

TOWNSHIP OF MONROE
Board of Fire Commissioners
Fire District No. 2
Minutes of the Reorganization and Regular Meeting
Wednesday, March 10, 2010

The Monroe Township Board of Fire Commissioners of District No. 2 met at the Applegarth Volunteer Engine Company No. 1 Firehouse, Applegarth Road, Monroe Township, New Jersey for an Agenda, Reorganization and Regular Meeting.

Chairman Mahler called the agenda meeting to order with a Salute to the Flag at 7:00 pm.

UPON ROLL CALL made by Commissioner Martin Berkowitz, the following members of the Monroe Township Board of Fire Commissioners of District No. 2 were present: Martin Berkowitz, Glenn Borsuk, Maurice Mahler, Ed Mitnowsky and Lawrence Reisch.

ALSO PRESENT: Board Attorney Richard J. Shaklee, Esquire.

There was one paid firefighter present: Chief Carbin.

There were two volunteer firefighters present: Dave Lesser and President Mark Davis.

There were two members of the public present: Brian Moore and Jason Martin.

Chairman Mahler announced that the meeting was being held in accordance with the Open Public Meeting Act, having been published in the newspaper, posted on the bulletin board of the Office of the Township Clerk, and notices sent to those requesting such.

AGENDA MEETING

Chairman Mahler would like to do a consent agenda for numbers 7-27 of the agenda since there will be no changes to the board positions. Attorney Shaklee reviewed additional resolutions that can be done by consent agenda. Compensation resolutions will be read individually.

Board reviewed the 2010 meeting dates for the resolution and made corrections. Chairman Mahler asked if there were corrections to the minutes. Commissioner Borsuk had correction to pages 1, 5, and 8.

Commissioner Reisch requested the Recording secretary send a letter to the township for additional tax payment of \$37,375.00. The Board received a payment of \$686,687.50 and the new tax amount is \$724,062.50.

President Davis, of Applegarth Fire Department Volunteers, introduced himself to the board - looking to continue their working relationship with the volunteers.

Commissioner Reisch would like to review Attorney Shaklee's fees in the regular meeting.

Commissioner Berkowitz read titles of resolutions from the Board Accountant - Attorney Shaklee will read as consent agenda in regular meeting.

Chairman Mahler announced a closed session will be needed tonight.

Chairman Mahler asked for a motion to adjourn.

UPON MOTION MADE by Maurice Mahler and seconded by Edward Mitnowsky, the agenda meeting was adjourned.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

REGULAR MEETING

Chairman Mahler called the regular meeting to order with a Salute to the Flag at 7:30 pm. Chairman Mahler asked for a moment of silence for all firefighters, and military, who have died in the performance of their duties.

UPON ROLL CALL made by Commissioner Martin Berkowitz, the following members of the Monroe Township Board of Fire Commissioners of District No. 2 were present: Martin Berkowitz, Glenn Borsuk, Maurice Mahler, Ed Mitnowsky and Lawrence Reisch.

ALSO PRESENT: Board Attorney Richard J. Shaklee, Esquire.

There was one paid firefighter present: Chief Carbin.

There were two volunteer firefighters present: Dave Lesser and President Mark Davis.

There were two members of the public present: Brian Moore and Jason Martin.

Chairman Mahler announced that the meeting was being held in accordance with the Open Public Meeting Act, having been published in the newspaper, posted on the bulletin board of the Office of the Township Clerk, and notices sent to those requesting such.

REORGANIZATION MEETING

Chairman Mahler asked Board Attorney Shaklee to swear in the re-elected commissioners. Board Attorney Shaklee swore in the re-elected Commissioners Glenn Borsuk and Edward Mitnowsky.

Motion on consent agenda for item numbered 7-66, of the agenda, with the exceptions of numbers 45 (Board Compensation-Appendix L), 53 (Meeting dates-Appendix P), 57 (Board Attorney Compensation-Appendix R), 63 (District Taxes-Appendix V) and 64 (Amount voted on at election-Appendix W).

UPON MOTION MADE by Glenn Borsuk and seconded by Martin Berkowitz, to do a consent agenda for all Resolutions, except those numbered 45 (Appendix L), 53 (Appendix P), 57 (Appendix R), 63 (Appendix V) and 64 (Appendix W) from the agenda.

ROLL CALL: Aye Berkowitz

Aye Borsuk

Aye Mahler

Aye Mitnowsky

Aye Reisch

Chairman Mahler informed the Board of the need for establishing compensation for members of the Board of Fire Commissioners of District 2. Chairman Mahler stated there will be a change to the monthly stipend with an increase to \$250.00.

UPON MOTION MADE by Maurice Mahler and seconded by Glenn Borsuk, a Resolution was adopted establishing compensation for members of the Board of Fire Commissioners of District No. 2, with an increase of \$50 to the monthly stipend, expiring at the 2010 reorganization meeting.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

Attached as Appendix L.

Chairman Mahler informed the Board of a need to adopt a Resolution establishing date, time and place of monthly meetings for Fire District No. 2.

It was noted that there is a conflict on September 8, 2010 due to a religious holiday. The board agreed to move the meeting date to September 15, 2010.

UPON MOTION MADE by Glenn Borsuk and seconded by Martin Berkowitz, a Resolution was adopted establishing date, time and place of monthly meetings for Fire District No. 2.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

Attached as Appendix P.

Chairman Mahler informed the Board of the need for a Resolution establishing compensation for the Board Attorney.

Board Attorney Shaklee requested a \$5.00 per hour increase, since it's been three years since the last increase. The board is in agreement with the increase to the resolution.

UPON MOTION MADE by Lawrence Reisch and seconded by Martin Berkowitz, a Resolution was adopted for the compensation of Board Attorney Richard Shaklee, of McLaughlin, Gelson, D'Apolito & Stauffer LLC, with a new hourly fee of \$145.00, for the term expiring 2010.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

Attached as Appendix R.

Chairman Mahler informed the Board of the need to adopt a Resolution requesting district taxes.

UPON MOTION MADE by Martin Berkowitz and seconded by Maurice Mahler, a Resolution was adopted requesting district taxes for Fire District No. 2.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

Attached as Appendix V.

Commissioner Reisch asked the recording secretary to send a letter to the Township to request the additional tax payment of \$37,375.00 for 1Q10.

Chairman Mahler informed the Board of the need to adopt a Resolution certifying the amount of money voted on at the 2010 election be sent to Township Clerk and the Tax Assessor of the Township of Monroe.

UPON MOTION MADE by Glenn Borsuk and seconded by Lawrence Reisch, a Resolution was adopted certifying the amount of money voted on at the 2010 election be sent Township Clerk and the Tax Assessor of the Township of Monroe.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

Attached as Appendix W.

Commissioner Reisch suggested that the Resolution for the Liaison to the Paid department (Appendix X) have the tasks be more concrete. Commissioner Reisch feels that certain items need to be reviewed with the Chief and many of the Liaison responsibilities need to be adhered to. Commissioner Reisch suggested having the responsibilities done once a month. Commissioner Berkowitz stated he is in touch with the Chief at least once a month. Commission Berkowitz stated he will be more persistent with his follow up, based on the items noted in the Resolution so the board is aware.

Chairman Mahler announced the reorganization portion of the meeting has been completed and the regular meeting would continue.

MINUTES

A Motion was considered on the Minutes, with corrections stated in the agenda meeting.

UPON MOTION MADE by Glenn Borsuk and seconded by Martin Berkowitz, a motion was adopted to approve the minutes, as amended, of the February 10, 2010 agenda and regular meeting.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

CLAIMS AGAINST THE BOARD

Chairman Mahler asked for the motion on the claims against the board.

UPON MOTION MADE by Glenn Borsuk and seconded by Lawrence Reisch, claims against the Monroe Township Board of Fire Commissioners of District No. 2 were approved in the amount of \$406,203.18.

ROLL CALL: Aye Berkowitz
Aye Borsuk
Aye Mahler
Aye Mitnowsky
Aye Reisch

Chairman Mahler questioned the career uniform claim. Commissioner Mitnowsky stated the claim included boots. Chief Carbin stated it also includes the T-shirts and uniforms as well.

TREASURY REPORT

Chairman Mahler asked for the treasury report.

Commissioner Reisch stated the following:

Hudson City Savings Bank:

Unrestricted Funds	\$435,599.72
Restricted	\$404,296.13
Capital Projects	\$792,502.00
Cash on Hand	\$170.00
Total Balance	\$1,632,567.85

Attorney Shaklee read eight parts of a consent agenda for the 2009 Year End Resolution and 2010 Fund Appropriation Resolutions from Board Accountant, Resolutions:

- Encumber \$85,000 of surplus from 2009 budget to cover 2009 expenditure that

will be paid in 2010.

- \$80,000 of the Building and Equipment Acquisition fund be appropriated to the 2010 budget to reduce monies need to be raised by taxation for capital projects.
- \$53,654.04 of interest earned on bond monies be restricted in the Debt Service Fund at the end of the 2009 budget year.
- \$20,000.00 of Unrestricted Surplus will be utilized in the 2010 Budget to offset the monies needed to be raised by taxation.
- \$221,031.89 of the un-expensed monies that were appropriated for the Solar Panels are to be restricted in the Improvement Authorization Fund.
- Any remaining surplus at the end of the 2009 budget year is to remain as unappropriated and unrestricted to maintain constant positive balance in the bank checking account.
- Upon end of 2009 budget year there is an allowance to re-appropriate monies from line items in the budget that have surpluses to line items in the budget that have deficits.

UPON MOTION MADE by Lawrence Reisch and seconded by Martin Berkowitz, 2009 Year End resolutions & 2010 Fund Appropriation Resolutions for the Monroe Township Board of Fire Commissioners of District No. 2 were approved.

ROLL CALL: Aye Berkowitz

Aye Borsuk

Aye Mahler

Aye Mitnowsky

Aye Reisch

CORRESPONDENCE

Chairman Mahler asked if there was any correspondence to be read.

Commissioner Berkowitz read:

- Letter to NJ Election Law requesting six copies of a new version of A-1.
- Letter to James Vokral, of Middlesex County Board of Elections regarding registered voters that did not appear on voting list in Applegarth and Clearbrook polling locations.
- Letter to Clearbrook, Concordia, Encore, Ponds and the two Renaissance communities thanking them for access to their communities, election of commissioners and approval of budget.

Chairman Mahler congratulated the commissioners on their election. Chairman Mahler stated it was very disheartening that there are 1700 residents in Concordia and only 70 voted at the Fire District election.

Commissioner Reisch said their should be a direct mailing of the fire wire in February and the board should compose it.

Chairman Mahler feels the board of commissioners needs to have the board of trustees in the communities mention the election in their meetings and television channels. Commissioner Borsuk asked when the boards in communities have meetings. Commissioner Reisch stated they have no meetings in January and February. Commissioner Berkowitz stated Clearbrook has monthly meetings, but minimal attendance in January and February. Commissioner Reisch feels the board should attack it close to the election; stressing how this board has kept the tax rate down.

Chairman Mahler suggested finding someone cheaper and create a series of publications. Commissioner Reisch suggested doing one mailing in the summer and one in February. Chairman Mahler suggested sending a postcard mailing.

Commissioner Borsuk stated that if the meetings stop in January, then the board needs to get into the communities in November and December face to face to be hands on for questions. Chairman Mahler asked if letter can be sent to get on their agenda. Commissioner Borsuk stated a phone call may be more effective.

Commissioner Reisch stated Concordia has a Government Affairs committee and can request a meeting with them. Commissioner Borsuk suggested that the meeting should not be limited to boards. Commissioner Borsuk spoke to the Italian American club, which had a good showing. Commissioner Reisch suggested getting main ballroom and have Concordia board/government affairs sponsor the meeting and run on their TV station.

8:10pm - Firefight Lebrun arrived.

Commissioner Borsuk suggested putting together a calendar of meetings, and each commission will reach out for their communities calendars. Commissioner Borsuk will call the Ponds and Renaissance for meeting dates.

Commissioner Mitnowsky stated to get more votes, the state needs to change the voting date. Jason said they are looking at moving the election date.

BUILDING COMMITTEE REPORT

Chairman Mahler asked Attorney Shaklee to read the building resolutions.

Attorney Shaklee read the resolutions, by title, resolutions authorizing change orders GC27 and GC28 for the construction of Halsey Reed Road Fire House/Emergency Medical Services Facility:

- GC27 - in the amount of \$1,620 for the upsizing of the supply and return piping for the radiant heat piping
- GC28 - in the amount of \$1,393 for the installation of the kitchen hood layout modifications required for ceiling light; additional light fixtures and modification of electrical feed.

UPON MOTION MADE by Maurice Mahler and seconded by Glenn Borsuk, to approve the consent agenda resolutions GC27 and GC28, as presented.

ROLL CALL: Aye Berkowitz

Aye Borsuk

Aye Mahler

Aye Mitnowsky

Aye Reisch

Chairman Mahler sent Board Attorney Shaklee a letter from Wayne Hamilton not understanding Solar payments. Board Attorney Shaklee and Commissioner Borsuk said the township states they have only received \$25,000. Chairman Mahler and Commissioner Berkowitz said the township received \$100,000.

Attorney Shaklee stated the award is dispersed:

- \$25,000 at the grant of the award
- 50% of the award by 50% completion, as certified by the County
- 25% upon project being fully complete, as certified by the engineers

The County is holding the remaining funds, based on certification.

Chairman Mahler asked Mr. Moore for an update on the new firehouse. Mr. Moore reported:

- Santorini is trying to make the April 30th date.
- Open items -Changed generator; Awarding of telephone since it's part of the alarm system; Working with Township trying to get soil conservation and Fiest engineering on storm water transfer
- Senior center went to bid - only 8 bidders on \$10million project; bids are being reviewed. If they award in April, they won't see anything started until June- there will be lots of dust.
- Due to dust, at New firehouse the challenge will be to keep the solar panels clean to get the right efficiency; may need to hose down the panels with the ladder truck; if they can take that water pressure.

Chairman Mahler stated the manufacturer will need to let us know how to properly clean the solar panels.

- Snow covers panels and they shut off - need to know how to remove snow as well.
- Did parking lot polls today; Curbing will be done tomorrow
- April 19th is date for final blacktop; bringing in landscaper to finish exterior

- Working on bathrooms, building is walk able now
- Depending on material showing up and weather, the date of April 30th won't be ready to be operational. It still will need to be cleaned out; could be 4-6 weeks to address fixtures and make it move in ready.

Chairman Mahler stated they are looking at the dedication of building in September. Commissioner Reisch stated it should be move in ready before September.

Commissioner Reisch asked on what cost of what has been spent. There is a spreadsheet with cost spent and remaining amount. Mr. Moore stated \$147,146.00 is left. Commissioner Reisch asked if there are any expenditures left. Mr. Moore stated anything left is change orders that may come up.

Attorney Shaklee stated the township percentage is 26-27%. Commissioner Reisch stated the township cost is \$1.565 million if it comes in on target. If it comes in less, they pay based on that cost; 26-27% of that amount. Commissioner Reisch wants to make sure we don't go over cost.

Mr. Moore stated the board should consider that the board may be dispersing funds for expenses prior to being reimbursed by the township. Attorney Shaklee is asking for second payment, 26% of \$5.6 million, minus what they already paid. Approximately \$900,000 is what the board is asking for from the township. Total construction is \$5.6 million, excluding change orders.

FIRE PREVENTION BUREAU REPORT

Chief Carbin reviewed the Fire Prevention Bureau and Paid Department, distributed to the Board for review. Chief Carbin mentioned:

- Mid February snow storm created many incidents
- Mutual aid to working structure
- Truck committee has specifications and miniature drawing of truck. Will put a committee together to review. Hope to go to bond by July. Attorney Shaklee stated there are time constraints for the election-absentee ballots, etc. and it has to be 90 days out.

Commissioner Reisch stated the board has to consider when it puts it out for bond; the public is not in favor of bureaucracy, so the board should try for September, before the general election, or October at the latest.

- Chief Carbin stated that bills came in today and he will make requisitions for signature.
- Review Open public records Act fee schedule. As of July 1, department used township fee for OPRA requests since fee schedule is changing. Now the department has to create their own reasonable fee schedule.

- One opening for the Department of Community Justice for basic fire investigative course. If anyone has to testify, that is the course that is recommended (120 hours - 3 week class)

Commissioner Reisch stated that the board is in the midst of union negotiations. Chief Carbin stated this is training line item. Chief Carbin stated he would make the person swap shifts (course in Sea Girt).

UPON MOTION MADE by Glenn Borsuk and seconded by Maurice Mahler, to approve \$500 for the DCJ Basic Arson Investigation course.

ROLL CALL: Aye Berkowitz

Aye Borsuk

Aye Mahler

Aye Mitnowsky

Aye Reisch

- Chief Carbin stated he is waiting to hear from Oak Tree School on when they can use the school. Once they have a date they can put out the notice.

Chairman Mahler mentioned that there is a rally on March 17th in District 1. Chief Carbin stated that during the day, there is not a guaranteed response from district 1. Commissioner Reisch stated district 1 passed with 2 paid fireman and 2 subs in there budget. Chairman Mahler stated the public is at risk.

APPLEGARTH VOLUNTEER FIRE COMPANY REPORT

President Davis announced they have new members coming in and two applications received. They have put together a membership committee and they are working hard. The Installation dinner is on March 20th and extended the invitation to the board.

OPEN TO THE BOARD

Chairman Mahler asked if the board had any items to discuss.

Commissioner Reisch brought up Attorney Shaklee's bills. Someone has been coming to mediation meeting with Attorney Shaklee. Attorney Shaklee has not brought someone with him in the past and the board has not requested an additional mediator. The board is being charged for this additional fee. Commissioner Reisch is not happy with the additional fees. Commissioner Reisch doesn't know if the firm or Attorney Shaklee wanted the additional lawyer, Ryan, at mediation, and he didn't add to the mediation.

Attorney Shaklee stated that Ryan had done much of the prep work for the mediation and was very helpful with the spreadsheet for cost. Ryan supplied the numbers of the proposals. Most mediations have a financial officer, accountant, or CFO available.

Commissioner Reisch stated this goes against his grain and doesn't feel the board should pay for Ryan's time on the two mediations. Commissioner Reisch realizes he is a new attorney, but the board didn't know they would be charged for his services until they received the bill. Attorney Shaklee will look into making an adjustment. This was the first time in 15 years he had brought in a second attorney, but there may be a time of needing this again.

Commissioner Borsuk stated if the board knows ahead of time, it would be helpful.

MEETING OPEN TO THE PUBLIC

Chairman Mahler opened the meeting to the public. The public had no comments.

CLOSED SESSION

Chairman Mahler announced the need to hold an executive session at 9:10 pm for the purpose of collective bargaining contract negotiations.

UPON MOTION MADE by Glenn Borsuk and seconded by Martin Berkowitz, to hold an executive session for the purpose of contract negotiations.

ROLL CALL: Aye Berkowitz

Aye Borsuk

Aye Mahler

Aye Mitnowsky

Aye Reisch

ADJOURN

Chairman Mahler asked for a motion to adjourn.

UPON MOTION MADE by Maurice Mahler and seconded by Martin Berkowitz, the meeting was adjourned.

ROLL CALL: Aye Berkowitz

Aye Borsuk

Aye Mahler

Aye Mitnowsky

Aye Reisch

MARTIN BERKOWITZ
Board Secretary

MAURICE MAHLER
Chairman

APPROVED:

NOTE: Appendixes can be obtained upon request from the Board Secretary.

Agenda, Reorganization and Regular Meeting
March 10, 2010

PREPARED BY: Valerie J. Cier