

June 21, 2018 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 June 21, 2018 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, Hanover Township Committeeman Cahill, Asst. Chief O'Hare, Lieutenant Belott, Lieutenant McGuinness, FF Gilson, EMT Waldron, Chief Jim Davidson (Ret.), Fire Co. Member Patricia Sainato and Fire Co. Member Craig Vagell were also in attendance.

PUBLIC PARTICIPATION: None.

PUBLIC COMMENTARY on PROPOSED RESIDENCY POLICY: Fire Co. Member Craig Vagell reported that as discussed at a previous meeting, he used to live outside the boundaries of Hanover Township. During this time he held various ranks within the department and was able to maintain good standing within the department to being active in the community. Fire Co. Member Craig Vagell reported that he has some concerns about the draft proposal and recommends that the Board create a work group committee to reevaluate the proposal which would include getting more feedback and data regarding the proposal. Fire Co. Member Craig Vagell reported that New Jersey is made up of 75.8 % volunteer firefighters and the national make up is 77%. Fire Co. Member Craig Vagell has concerns regarding current Fire District #3 members that are involved with other EMS, Fire and OEM agencies. Fire Co. Member Craig Vagell felt that the proposal indicated that these members would be terminated. Fire Co. Member Craig Vagell said that based on conversations within the District, this was not the intent for members residing within Hanover Township. The wording of the proposal should be reviewed to ensure the message is correctly stated. Fire Co. Member Craig Vagell felt that on the flip side if a member comes into this agency while also holding multiple positions at other agencies, it may not be beneficial to our agency because of potential availability conflicts. Fire Co. Member Craig Vagell felt that more detail about this restriction may be required. Fire Co. Member

Craig Vagell felt that the District should not focus on a residency requirement, but should focus on a facility that will house volunteers to allow in station coverage. Commissioner DeNigris asked if he was correct in his understanding that the current facility could not house people overnight. Commissioner Dugan reported that this was looked into and there was nothing saying that someone could not spend the night here. Chief Davidson reported that when the issue was looked into previously, the conclusion was that there was nothing to prevent people from sleeping here since a dorm would be ancillary to the 24/7 business that we are in. Chief Davidson reported that a sprinkler system was not required. Commissioner Quirk reported that someone did express objections to the Board allowing people to sleep in the facility in the past and the Board looked into the issue. The conclusion was that it was allowed.

Fire Co. Member Patricia Sainato asked if existing members would be grandfathered in if the residency policy is instituted because she currently resides near Denville. Commissioner Dugan indicated that the Board has not fully discussed the proposal and therefore could not answer the question at this time. Commissioner Dugan felt that anyone who is active and can run calls on a timely basis should be welcome. Commissioner DeNigris indicated that Fire Co. Member Patricia Sainato resides within the radius outlined in the draft proposal. Commissioner Florio clarified that this draft proposal was not initiated by the Board. The draft proposal was suggested by the crew chiefs and the officers. Commissioner Florio indicated that perhaps a work group would be able to address individual issues brought up by the crew chief and officers without something that is as rigid as this draft proposal. Fire Co. Member Craig Vagell asked what prompted the crew chief and officers to draft the proposal. Chief DiGiorgio reported that at an officer's meeting it was brought to his attention that the District was getting close to 7 or 8 members who were not residing within the boundaries of Hanover Township. Chief DiGiorgio reported that he looked to see if there were existing policies regarding residency and whether any were warranted as the membership continued to move beyond the Hanover Township boundaries. The issue was then discussed at an officers and crew chiefs meeting resulting in the draft proposal. Chief DiGiorgio reported that the Board had some concerns about the proposal and recommended hearing public commentary on the proposal which is where we are tonight. Chief DiGiorgio noted that the layout of the coverage structure has changed since Fire Co. Member Vagell was

able to fulfill all his responsibilities while residing out the boundaries of Hanover Township. The rotating crew format that is utilized on overnights and weekends is more stringent and the officers and crew chiefs have come up with a proposal to address the issue. Chief DiGiorgio reported that Fire Co. Member Sainato's situation would be handled by precluding any in station EMS staff from the residency requirement. Lieutenant Belott asked if the Board has a time frame to have any residency requirement implemented. Commissioner Dugan reported that the Board does not have a time frame and wants to ensure that whatever gets implemented is proper. Lieutenant Belott reported that he inquired because he is a member of the Fire Co. Remodeling Committee. There has been talk about including kitchens and bunk rooms as part of the 2nd floor remodel and Lieutenant Belott wondered if the two proposals would be worked on together since they will affect each other. Commissioner Dugan reported that the Board will need to hear about the remodel and will take it into account when working on a residency proposal. Asst. Chief Martin reported that he could not support the residency proposal as it stands. Commissioner Quirk noted that he also has concerns and will support it. Chief Davidson (Ret.) reported that he has been associated with a number of volunteer fire departments in his lifetime and can attest to the fact that it is very hard to resign from the department and it can be a very emotional decision. Chief Davidson (Ret.) said that both Chief DiGiorgio and Asst. Chief O'Hare would be dealing with a tough psychological thing in attempting to ease long term volunteers out of the department because they now reside 20 miles away. Chief Davidson (Ret.) felt that the focus should be on providing dorm options so that volunteers with long standing community ties can continue to be involved. Commissioner DeNigris asked if it would be possible to use a different metric, such as performance, to measure volunteer eligibility. Chief Davidson (Ret.) felt that the Board is tasked with deciding how fast they want to get a fire truck out but that under certain conditions even volunteers who live in Hanover will take 10 minutes to get to the fire house. This would mean that the fire truck takes 15 minutes to get on scene. If the Board wants a fire truck to be out 5 minutes after dispatch, people living on the far side of Hanover would also be precluded from volunteering. Chief Davidson (Ret.) said that basing eligibility on performance is tough and may be more restrictive than mileage limits. Either way the Board has to determine a response benchmark to start with. Commissioner DeNigris asked Chief DiGiorgio to clarify that response time was one of the things

that the officers and crew chiefs took into account when drafting the proposal. Chief DiGiorgio said that a specific response time figure was not used but the general concern about response time was considered. Commissioner DeNigris asked for clarification that the Board does not currently have a benchmark response time. Commissioner Florio reported that the Board does not have a benchmark but continues to monitor the turnout time. Fire Co. Member Vagell noted that there are statistics available to measure District 3 response time against. Commissioner Dugan noted that the Board needs to discuss the benchmark issue. Chief Davidson (Ret.) noted that changing the career staff shifts to ensure that someone was on site until 10 pm was a big step towards ensuring an acceptable response time. Commissioner Dugan suggested tabling the discussion while the Board looks into different options.

CORRESPONDENCE: Commissioner Dugan asked if all Board members had a copy of the Township Ordinance regarding the Whippany Firehouse received from Mr. Giorgio. Commissioner DeNigris asked Hanover Township Committeeman Cahill what happens to Cedar Knolls residents if the Town has to step in and pay for whatever loan is outstanding. Hanover Township Committeeman Cahill felt that should the Fire Co. defaulted and Fire District #2 defaulted rather than raise taxes on Whippany residents to pay the loan then he personally felt that the Township would look at municipalizing. Hanover Township Committeeman Cahill said that the chances of this happening were so slim that it should not concern Cedar Knolls residents. If the Fire Co. defaults on the loan, the Fire District will have to raise taxes on Whippany residents to cover the loan. Commissioner Florio asked where the money for the monitor and the auditing coming from. Hanover Township Committeeman Cahill said that the Township is paying for that. Commissioner Florio noted that arguably the Cedar Knolls residents are paying for that. Commissioner Florio commented that for years the Whippany have applauded the fact that their fire district has been so cost effective and they are paying half what the residents in Cedar Knolls are paying. It will be difficult for the Township to explain to the Cedar Knolls residents that because Whippany has not been fiscally responsible, they are now helping to pay for someone to monitor them. Hanover Township Committeeman Cahill responded that this will be the case during the construction and will benefit the entire community. Hanover Township Committeeman Cahill reported that he and the other committeeman are responsible for ensuring the safety of the residents of the entire township and

that this is the responsible thing to do. Commissioner Florio asked who drafted the resolution. Hanover Township Committeeman Cahill said the resolution was drafted by Mr. Giorgio and the Township attorney. Commissioner Florio noted that a statement in the resolution states that if there was a default, the firehouse would revert to the town and this is not the way property is transferred. Hanover Township Committeeman Cahill asked Commissioner Florio to email him about this concern and he will bring it to the attorney's attention.

APPROVAL OF PREVIOUS MINUTES:

The minutes from the June 7, 2018 Regular Meeting were reviewed.

Commissioner Florio made a motion to approve of the minutes from the June 7, 2018 Regular Meeting. Commissioner DeNigris seconded the motion. All were in favor.

REPORT OF THE TREASURER: Commissioner DeNigris reported that he has received an audit report from the Workers Compensation audit and that the premium has increased by 8%. Administrator Schultz has submitted a written notice to contest \$5,000 of the increase. Commissioner DeNigris reported that every Board member has received a copy of the final 2017 Audit Report. Commissioner Florio made a motion to accept the Treasurer's Report, seconded by Commissioner Dugan. All were in favor.

Report of Fire Commissioner Board Committees and Chief of Department:

CHIEF'S REPORT: Chief DiGiorgio distributed his Bi-Monthly Report on June 14 and updated it earlier today.

Chief DiGiorgio thanked Lieutenant Belott for completing the Workplace Conduct Training report today. Chief DiGiorgio reported that 65 of the 80 members required to complete Workplace Conduct Training have done so. There are 15 members who are delinquent on the training however 5 of those are college leave members, some of whom have not returned from college yet. One member is listed as non-active. Chief DiGiorgio reported that he will work with the officers to ensure that the remainder of the members become compliant via Power DMS. Chief DiGiorgio felt that the presenter did an excellent job and has shared her slides with the District. They will be loaded into Power DMS. Commissioner Florio asked if any of the remaining nine members had submitted anything

indicating that the training dates were not good for them. One person had indicated that he/she had conflicts on the training dates. Commissioner Florio asked if there would be communication initiated with the remaining 8 members indicating that the training was mandatory and asking if they had a valid reason for not attending. Chief DiGiorgio indicated that the officers would follow up with these individuals. Commissioner Florio noted that the presenter seemed to have a nice rapport with the group and thanked Chief DiGiorgio for locating an organization to suit the Board's needs.

Commissioner Dugan asked why Class A Burn was canceled. Chief DiGiorgio noted that Class A Burn was scheduled in January for 6/23, during the day on a Saturday, and the minimum number of people did not register. Commissioner Callas asked for thoughts on why. Chief DiGiorgio speculated that maybe people had other things going on during a Saturday in the summer but indicated that no one was polled as to why they did not register. Chief DiGiorgio reported that the last few times this class was held it was attended by close the minimum number of people.

Commissioner Dugan asked about the completed highway access plan that was distributed. Chief DiGiorgio reported that at the last OEM quarterly meeting, the County Office of Emergency Management and the NJ State Police discussed highway access points and staging areas in light of the recent Rt. 80 bus accident. A liaison from the incident management team of the State Police provided everyone in attendance with a list of all the Morris County mile markers for Routes 80, 287, 280 and 24 and asked each municipality to determine the exact mile marker for the exits that lie within your municipality and identify staging areas for those exits. In the event of a large scale incident, there would be a staging area plan in place. Chief DiGiorgio reported that the plan was submitted to County OEM.

EMS: Nothing to report.

BUDGET: Commissioner DeNigris reported that the May 2018 financial reports were distributed. Commissioner DeNigris reported that overall the District was within budget although some individual lines, such as legal, were over budget. The Management bank account is down from \$800k to \$300k due to the payment

for the new engine. Commissioner DeNigris asked Karen Calabrese to look into what the \$7,700 miscellaneous EMS income is from.

PERSONNEL: Nothing to report.

NEGOTIATIONS: Nothing to report.

LIAISON TO THE VOLUNTEERS: Commissioner Dugan reported that the last volunteer meeting was cancelled.

Commissioner Quirk reported that he is on the Dinner Dance Committee and attended a meeting the other night. The Board had supplied funding for the door prizes at last year's dinner dance. The Dinner Dance Committee is requesting that the Board fund the door prizes again this year. Commissioner DeNigris asked what the amount was last year. Commissioner Quirk reported that last year the door prizes cost \$2,000 but the committee has settled on a different venue and is not going to be that extravagant this year. Fire Co. Member Patricia Sainato noted that maybe the Board would pay for the DJ instead and the cost would be around \$1,000. The Board approved up to \$1,000 for the Dinner Dance Committee to use towards the dance. Commissioner Florio asked about the venue. Fire Co. Member Patricia Sainato said the dance would be held at Rod's Ranch House on Saturday, September 29.

BUILDINGS AND GROUNDS: Commissioner Dugan reported that the two trees should be taken down tomorrow and the parking lot survey work has been completed. The surveyor noted that the fence that runs along the side fence in two feet in from the District property line. Commissioner DeNigris asked if our neighbor knew about the property line. Commissioner Dugan did not know if the homeowner was aware. Commissioner Florio noted that at one time the ordinance required that fences be a certain distance off the property line to ensure that the fence owner could maintain both sides of the fence. The ordinance now reads that the fence can be right on the property line.

Commissioner Dugan asked if there was progress on the Bay Floor project. Chief DiGiorgio reported that a meeting with Bowman has been postponed and needs to be rescheduled.

APPARATUS/EQUIPMENT AND MAINTENANCE: Chief DiGiorgio reported that Ambulance 39 is back in service after air conditioning issues were fixed. Chief

DiGiorgio reported that the Ambulance 38 was out of service due issues with the automatic snow chains. The repairs were made and the ambulance returned to service the next day.

Chief DiGiorgio reported that hose testing for all of the apparatus was completed and necessary repairs are being scheduled.

INSURANCE: Nothing to report.

COMMUNICATIONS: Commissioner Quirk reported that Amateur Radio Field Day is at Central Park this Saturday and Sunday. Commissioner Quirk invited all elected officials and members to visit and reminded them to sign the book if they did stop by.

BY-LAWS: Nothing to report.

WEBSITE: Nothing to report.

PLANNING COMMITTEE: Commissioner Callas reported that he had a meeting with Commissioner Dugan and Chief DiGiorgio to discuss the 5 year plan including but not limited to staffing issues, apparatus and structure issues. They will meet again before the next meeting to continue the discussion. Commissioner Callas reported that future District 2 plans will also be discussed. Commissioner Dugan reported that the possibility of utilizing a professional service to assist with the strategic plan was also discussed at the meeting. Commissioner Quirk recommended reengaging District 2 in a dialogue regarding long term planning. Commissioner Dugan reported that he had a conversation at the Joint Board meeting about revisiting the consolidation dialogue. District 2 felt that they had a lot on their plate at the moment but would be open to discussions in the future. Commissioner Dugan reported that Hanover Township Committeeman Cahill asked to be included in any discussions. Commissioner Quirk felt that a portion of the survey from 2 years ago could still be used but that so much has changed that in some areas there would be a need to start at square one again. Commissioner Quirk agreed with Committeeman Cahill that the two Districts have to work together for the good of Hanover Township as a whole. Commissioner Callas reported that he mentioned at the meeting today that pieces of the previous plan could still be used but that the plan is generally outdated. Commissioner Callas pointed out that it will have to be decided in the near future

if the Districts want to move forward with consolidation discussions if they are to be included in the new plan. Commissioner Quirk noted that there was some misrepresentations about the past plan and that if the discussions were to start again, they should do so with a clean slate. Commissioner Dugan noted that the Boards have changed since the last discussions. Commissioner DeNigris asked if appointing a third party chairman would be beneficial if the discussions were to move forward. Commissioner Dugan felt that having Hanover Township Committeeman Cahill included as either the chairman or arbitrator in any discussions would accomplish this. Committeeman Cahill felt that based on the last Joint Board meeting, it seemed that District 2 was open to informal discussions between Commissioner Dugan, the chairperson, himself and perhaps the vice chairmen. Committeeman Cahill reported that he asked to be included because he wanted to hear what their objections were so that they can be addressed. After these initial discussions, then a committee could be formed. Commissioner Quirk felt this was a good idea because this could be accomplished without having to open the meeting up to the public. Commissioner Dugan noted that this would allow the meeting to be held whenever they want because this would require frequent meetings if there is interest on both sides. Commissioner Dugan will look into setting up the first meeting between himself, District 2 and Committeeman Cahill.

LIASON TO EXEMPTS: Commissioner Quirk reported that the president has been made aware of the survey work. Commissioner Dugan reported that now that the property lines have been determined, it appears that the orientation of the proposed new storage building will have to change to avoid the area of the parking lot that is owned by the Exempts. EMT Waldron reported that something should be able to be worked out to allow the Board to place the building where it would be most beneficial. Commissioner Dugan reported that he would discuss this with the Exempts. Commissioner Florio noted that any agreement that is reached should be put in writing and passed by resolution. Commissioner Dugan will also speak with Mr. Donlon now that the property lines are marked.

RECORDS RETENTION: Nothing to report.

LIAISON TO HANOVER TOWNSHIP COMMITTEE: Hanover Township Committeeman Cahill reported that he recently read the District consolidation report from 2012 and agrees that most of it will have to be thrown out because it

is outdated. Committeeman Cahill felt that the part of the report that discusses Hanover Township having full fulltime firemen might still be valuable. Chief DiGiorgio felt that while the reports were dated, there is still a lot of value in the reports from a position that there were many things that were implemented in the District based on information provided in the report. This contradicts the general impression that the report was set aside and considered a waste of time. Commissioner Quirk reported that after the 2012 document was finalized, it was brought up several times that the document was to be used as a guide and that not every point in the document had to be instituted. It did not need to be viewed as all or nothing. Chief DiGiorgio reported that the report included an implementation guide which was like a playbook and he reviewed this when he was doing his staffing plan in 2015.

Hanover Township Committeeman Cahill reported that two new police officers were sworn in last Thursday. The goal is to hire another new police officer in December of this year and to eventually have 34 police officers. Hanover Township Committeeman Cahill reported that four Class 3 police officers for the K – 8 schools. These officers are completely empowered police officers when they are in the schools and will start in September. This will satisfy concerns about what is going on in the world today around our schools and will free up the patrol officers.

Commissioner DeNigris reported that IHOP had its grand opening today.

OLD BUSINESS: Commissioner Dugan asked if the Board members had a chance to read the proposed change to the Policies and Procedures regarding illness and injury. The Board had no questions or concerns about the change. Commissioner DeNigris made a motion to amend the Policies and Procedures Manual to include this language. Commissioner Dugan seconded the motion. All were in favor. Commissioner Florio said that it was her understanding that this change would be issued as an amendment and all members would sign for it. Chief DiGiorgio said that this would be accomplished thru Power DMS.

Chief DiGiorgio reported that there was a question last meeting relative to Title 40A regarding internal affairs. Chief DiGiorgio researched this and Title 40A relative to internal affairs appeared that it was driven towards internal affairs functions of law enforcement agencies. Chief DiGiorgio indicated that Asst. Chief

Martin reported that there are some fire division or fire related internal affairs guidelines contained in Title 40A. Chief DiGiorgio is waiting for Asst. Chief Martin to get back to him about where the guidelines are in the document.

Chief DiGiorgio reported that he sent out the current guidelines regarding disciplinary benchmarks to the Board for review. Chief DiGiorgio felt that the guidelines should be added to the policies manual eventually. Commissioner DeNigris reported that in the police department, the next level investigates any internal affairs issues. The exception would be that the chief cannot be investigated by the Town because they report into the prosecutor's organization.

NEW BUSINESS:

Commissioner Quirk reported that North Star helicopter landing at Veteran's Field will take place on June 27 even though the Public Safety Academy has been cancelled. Anyone can attend and speak with the pilot and on board nursing staff. A drone that is a scaled down version of the helicopter will also be on hand.

Commissioner Callas distributed the affidavit concerning the 2017 Audit to the Board members to be signed.

The next regular meeting of the Board of Fire Commissioners will be held on Thursday, July 19, 2018 at 7:00 P.M. Since there is no meeting on July 5, 2018, any checks that need to be signed will be in the Commissioner's Room by Tuesday, July 3, 2018.

The Joint Fire Prevention Board meeting will be held on Thursday, September 6, 2018 at 6:30 P.M. in Cedar Knolls.

PUBLIC PARTICIPATION: Fire Co. Member Craig Vagell reported that the Tree Lighting date is set for November 24, 2018 and he asked the Board if they will match an anticipated \$1,000 Fire Co. donation towards the festivities. Fire Co. Member Vagell reported that the Tree Lighting Committee hopes to create a Santaland environment for the children. Commissioner Quirk asked to be part of the committee and indicated that possible use of a tent instead of the bays should be explored. Commissioner Florio indicated that she and Commissioner Quirk should be invited to the Tree Lighting Committee meetings. Fire Co. Member Vagell indicated that the first meeting would be held in July and that this year the

focus may be on the tree lighting and Santaland. The magic show may be eliminated since it was not the main attraction. The Board was willing to help finance the evening but wanted to wait until plans were finalized.

Fire Co. Member Vagell reported that the messages on the electronic sign continue to be updated to highlight both Board and Fire Co. announcements. Fire Co. Member Vagell encouraged the Board to send announcements to Administrator Schultz, Fire co. Member Hark or himself. Fire Co. Member Vagell reported that advertising inquiries were received from people outside the Board and Fire Co. and he felt it was wise of the Board to make a policy to post only internal messages. Commissioner Dugan reported that the Recreation Department asked to advertise the concert series and the fireworks. Commissioner Florio indicated that most people would hopefully not see the entire announcement while stopped for a traffic light and felt they would be better served by putting up the announcement board that they have used in the past. The Board approved the Recreation Department use of their own announcement board with the stipulation that they place the board away from the electrical outlet. Fire Co. Member Vagell asked if the Board would like to maintain a log of the messages that have been displayed on the sign that he has been keeping to date. Commissioner Dugan asked that the log be stored on the computer that is used to update the sign.

RESOLUTIONS: Commissioner Callas read Resolution 18-06-21-60 adopting the 2017 Audit. Commissioner DeNigris made a motion to introduce the resolution, seconded by Commissioner Florio. All were in favor.

Commissioner Callas read Resolution 18-06-21-61 adopting Rules and Regulation Guidelines for Junior Members. Commissioner Dugan made a motion to introduce the resolution, seconded by Commissioner DeNigris. All were in favor.

Commissioner Dugan reported that he has a contract from Employment Horizons that was never signed by the Board. The contract states that either party can cancel the contract within thirty days. Commissioner Dugan reported that Mr. Braslow indicated that the Board can give Employment Horizons notice of cancellation of services with a thirty day notice. The Board has decided to purchase supplies and utilize internal resources to clean and maintain the facility.

Chief DiGiorgio reported that a cleaning schedule has been made and the District is ready to take over the responsibility at the end of the current contract. The Board approved the cancellation of the contract.

EXECUTIVE SESSION: Commissioner Callas read Resolution 18-06-21-62 to enter into executive session. Commissioner Dugan made a motion to introduce the resolution, seconded by Commissioner DeNigris. All were in favor. The Board went into closed session at 8:30 p.m.

Personnel matters were discussed. Action will be taken.

The Board came out of closed session at 9:33 p.m.

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 9:36 p.m.

Respectfully submitted by

Robert Callas, Secretary