

September 7, 2017 Meeting of the Board of Fire Commissioners

District #3 in the Township of Hanover

County of Morris, Cedar Knolls, New Jersey

The meeting was called to order at 7:00 p.m. on September 7, 2017 in accordance with the Public Meeting Act of 1975, Chapter 231.

ATTENDANCE: Commissioners Robert Callas, Peter DeNigris, Michael Dugan, Maria Florio and Tom Quirk were present.

Chief DiGiorgio, Administrator Schultz, Lieutenant Belott, Asst. Chief O'Hare and Asst. Chief Martin were also in attendance.

PUBLIC PARTICIPATION: None.

CORRESPONDENCE: None.

APPROVAL OF PREVIOUS MINUTES:

The minutes from the August 3, 2017 Regular Meeting were reviewed again. Commissioner Florio noted that the Attendance section of the minutes correctly reported that she was absent while the Approval of the Minutes section reported that she abstained from the vote. The minutes will be amended to reflect Commissioner Florio as absent in all sections. Administrator Schultz noted that the minutes incorrectly report that the fire house roof was inspected and approved in December 2017. The minutes will be amended to reflect the correct date of December 2016. The minutes from the August 17, 2017 Regular Meeting were reviewed. Commissioner Florio noted that the date of the next Joint Fire Prevention Board in the New Business section incorrectly reports the date as Monday, September 7, 2017. The minutes will be amended to reflect the correct date of Thursday, September 7, 2017. The minutes from the August 17, 2017 and August 30, 2017 Special Meetings were reviewed. Commissioner DeNigris made a motion to accept the minutes from the August 17, 2017 Regular and Special Meetings. Commissioner Quirk seconded the motion. All were in favor. Commissioner Florio abstained. Commissioner Florio made a motion to accept the minutes from the August 30, 2017 Special Meeting and the amendment to the August 3, 2017 Regular Meeting. Commissioner Callas seconded the motion. All were in favor.

REPORT OF THE TREASURER: Commissioner DeNigris reported that the Board has received \$250.92 from the collection agency in August.

Commissioner DeNigris reported that the Board has received a payment voucher from the Township of Hanover for the Fire Safety-Service supplement which is split with Whippany. Fire District 3 will receive \$2,197. Commissioner DeNigris reported that the Board has also received a payment voucher for a 2017 contribution from the Jewish Community Center which will also be split with Whippany. Fire District 3 will receive \$5,000.

Commissioner DeNigris reported that the Dental Plan is coming up for renewal in November with a premium increase of 3% and no change in benefits.

Commissioner DeNigris noted that this is the first increase in about eight years. The yearly premium would be \$6,570.60. Commissioner DeNigris asked for the Board's permission to execute the renewal. The Board approved the request to renew the Dental Plan.

Commissioner Quirk made a motion to accept the Treasurer's Report, seconded by Commissioner Callas. All were in favor.

Report of Fire Commissioner Board Committees and Chief of Department:

CHIEF'S REPORT: Chief DiGiorgio distributed his Bi-Monthly Report prior to the meeting.

Chief DiGiorgio reported that Ambulance 38 is down at VCI and the remount is going well. The box is off the original chassis and they are starting to prep the body for remount. VCI estimated that the work would be complete in about 6 weeks. Chief DiGiorgio reported that a decision has to be made as to how to get the old chassis back to the fire station. He will ask VCI if the chassis is able to be driven back or if it has to be put on a flatbed for transport. Commissioner DeNigris noted that he thought the contract stipulated that VCI would get rid of the chassis. Chief DiGiorgio reported that the Board has chosen to take it back and sell it ourselves since the trade in value was considered less than it was worth.

Chief DiGiorgio reported that the District has received requests from Whippany Park High School for coverage during the Fall sporting events. Lieutenant DeSimone is working on scheduling coverage. Commissioner Dugan asked if the

District is still covering after school practices each day at the high school. Chief DiGiorgio reported that the primary ambulance is stationed at the school from 3:30 p.m. until 5:45 p.m. on Monday through Friday. The ambulance responds to calls from the high school during these times.

EMS: Nothing to report.

BUDGET: Nothing to report.

PERSONNEL: Nothing to report.

NEGOTIATIONS: Commissioner Callas reported that signed MOA has been sealed and put with the current contract. Commissioner Callas reported that the Board will be able to continue negotiations.

LIAISON TO THE VOLUNTEERS: Nothing to report.

BUILDINGS AND GROUNDS:

Roof Project: Commissioner Dugan reported that Bondex is writing up an agreement releasing the Board from any liability, indemnification of any liens, and stating that neither party will expect anything further from the other party. Commissioner Dugan reported that the Board should receive the agreement by Friday and will forward it to Mr. Braslow for review. Commissioner Dugan reported that a contractor is scheduled to look at the roof and assess how to complete the work.

Apron Project: Commissioner Dugan reported the grading and sealing is complete. The seeding was not done where the sign will be installed because the area needs to be dug up for installation. Commissioner Dugan will ask for a status report from the Fire Co. on their proposed paver project.

2017 Building Improvements

Sign Project: Commissioner Dugan reported that the Board is waiting to receive estimates for both the electrical and masonry aspects of the installation. Commissioner Florio asked what the time estimate is to have the installation completed. Administrator Schultz reported that the work should start this month.

Commissioner Dugan reported that the Bay Floor project has been put on hold due to the other projects and may not be completed this year.

APPARATUS/EQUIPMENT AND MAINTENANCE: Chief DiGiorgio reported that the hydraulic line has been repaired on Truck 33 and three tires were replaced on Engine 34.

Chief DiGiorgio thanked all the staff members who helped get the loaner ambulance in service. When the loaner was delivered, there was labeling that needed to be done, it needed to be inspected and radios were needed for it. Lieutenant McGuinness took the ambulance to be inspected and Lieutenant Belott located radios.

INSURANCE: Nothing to report.

COMMUNICATIONS: Nothing to report.

BY-LAWS: Nothing to report.

WEBSITE: Nothing to report.

PLANNING COMMITTEE: Commissioner Callas reported that the committee will meet soon.

LIASON TO EXEMPTS: Nothing to report.

RECORDS RETENTION: Chief DiGiorgio reported that during a meeting with the Director of the Division of Fire Safety it was noted that the requirement to retain paper copies of all documents pertaining to fire safety has changed with the new Fire Code revisions. The new regulation allows for electronic copies of the documents and this will allow the District to destroy paper copies once it is verified that an electronic copy of these documents exists.

LIAISON TO HANOVER TOWNSHIP COMMITTEE: Commissioner DeNigris reported that another vendor is interested in purchasing the Whippany Firehouse but he does not know the status. Commissioner DeNigris reported that Whippany Village would be interested in purchasing the Whippany Firehouse at fair market value but the Whippany Firehouse rejected this because of interest by another vendor.

OLD BUSINESS: Commissioner Quirk reported that the original plan for door prizes for the Fire Co. Dinner Dance that the Board had agreed to subsidize has fallen through. Commissioner Quirk asked the Board if they were willing to

subsidize an alternate door prize. The Board agreed to purchase the door prizes as a token of appreciation from Fire District 3.

Commissioner Dugan reported that he has written two Thank You letters to the Fire Co. One is to thank the Fire Co. for their donations for the Day Room and the other is to thank the Fire Co. for their donation towards the electronic sign.

NEW BUSINESS:

Administrator Schultz reported that he discussed the termination of health benefits for FF/EMT/INSP William Schwarz pursuant to his resignation date of September 13, 2017 with Commissioner DeNigris. The two available options are to terminate coverage as of September 13, 2017 and receive a prorated refund of the September premium of about \$200 or to terminate coverage as of October 1, 2017. Administrator Schultz noted that FF/EMT/INSP William Schwarz is not eligible to collect on his accrued PTO which totals about \$1,200. Commissioner DeNigris recommended that the Board terminate the health coverage as of October 1, 2017. The Board was agreed to this date.

Commissioner Florio reported that the Board wanted to discuss the policies and procedures on how the scheduling for the per diems and the volunteers is prepared. Specifically the Board wants to discuss who is preparing the schedule, how is it being done, what are the scheduling policies, are we adhering to the scheduling policies and are both the per diems and the volunteers aware of these policies. Chief DiGiorgio reported that there are guidelines for scheduling and most of these guidelines are not specific to volunteers or per diems. There are some guidelines that are specific to employment of the per diem relative to the amount of hours they have to give and their availability requirements. Chief DiGiorgio reported that, prior to his retirement; Captain Lake was handling the scheduling for the part time and full time employees. Lieutenant DeSimone has taken over this responsibility. Chief O'Hare is handling the scheduling for the volunteers. The per diems are required to put in a minimum of 30 hours a month and report their availability for the upcoming month by the 10th of the current month. The volunteer schedule is broken down into a 4 hour evening shift and an 8 hour overnight shift. The 4 hour evening shift corresponds with a 12 hour Saturday shift. The 8 hour overnight shift corresponds to a 4 hour Saturday shift. There are revolving Sunday shifts as well. Chief DiGiorgio reported that the

volunteer shifts are scheduled at the beginning of each year for the entire year and revised as needed throughout the year. Commissioner Callas asked if there was a written policy that outlined how the scheduling was done. Chief DiGiorgio reported that there was not a written policy. Commissioner Florio asked what happened when a volunteer could not cover their scheduled shift. Chief DiGiorgio explained that the volunteer would electronically post a “trade” if they could not cover their shift. If another volunteer is not able to cover the shift, it will be made available to the per diems. This means that a per diem could pick up an evening shift after working an 8 hour day shift for a total of a 12 hour shift. Some per diems are more willing to pick up extra shifts and this results in them going into an overtime position on a regular basis. Chief DiGiorgio reported that the “trade” system was set up to be used for mutual trades but the reality is that if a volunteer cannot cover their shift and is not able to find another volunteer to cover it; it will be offered to a per diem. Commissioner Florio asked what the procedure was for last minute rescheduling if a volunteer becomes available after a traded volunteer shift is given to a per diem. Commissioner Callas asked if the per diem would then be removed from the shift. Chief DiGiorgio explained that in the past the policy was that the per diem would be removed from the shift even if it was a last minute rescheduling. Chief DiGiorgio felt there has been a misinterpretation of the scheduling guidelines requiring a week’s notice from the District for a change in scheduling. Chief DiGiorgio also stated that the notification guideline would not allow anyone to give up a shift with less than a week’s notice. Commissioner Florio asked what guideline this was because it appears there are ruffled feathers concerning this recently. Chief DiGiorgio read the guidelines pertaining to scheduling:

The guideline for scheduling shall be applicable across the board. Hanover Township Fire District 3 EMS schedules are prepared by the Chief of Department or his designee on a monthly basis. They are posted at least one week prior to their effective date. The Hanover Township Fire District 3 utilizes EMS Manager, the online scheduling program, to assist in developing and publishing the monthly work schedule. EMS Manager is located ... (description of how to get to the link). All employees will be sent logins. They may utilize their personal cell phones for text messaging as an additional form of EMS Manager communication. Employees are required to utilize EMS Manager to submit monthly availability. The Chief of Department or his designee will publish a schedule on EMS Manager

at least one week prior to the first of the month. All requests to drop, add or trade shifts must be posted on EMS Manager Trade Board and approved by the Chief of Department or his designee. The Chief of Department or his designee will make every attempt to assign an equal amount of hours to all employees when developing a monthly schedule.

Chief DiGiorgio noted that the only reference to one week notice was made to the publishing of the original schedule one week prior to the first of the month. Chief DiGiorgio further noted that this schedule is constantly in a state of flux from the moment after it is published and that it may be viewed at any time in EMS Manager. Chief DiGiorgio related an instance when a volunteer was cleared by the physician to return to work after the original monthly schedule was published. Chief O'Hare put this volunteer back in the rotation two weeks later in place of a per diem who was originally scheduled. Chief DiGiorgio stated that there was two weeks notification even if the per diem did not look at EMS Manager to verify the schedule until over a week after the schedule change was made. Commissioner Callas asked if the situation would have been handled the same way if there would only be three day notice. Chief DiGiorgio stated that volunteer shifts are given to volunteers first, per diems second and career staff last. If a volunteer steps up to take back a volunteer shift that has been given to a per diem or staff employee, the volunteer shift will be given back to the volunteer regardless of the time frame for notification. Commissioner Florio felt that the last minute dropping of a per diem from the schedule seemed a little punitive on the District's end. If these individuals are willing to make themselves available to help the District, it seems a little unfair that at the last minute the District can say that they do not need their help. Commissioner Florio felt that the only way to avoid this was to have all trades approved before they are made so that the District can avoid having the trade put someone into an overtime position. Chief DiGiorgio replied that if that is going to be the scenario, there will have to be an across the board application of the rule. He felt there would be unintentional consequences to doing that. Chief DiGiorgio related the scenario of someone putting in a trade request that is not picked up by another volunteer within five days of the requested trade date. The District would deny the trade request because it was too close to the requested date. Chief DiGiorgio felt that if this rule was applied to both the per diems and volunteers, the result would be that the District would lose volunteers. If the District tries to force the volunteer to cover a shift that

they put in a trade request for, the volunteer will not show for the shift and the District will have to pay a per diem to cover the shift anyway. Chief DiGiorgio pointed out that there have been some volunteers who repeatedly trade their weekend shifts. Chief DiGiorgio reminded the Board that Per Diem employees were added to the schedule in 2011 to cover the Monday – Friday 6 a.m. to 6 p.m. shifts when volunteers were not available. Chief DiGiorgio reported that the first week that the Per Diem employees were scheduled, there was a Per Diem working a Saturday shift. Chief DiGiorgio stated that the mixed volunteer / Per Diem schedule system has been broken from the beginning. It is easy for a volunteer to walk away from a shift because they know that the shift will be covered by a per diem. Chief DiGiorgio said that while there are about the same number of volunteers now as there was in 2011, the number of double shifts that these volunteers are willing to each take has decreased. Chief DiGiorgio felt that the increased number of EMS calls had contributed to this. In 2011, you could go a month and half without having an EMS call during the overnight shift. Now there are calls more nights than there are not calls. The result is that volunteers do not want to work as many overnights as before. Chief DiGiorgio reported that even hiring more per diem employees is difficult. Many per diem candidates have a full time job and balk at the monthly time commitment that the District requires. Chief DiGiorgio feels that the broken system needs to be fixed because it is impossible to please both the volunteers and per diem employees under the current system. In addition, Captain Lake spent some of his off time fixing gaps in the schedule and Lieutenant DeSimone will not be required to do this. Chief DiGiorgio conceded that there could be across the board trading rules put in place such as making it the responsibility of the trader to find someone to fill their shift, not allowing a trade with less than 24 hours' notice and requiring people to trade within their division. If the trader cannot find someone to cover their shift while following these rules, they would be required to work the shift. Commissioner Dugan asked the Board what would happen if someone did not show up for a scheduled shift. Would the Board back Chief DiGiorgio when he takes disciplinary action? Commissioner Dugan felt that there are appropriate sanctions available for both per diem and salaried employees but was not sure what the sanction would be for a volunteer. There were discussions about various ways to handle the scheduling situation. Administrator Schultz noted that on page 20 there is an attendance policy that requires employees and volunteers to fulfill their duties.

On page 43, there are progressive disciplinary procedures for people who do not fulfill their duties. Administrator Schultz felt that both the per diem employees and the volunteers have been disgruntled at times with the scheduling. Per Diem employees complain when a shift gets taken away from them and volunteers ask why a per diem is scheduled for a shift when a volunteer has said they are available on those days. Administrator Schultz stated that the Chief or Officer in charge of scheduling should be given the latitude to make shift changes as necessary in order to balance the financial interests of the District and preserve the integrity of the per diem and the volunteer roles. Chief DiGiorgio said that if the Board would like to come up with rules to fix the scheduling system and apply them evenly across the volunteer and per diem personnel, they need to be ready to deal with the repercussions of this action. The other option is to have flexibility on one end and no flexibility on the other. Commissioner Florio asked if the Board should get input from the different groups. Chief DiGiorgio said that the volunteers want the flexibility to give up shifts when they want to. Commissioner Florio also stressed that a volunteer has to be willing to honor the commitment they make when they sign up because a volunteer is only good if they are there. If the District cannot count on you to be there on your assigned shifts, then the District cannot count on you. Commissioner Florio felt that the Board should explore other options, whether that is additional hires or adding money to the overtime budget to ensure that the shifts are covered. It is the Board's job to ensure that the calls are responded to on a timely basis and that cannot happen if there is the possibility that a volunteer will not show up for an assigned shift. Commissioner Dugan asked Chief DiGiorgio if he had a hard time hiring per diem employees. Chief DiGiorgio responded that the job announcement is always on the District website. Commissioner Dugan asked if the Board can give Chief DiGiorgio any direction as to how to continue? Chief DiGiorgio stated that while the scheduling system has been broken for some time, the issues are coming to a head with the transfer the scheduling responsibility resulting from Captain Lake's retirement. Chief DiGiorgio felt that it would be more prudent to allow him and his officers to work through the transition and attempt to come up with acceptable alternatives to some of the issues that have been identified as opposed to the Board taking a position immediately. The Board agreed to allow the Chief to continue exercising flexibility and to research solutions to fix the scheduling system.

The next regular meeting of the Board of Fire Commissioners will be held on Thursday, September 21, 2017 at 7:00 P.M. Commissioner Callas reported that he would not be able to attend this meeting. Commissioner Quirk reported that he might not be able to attend as well. Chief DiGiorgio reported that the Swearing In Ceremony is scheduled for this meeting. After discussion, the Board decided to proceed with the Swearing In at this meeting.

The next scheduled meeting of the Joint Fire Prevention Board is Monday, November 13, 2017 at 6:30 P.M. at the Whippany Firehouse.

PUBLIC PARTICIPATION: None.

RESOLUTIONS: Commissioner Callas read Resolution 17-09-07-73 authorizing payment of accrued compensation of \$16,471.26 to Retired Captain Lake. Commissioner Dugan made a motion to introduce the resolution, seconded by Commissioner DeNigris. All were in favor.

Commissioner Callas read Resolution 17-09-07-74 approving funding for the completion of the electronic sign. Commissioner Florio made a motion to introduce the resolution, seconded by Commissioner Dugan. All were in favor.

Commissioner Callas read Resolution 17-09-07-75 accepting resignation of FF/EMT/INSP William Schwarz. Commissioner Callas made a motion to introduce the resolution, seconded by Commissioner Dugan. All were in favor.

Commissioner Callas read Resolution 17-09-07-76 authorizing the conditional offer of employment to Lee Bender. Commissioner Dugan made a motion to introduce the resolution, seconded by Commissioner DeNigris. All were in favor.

EXECUTIVE SESSION: None.

PUBLIC PARTICIPATION: None.

ADJOURN: A motion was made by Commissioner DeNigris, seconded by Commissioner Callas, to adjourn the meeting. All were in favor. The meeting was adjourned at 9:00 p.m.

Respectfully submitted by

Robert Callas, Secretary