could invalidate the public vote and we would not have a budget to work from.

OTHER MATTERS:

None.

COMMENTS OF FIRE DISTRICT PROFESSIONALS:

Solicitor Braslow reported that the relationship that we have with the DCA today couldn't be any worse because they are making interpretations about things that appear to be very "anti-Fire District". He provided a few examples of some of the latest things that they are doing, mostly involving decisions on bond issues and capital projects. He felt that many members of the DCA staff do not know what they are doing and are very inexperienced.

He refreshed the Board's memory about last year's legislation that had been introduced to change the date of the annual election and incorporate some things to help Fire Districts. The legislation was extensively discussed and the NJ State Association of Fire Districts provided a lot of input in working out the details with the County Clerk's in order to allow the change in the election date. It was never voted on last year but had been re-introduced again this year for a vote. The legislation sponsor, Senator Beech, left the country on a trip and Senator Turner took that opportunity to introduce her own version of the bill, which had a number of major problems and ignored many of the compromises that were addressed in Senator Beech's bill. Nobody knows why she did this, but the NJ State Association of Fire Districts will be supporting and fighting for Senator Beech's bill and not hers.

He reported that the Firefighters Union in Hamilton Township finally submitted their consolidation petitions to the Township Council and had a press conference with the Mayor. He has heard that several of the petitions don't have enough signatures and might be returned to the Union to get the additional signatures needed.

COMMENTS OF FIRE COMMISSIONERS:

None.

PUBLIC PARTICIPATION:

None.

Resolution #2016-14 "Closing of Meeting Pursuant to Open Public Meetings Act". Commissioner Roura made a motion to approve the resolution that was seconded by Commissioner Shestack. The motion was unanimously approved by the Board.

**THE OPEN SESSION ENDED AT 8:32 PM.
A CLOSED SESSION BEGAN AT 8:33 PM.
THE CLOSED SESSION ENDED AT 8:44 PM.**

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

THE MEETING ADJOURNED AT 8:45 PM.