

May 4, 2022 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 May 4, 2022 in accordance with the Public Meeting Act of 1975, Chapter 231. The Board observed a moment of silence for all those who have given their lives in service of their communities and nation.

ATTENDANCE: Commissioners Steven Cornine, Mary Lou DeSimone, Michael Dugan Jr., Robert O’Hare, and Shawn Waldron were present.

Asst. Chief Martin, Lt. Belott, Fire Co. President James Hark Jr., FF Sulpy, Fire Co. Member Keyser, and Michael Dugan Sr. were also in attendance.

PUBLIC PARTICIPATION: None.

CORRESPONDENCE: Commissioner O’Hare reported that the District received notice that on May 12 the Bradley Funeral Home is sponsoring an Appreciation for First Responders lunch from 12 pm to 2 pm. Asst. Chief Martin noted that May 12 is also the day of Laszlo Csengeto’s funeral and that the membership has been notified.

APPROVAL OF PREVIOUS MINUTES:

The minutes from the April 7, 2022 Regular Meeting were reviewed.

Amendments to Previous Minutes: None.

Commissioner Waldron made a motion to approve the minutes from the April 4, 2022 Regular Meeting. Commissioner Dugan Jr. seconded the motion. All were in favor.

REPORT OF THE TREASURER:

Commissioner Waldron reported that the District is doing fine and operating within budget.

Report of Fire Commissioner Board Committees and Chief of Department:

CHIEF’S REPORT: Chief DiGiorgio distributed his Bi-Monthly report on April 29, 2022. Commissioner DeSimone noted that chief DiGiorgio was absent and asked

if anyone had any questions on the report. Commissioner Waldron reported that he had a few but would hold them until the next meeting.

Asst. Chief Martin reported that last Thursday evening the District responded to a 2nd alarm in Morris Township, on Friday afternoon the District responded to a Dover commercial structure fire, and on Friday night the District responded to a multiple alarm fire in Morris Township again. Commissioner O'Hare asked if they were all structure fire. Asst. Chief Martin confirmed that they were.

EMS: Commissioner O'Hare reported that he spoke with Chief DiGiorgio and Fire Co. President Hark Jr. about the upcoming EMS Week, May 15-21. Commissioner O'Hare reported that the Board and Fire Co. are going to do something to recognize EMS Week. Commissioner O'Hare suggested that the Board offer dinner for 3 nights that week, Tuesday thru Thursday. Commissioner O'Hare reported that President Hark Jr. indicated that the Fire Co. would distribute an acknowledgement to all the EMTs and FF/EMTs. Commissioner O'Hare reported that the dinners would cost about \$100 a night and asked if the Board had any objections. The Board had no objections.

Commissioner O'Hare reported that there is a tentative date for the District to have a Zoom meeting with Revenue Guard on Monday, May 9 at 11 am.

BUDGET: Nothing to report.

PERSONNEL: Commissioner Waldron reported that he sent Administrator Schultz an email today asking when the Personnel Committee would have access to the documents since the closing for the applicants for the Lieutenant position was April 18. Commissioner DeSimone noted that Chief DiGiorgio indicated in his report that he is waiting to hear about the availability of one of the Chiefs and that a date will be set in May for interviews. Commissioner Waldron felt that the Personnel Committee should be able to see the documents and not have to wait until the interviews.

NEGOTIATIONS: Nothing to report.

LIAISON TO THE VOLUNTEERS: Commissioner Waldron reported that he attended the last meeting and there were no concerns that were brought to the Board's attention. President Hark Jr. reported there will be another meeting on Monday, May 9.

Commissioner Waldron reported that the proposed changes to the Pay per Call program was brought up to the membership at the last Company meeting and he asked that anyone with any concerns should come to this Board meeting to discuss the concerns. Commissioner Waldron noted that since no one had any comments during Public Session that there were no concerns about putting a maximum payout on Pay per Call. Commissioner DeSimone asked if Fire Co. President Hark Jr. had heard anything. President Hark Jr. indicated that he had not heard anything. Commissioner Waldron reported that he saw in the minutes that a draft resolution was going to be requested for this meeting but he does not see it in the package so the resolution will be needed for the next meeting. Commissioner O'Hare reported that he would talk to Administrator Schultz about the resolution. Commissioner Cornine asked if the resolution would include the incentive for completing FF2 would be included in the resolution. Commissioner Waldron felt that should wait until later in the year but if the Board wanted to include it all they needed to do was decide on a FF2 figure per call.

BUILDINGS AND GROUNDS: Commissioner O'Hare reported that the committee has looked at and had people come look at the chimney and the leak on the 3rd floor. Commissioner O'Hare reported that they have some quotes to repair the leaky chimney. Commissioner Waldron reported that he feels the District should go with is looking at the cracks around the chimney cap and recommends removing the cap, replacing it with 3 inches of concrete and cement over the top so it doesn't shift and crack. Commissioner Waldron reported that the contractor will also look at all the flashing and fix a spot on the roof where a tile is missing. Commissioner Waldron reported that the contractor will also repoint the chimney. Commissioner Waldron reported that the quote from A2 Reliable Construction for this project was \$1300 and asked the Board to approve the expenditure. Commissioner O'Hare felt that this was a good starting point since the repairs are needed anyway and if this does not solve the leak the District knows it has to look further into it. Commissioner O'Hare made a motion to have A2 Reliable Construction proceed with the repairs, seconded by Commissioner Dugan Jr. All were in favor.

APPARATUS/EQUIPMENT AND MAINTENANCE: Commissioner DeSimone asked why Chief DiGiorgio's vehicle did not have any markings identifying that it is a Cedar Knolls vehicle. Commissioner Waldron reported that when the vehicle got

repainted the decals were not put back on it. Commissioner DeSimone asked Lt. Belott to look into when the decals would be put back on the vehicle.

INSURANCE: Commissioner O'Hare reported that the District is still waiting on bids for a new Workers Comp provider.

BY-LAWS: Nothing to report.

WEBSITE: Commissioner Dugan Jr. reported that the website was up to date.

PLANNING COMMITTEE: Commissioner Dugan Jr. reported that the Consolidation Committee met last night and did a little side by side comparison on how the 2 departments operate. Commissioner Dugan Jr. reported that there is still nothing concrete to report. Commissioner DeSimone asked for clarification that there is not a date set for this to be finalized because she has heard that people think this will be done by June of this year. Commissioner Cornine reported that the only thing that he is aware that will be tentatively done by June 2022 would be the draft report from the 2 Chiefs on the budget and operations design of a consolidated district. Commissioner Cornine reported that the Chief's report will be given to both Boards for review and discussion. Commissioner Cornine reported that the draft report will be an update of the 2012 report when the 2 Districts last looked into consolidation. Commissioner Cornine noted that the only way the consolidation will move forward is if this Board and the District 2 Board both pass resolutions approving it. Commissioner Cornine reported that receiving the report in June would be the start of any consolidation project. Fire Co. Member Keyser reported that the District 3 resolution creating the Consolidation Committee does not indicate who the committee members are and asked if in the future the Consolidation Committee could report who attends the meetings and what was discussed. Fire Co. Member Keyser noted that the stakeholders are also not identified. Commissioner Cornine reported that the committee meetings are informal and the only decisions that can be made are about what items need to be worked on to produce the report that will be presented to both Boards. Commissioner Cornine noted that the committee cannot make any decisions about the consolidation itself and it is operating according to committee meeting guidelines that were approved by legal counsel. Fire Co. Member Keyser asked if the Chief's report would be the only report produced by the committee or if the committee would produce its own report.

Commissioner Cornine reported that both Chiefs are putting the Committee report together with the guidance of the other committee members.

Commissioner Cornine noted that the Chiefs are the work horses doing the work that the committee requests of them. Fire Co. Member Keyser asked if any other Board members sit in on the committee meetings. Commissioner Cornine reported that he and Commissioner Dugan Jr. were the District 3 representatives on the committee. Commissioner Cornine reported that District 2 also has 2 representatives on the committee and Committeeman Cahill and former Chief Davidson are also on the committee.

LIASON TO EXEMPTS: Nothing to report.

RECORDS RETENTION: Commissioner O'Hare reported that there was a glitch in the State's system to get approval to destroy a bunch of boxed records and that he and Administrator Schultz are working to get the destruction application processed.

LIAISON TO HANOVER TOWNSHIP COMMITTEE: Nothing to report.

OLD BUSINESS: Commissioner DeSimone reported that the amended FF job description has been presented to the Board. Commissioner DeSimone asked if the Board had a chance to review it and if anyone had any problems with it. Commissioner Waldron indicated he had no problem with it. Commissioner DeSimone noted that the amended job description needed to be posted so that members are aware of the new requirements. Commissioner Waldron felt that once it is approved it will put into Power DMS. The Board approved the amended job description and reported that they would notify Chief DiGiorgio.

Commissioner DeSimone asked for the status of the survey results compilation. President Hark Jr. reported that he sent the compilation of the Fire Co. survey responses, Chief DiGiorgio's responses, Officer responses, and the Board responses out to the Board and Chief DiGiorgio for review on April 28. President Hark Jr. reported that he approved the Fire co. responses, Chief DiGiorgio approved his responses and if the Board approves their responses, the document will be ready to distribute to the membership. President Hark Jr. reported that it should be distributed as soon as possible and that the document can be revised if there is feedback from membership or of progress is made on the action items. The Board approved their responses. Commissioner Cornine asked who will send

out the document. President Hark Jr. reported that Chief DiGiorgio can send it out or gave him permission to send it. Commissioner DeSimone asked President Hark Jr. to send it out so that the membership can review it before the Fire Co. meeting on Monday. President Hark Jr. reported that he would send it out tonight.

Commissioner Waldron reported that he spoke with Chief DiGiorgio and people from other departments about the fact that this Department is one of the only ones that requires annual physicals for members. Commissioner Waldron noted that he is not against annual physicals but our Medical Director keeps quoting NFPA 1582. Commissioner Waldron reported that there is a lot to NFPA 1582 and there is a lot more in it than our Medical Director is doing. Commissioner Waldron noted that Dr. Gluckman may be testing flexibility by the ability to touch one's toes and strength by not letting someone pull your hand away from you in which case the NFPA 1582 requirements are being met. Commissioner Waldron reported that the problem that the Department is having is that some of the members are not comfortable with Dr. Gluckman and he has tried to find out what Dr. Gluckman's issues are with the Buscio Foundation physical and heard that eye and ear exams were one of the issues. Commissioner Waldron reported that he spoke to the head nurse at Buscio who said that all the member has to do is tell the nurse that they need their eyes and ears done. Commissioner Waldron reported that someone else said that Dr. Gluckman also has a problem with the bloodwork because Buscio does not test for something that Dr. Gluckman tests for. Commissioner Waldron reported that on April 18 he tried to speak with Dr. Gluckman on the phone and reported that when Dr. Gluckman returned his call he was very short on the phone and said he did not have time to answer questions. Commissioner Waldron reported that Dr. Gluckman said that Chief DiGiorgio and Administrator Schultz know what his issues with Buscio are and indicated that Commissioner Waldron should talk to them. Commissioner Waldron reported that neither one of them knew anything about it although Administrator Schultz did say he may have an email somewhere in which Dr. Gluckman spelled all this out. Commissioner Waldron reported that he would like to know what the bloodwork issues are so that he can find out if Buscio could include that test but even if Buscio cannot he felt that at next meeting the Board should consider overriding Dr. Gluckman a little. Commissioner Waldron reported that the Board Made Dr. Gluckman the medical director on Chief DiGiorgio's

recommendation that the annual physicals be done and he felt that Buscio should be accepted by Dr. Gluckman because the physicals are more about lung function and wearing an SCBA than about your ability to touch your toes. Commissioner Waldron reported that he will try to get all the information about the issues Dr. Gluckman has with the Buscio physical so he can ask Buscio if the tests that are an issue can be included in a Buscio physical. Commissioner Waldron reported that he will report his findings at the next Board meeting. Commissioner Waldron asked if the Board had passed a resolution appointing Dr. Gluckman as medical director because only saw the resolution appointing him as health officer. Commissioner Cornine read the 2 resolutions appointing Dr. Gluckman as medical director and health officer. Commissioner Waldron asked the Board can get Buscio to mirror image the physical Dr. Gluckman wants does the Board still have to get Dr. Gluckman's permission to go to Buscio. Commissioners DeSimone and O'Hare felt that if the physicals are exactly the same then Dr. Gluckman should accept it. Commissioner Cornine asked if the issue was that the annual physical was a requirement or the cost of the physical because going to Buscio as opposed to Dr. Gluckman is just going to save the District some money. Commissioner Waldron reported that there are people who prefer going to Buscio and do not understand why they are required to have 2 physicals a year. Commissioner Cornine asked for clarification that the Board was requiring the annual physicals. Commissioner Waldron confirmed that the Board required the physicals on the recommendation of the Chief. Asst. Chief Martin reported that the physicals came up when he was on the Board, which was 2008-2011. Asst. Chief Martin reported that former commissioner Keyser and he pushed to make the annual physicals mandatory because at the time over 40 was mandatory but under 40 was optional. Asst. Chief Martin reported that he is not sure when it became mandatory for all but that it has been in place for some time now. Commissioner Cornine asked that as a firefighter how Asst. Chief Martin felt about the mandatory annual physical. Asst. Chief Martin felt it was important and noted that the few who were hazmat techs were required by OSHA to have an annual physical. Commissioner Waldron reported that he is not opposed the annual physical, he is opposed to the fact that Dr. Gluckman will not accept anyone else doing the physicals. Commissioner O'Hare asked what the repercussion would be if the approximately 4 people are cleared by Buscio as opposed to Dr. Gluckman. Commissioner Waldron felt that the Board has a policy that says members need

to go to Dr. Gluckman so if the Board wants to override Dr. Gluckman and accept the physical from Buscio they need to make sure they are not liable if someone who went to Buscio get hurt or has a medical issue. Commissioner O'Hare reported that in the past the Board has declined to accept physicals performed by personal physicians and company physicals so if the Board is going to entertain accepting Buscio he felt the physical would need to mirror Dr. Gluckman's physicals. Commissioner Waldron reported that he asked Administrator Schultz if he could get a copy of the paperwork that Dr. Gluckman uses so it would be easier to ask Buscio to follow the same checklist. President Hark Jr. reported that he had not heard that members had an issue with the mandatory annual physicals but had issues with Dr. Gluckman's facility. President Hark Jr. reported that the Fire Co. lost about 5 volunteers who were not comfortable going to Dr. Gluckman. Commissioner DeSimone noted that there were also issues with some things Dr. Gluckman was requiring that were not required on the physical. Commissioner DeSimone reported that she has always had issues with Dr. Gluckman's hearing test because it is not performed in a soundproof room. Commissioner DeSimone felt the facility left something to be desired for some of the tests performed. Asst. Chief Martin reported that when a company used to come here to perform the physicals which were then reviewed by Dr. Manis, the then medical director, the results of the tests were communicated to the member. Asst. Chief Martin reported that he has not received any results from Dr. Gluckman and asked why the information is not being provided to the members. Commissioner Waldron reported that he was contacted by Dr. Gluckman after there was a problem with his non-fasting bloodwork and he was sent for fasting bloodwork which came back normal. Commissioner DeSimone noted that under Dr. Manis the report from the physical was sent to your personal physician. Commissioner O'Hare felt there were 2 ways to look at the situation, one that no news is good news, or a member can request a copy of the results of the physical. Commissioner O'Hare conceded that as opposed to proactively getting the results, he did have to ask. Asst. Chief Martin felt that the members should not have to chase down the results from their physicals. Commissioner Cornine felt that the Board should appoint 2 people to meet with Dr. Gluckman to get our questions answered when he is not between patients. Commissioner Waldron reported that he would ask Administrator Schultz to set up the meeting. Commissioner O'Hare reported that he and Commissioner Waldron would attend the meeting and report back.

Fire Co. Member Keyser asked the Board if they were going to change their policy for recreational marijuana because the policy states that a member could be terminated if they fail a drug test during a physical. Commissioner Waldron clarified that a member could not be terminated based on failing a drug test during a physical but they would be sent back for another test. Commissioner O'Hare reported that the Board has been looking into the topic for some time and it is a lot more complicated an issue than it seems. Commissioner O'Hare reported that the Board is looking into utilizing DREs (Drug Recognition Expert) but this opened up a can of worms so the board is continuing to look into the matter. Commissioner Waldron noted that the District will only ask for testing if there is a suspicion of being under the influence while you are working. Commissioner Cornine reported that the Board is yielding to legal counsel on the matter. Commissioner Cornine noted that any firefighter with marijuana in their system and facing a line of duty death will lose all their benefits.

NEW BUSINESS: Commissioner Cornine asked if the Board was going to discuss the EEO training contract that Chief DiGiorgio sent to the Board. Commissioner O'Hare proposed that the Board table it until next meeting when Chief DiGiorgio would be present to answer questions. Commissioner DeSimone remembered that Chief DiGiorgio had talked about the vendor but felt that during the last conversation Chief DiGiorgio had yet to finalize the vendor. Commissioner Cornine asked if the Board approved all vendors and asked if this was because the vendor required a contract. Commissioner O'Hare reported that the Board did not approve all vendors but were required to sign contracts. Commissioner DeSimone reported that she read the background of what the members will be trained on in Chief DiGiorgio's report and that it covers what the Board wanted so she was okay with what the vendor will present. Commissioner DeSimone reported that this is a different vendor than was used in the past. Commissioner Waldron reported that others have questioned whether the training provides the ability interact with someone if you have a question on what you are seeing or hearing. Commissioner DeSimone thought that the training would be a video where the trainee would be asked questions during the video but she does not know about the ability for the trainee to ask questions. Commissioner DeSimone reported that she did not see it on the training overview that was attached to the email so it would be something that the Board would have to ask Chief DiGiorgio. Commissioner Waldron noted that if the Board approves the contract, the District

would need a Business Registration Certificate. Commissioner DeSimone reported that the Board would table approving the contract until next meeting.

Commissioner DeSimone asked if the holiday lights can be removed since it is May. Asst. Chief Martin reported that the ladder truck is out of service but he will try to arrange something when it is back in service.

Commissioner Waldron noted that it is the beginning of May and there are rumors that Chief DiGiorgio is leaving in January but may stay on until June. Commissioner Waldron felt that the Board needs to start thinking about the Chiefs position, what the requirements are going to be and what process the Board is going to use. Commissioner Waldron reported that the Board could not wait until November to post this. Commissioner DeSimone agreed and felt that the recruitment process should be started because it is going to take time.

Commissioner Waldron noted that if Chief DiGiorgio is not going to be in the office after January 1, 2023, the timeframe is 6 months shorter. Commissioner Cornine asked if the Board had the right to request a letter of intent.

Commissioner DeSimone thought that the Board could request it. Commissioner Cornine felt it would be prudent to request a letter of intent and then act accordingly. Commissioner Waldron reported that the Board needs to know what they are going to require of a new Chief. Commissioner DeSimone reported that the job description needs to be reviewed. Commissioner Waldron will ask Chief DiGiorgio for a letter of intent.

Commissioner Waldron reported that he brought up to Chief DiGiorgio that Power DMS needs to be cleaned up about 8 weeks ago and it is still pending. Commissioner Waldron wants to ask Chief DiGiorgio why it is still pending.

REMINDERS:

The next regular meeting of the Board of Fire Commissioners will be held on Thursday, May 19, 2022 at 7:00 P.M at the firehouse.

The Joint Fire Prevention Board Meeting will be held on Thursday, June 2, 2022 at the Cedar Knolls Fire House at 6:30 P.M.

PUBLIC PARTICIPATION: Mr. Dugan Sr. asked if the committee to address some of the survey responses and ask some of the respondents to come forward to help rectify some of the issues identified in the survey. Mr. Dugan Sr. noted that

the formation of the committee was in the minutes discussing the survey results. Commissioner Waldron reported that none of the respondents have been identified. Commissioner Cornine reported that once the response document is sent out the membership will have a chance to respond to the Board, Fire Co. and Chief's responses. Commissioner DeSimone felt that there will hopefully be questions or comments on the document at the Fire Co. meeting on Monday.

Mr. Dugan Sr. reported that every year there is money set aside for recruitment and retention and asked if any recruitment was being done. Commissioner DeSimone reported that there is a recruitment presentation in June at Denville's Fire Department by an outside agency that the District is sending 3 people to.

Mr. Dugan Sr. reported that some of the Planning Committee met with Connelly & Hickey architects to discuss what can be done with the building, and what the Districts wants and needs are. Mr. Dugan Sr. reported that the architects will be submitting a proposal for the Board to review. Mr. Dugan Sr. reported that the report from the structural engineer and he will have Administrator Schultz send it out to the Board for review.

Commissioner DeSimone asked if there was any other Public Participation. There was none.

RESOLUTIONS: Commissioner Cornine asked if anyone had objections to approving the resolutions by consent agenda. There were no objections.

Commissioner Cornine read Resolution 22-05-04-34 to donate surplus PPE.

Commissioner Cornine read Resolution 22-05-04-35 amending the FF/EMT job description.

Commissioner Cornine read Resolution 22-05-04-36 authorizing a COE be extended to Per Diem EMT Gaccione.

Commissioner Cornine read Resolution 22-05-04-37 authorizing a COE be extended to Per Diem EMT Jefferson.

Commissioner Cornine made a motion to introduce the resolution, seconded by Commissioner Waldron. All were in favor.

EXECUTIVE SESSION: Commissioner Cornine read Resolution 22-05-04-38 to enter into executive session. Commissioner Waldron made a motion to

**introduce the resolution, seconded by Commissioner O'Hare. All were in favor.
The Board went into closed session at 8:05 p.m.**

Personnel matters were discussed, and action will not be taken.

The Board came out of closed session at 8:30 p.m.

**ADJOURN: A motion was made by Commissioner O'Hare, seconded by
Commissioner Cornine, to adjourn the meeting. All were in favor.**

The meeting was adjourned at 8:31 p.m.

Respectfully submitted by

Steven Cornine, Secretary