

# **LOWER TOWNSHIP FIRE COMMISSION**

**SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204**

## **Minutes of the Minutes of the May 20, 2013 Meeting**

The regular monthly meeting of Fire District 2, Lower Township, Cape May County, New Jersey was called to order at 20:00 hours by President Brown at the Town Bank Fire House, 224 Town Bank Road, North Cape May, New Jersey.

President Brown read the statement of compliance with the "Open Public Meetings Act" and pointed out the fire exits to the public in attendance.

After flag salute, roll was called; Commissioners present were Andrews, Brown, Conley, Nolan and Prendergast and Charlotte, "Missie" Taylor Financial Data Specialist. Also in attendance were 7 firefighters, and no other members of the public.

### **MINUTES**

1. The Secretary reviewed the minutes of April 15, 2013 regular meeting. A motion to approve the minutes as presented was offered by Andrews and seconded by Nolan; voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one.

### **TREASURER'S REPORT**

- Prendergast reviewed the Treasurer's report; a copy of the report is attached to the original minutes and made a part hereof. Interest earned this month was \$54.52. A Lower Township Tax Check was received in the amount of \$359,295.20. A motion to approve the report was offered by Conley and seconded by Prendergast; voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one.
- The Commissioners reviewed all bills that were submitted to the Treasurer in proper form. Resolution 13-01.05 authorizing payment of those bills, in the amount of \$40,848.47 was offered by Conley and seconded by Nolan; voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one.

### **CORRESPONDENCE**

The Secretary read the following correspondence:

# LOWER TOWNSHIP FIRE COMMISSION

SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204

## Minutes of the Minutes of the May 20, 2013 Meeting

1. Minutes of the N. J. Association of Fire Districts March 9, 2013 meeting.
2. Letter in dated May 14, 2012 from Pierce Manufacturing acknowledging receipt of prepayment for the 2013 Pierce Pumper in the amount of \$593,898.00 which was received on April 3, 2013 from Oshkosh Capital.

### **TOWN BANK VOLUNTEER FIRE COMPANY REPORT**

Chief Megonigal reported the following:

- Report of the month's activities; a copy of the report is attached to the original of these minutes.

### **BUREAU OF FIRE SAFETY REPORT**

- Conley who is the Board's representative to the Bureau provided a report on the activities of the Bureau of Fire Safety's previous month and distributed copies of the financial reports. A copy of the minutes of that meeting was distributed to the Commissioners and is attached to the original of these minutes.

### **OLD BUSINESS**

- *The Chief reported a growing building crack in the southeast corner of the engine bay. Conley has look at the crack and it looks like a settlement issue. The Commission authorized Conley to contact a structural engineer to look at the situation and make recommendations. (03/08).*

*Conley reported that he contacted Edward P. Ryan, PE, a structural engineer who met with Conley and Brown to look at the building. Mr. Ryan's preliminary determination was that the cracking is due to settlement but there is no immediate danger. He will prepare recommendations and specifications for the repair of the settlement as well as the cracks in the near future. (04/08)*

# LOWER TOWNSHIP FIRE COMMISSION

SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204

## Minutes of the Minutes of the May 20, 2013 Meeting

*Conley reported that he has received the details from structural engineer, Edward P. Ryan and will coordinate with Richard Braslow and Ryan to put together a contract to perform the work recommended. (06/08).*

*Nolan inquired as to the status of the crick repair. Conley responded that the District is in the process of having a contractor look at it and provide an estimate to see if the repair needs to be bid. He also reported the Mr. Ryan had reported that there is no immediate danger, and budget constraints had moved this repair a little lower on the priority list, but not forgotten. (06/12)*

- *Scott Brown asked if there was some types of sealer that can be used to stop the damage to apparatus aprons that have sever salt damage. He has seen repairs to bridge surfaces that were temporarily repaired rather quickly. Brown volunteered to discuss it with a friend who is a masonry contractor and Conley will talk to the County Engineer who may have specified the repairs to the County Bridges. (06/12)*

*Brown reported that Jay Blackley of Blackley Concrete will look at the driveway and make a recommendation (07/12)*

*Brown reported that Jay Blackley reported that there is no fix the driveway apron will need to be removed and replaced. Conley requested that Blackley provide us with a cost estimate to do that work so that we know if we would need to bid the project and look for the money to pay for the replacement. (08/12)*

*Brown reported that Blackley has provided a proposal to remove the existing concrete and replace it with the same strength reinforced concrete for \$24,860.00. This is above the bid threshold and obviously will need to be bid.*

*Conley suggested that if total replacement is necessary, we should look into retaining a structural engineer or architect to design a heating system into the apron and then there would be no need to have salt on it. Conley will look into finding an engineer or architect with the appropriate experience. (09/12)*

*Conley reported that he has not been able to get Jay Blackley (concrete mason) to respond with a cost for a temporary winter patch. Brown will reach out to Troiano Concrete to see if they can do a temporary patch to get us through the winter months. (12/12)*

*Brown reported that he has contacted Ernie Troiano, Jr. of E. Troiano & Sons Concrete who will perform a temporary patch on the driveway for an estimated cost of \$2,100.00 as outlined in his letter of December 21, 2012. Conley reported that he has contacted, in writing, Thomas Lipski of PEOSH to request an extension of time to repair the driveway apron. A motion was offered by Andrews and*

# LOWER TOWNSHIP FIRE COMMISSION

SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204

## Minutes of the Minutes of the May 20, 2013 Meeting

*seconded by Nolan to approve E. Troiano and Sons Concrete's proposal and authorize the work, voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one.*

*Conley presented a proposal from M V Engineering of Cape May Court House, NJ for providing the design, bid preparation and administration, and construction observation of the permanent driveway apron replacement for an estimated \$11,200.00 as contained in their written proposal. Resolution 13-20 Approving the award of the contract with Brian Murphy, PE of M V Engineering for the Design and Inspection of the Driveway Apron Replacement was offered by Andrews and seconded by Prendergast voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one. (01/22/13)*

*Brown reported that the driveway apron will be repaired with a temporary concrete patch by E. Troiano and Sons on Wednesday 2/27/13. (02/13)*

*Conley reported that the driveway apron was repaired on February 27, 2013 on schedule and he emailed a notice to Thomas Lipski of PEOSH along with photos of the completed driveway. Conley continued the report by telling all that Thomas Lipski emailed back that he would be issuing a letter indicating the violation has been abated. (03/13)*

*Conley reminded all that we have received preliminary plans and specifications for the permanent driveway replacement from MV Engineering. We need to decide when we want the driveway advertised, what is going to be included in the contract, such as fencing and/or security for the apparatus to be stored outside during the replacement of the apron and the concrete curing time. (03/13)*

*Conley discussed the need to meet to discuss how to deal with the apparatus security which will need to be outside the building during the removal and curing of the concrete apron. The meeting was set for April 22, 2013. (04/13)*

- Prendergast followed up with Bank of America regarding the letter that we received that they would be going to a computerized system and there would be monthly fees involved. Prendergast spoke with Melissa Lemon at the North Cape May Branch of Bank of America who reported that it was a mass mailer and did not affect the Fire District. We still would not incur monthly fees. (08/12)*

*During the month we received another notice that indicated that the charges would be forthcoming, Prendergast again spoke with Melissa Lemon who stated that the Bank would not be charging fees to us since we are not using the new on-line services that the programs charges for. Conley requested that we get a current Government Deposit Protection Act certification from them. Prendergast will follow up with them. (09/12)*

*Prendergast reported that he feels that he is getting the runaround from Bank of America. He and Commissioner Nolan went to the Bank together to attempt to get Commissioner Nolan's name and*

# LOWER TOWNSHIP FIRE COMMISSION

SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204

## Minutes of the Minutes of the May 20, 2013 Meeting

*signature added to the Fire District's account. The bank manager, who is not the regular manger told them Bank of America requires all five commissioners to be at the bank at the same time and all sign new signature cards in the manager's presence. Commissioner Nolan informed her that that would constitute a meeting under the Open Public Meeting Act and need to be advertised as required.*

*Due to this continuing issue with the signature cards as well as the continuing issues regarding the letters regarding interest charges for the account Commissioner Prendergast will be seeking out other banks for proposals for services. (11/12)*

*Prendergast reported that he has one proposal in and looking for a couple more before making a recommendation. (12/12)*

*Prendergast reported that he has reviewed proposals from several area banks and recommends remaining with Bank of America. Conley reminded him that we need a current documents that demonstrates that Bank of America meets the requirements of the Government Unit Deposit Protection Act, (04/13)*

**Prendergast distributed updated signature cards for Bank of America for all of the Commissioners to sign.**

**Conley reminded him that we need a current documents that demonstrates that Bank of America meets the requirements of the Government Unit Deposit Protection Act, (05/13)**

- *A presentation was made for a Power Purchasing Agreement by Emerald Energy, LLC (Joseph Jackson) and Cambria Solar (Mike Atkins) wherein Mr. Atkins represented that the current electric use would be sold to us by Cambria Solar at a savings of 8% with a 2.5% increase/year after the first year. Resolution #12-34 approving the PPA offer subject to review by the Solicitor Richard Braslow was offered by Nolan and seconded by Conley voting yes, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one. (10/12)*

*Conley reported that he forward the draft Power Purchasing Agreement and current electric use release documents provided to him to Solicitor Braslow. The current use release document was approved by Mr. Braslow, signed by Commissioner Conley and returned to Joe Jackson. The Power Purchasing Agreement was drafted to be with the Town Bank Volunteer Fire Company and was unacceptable. Conley would not sign the document and returned it to Joe Jackson for correction. In the letter from Mr. Atkins attorney, the attorney states that he also agreed that the Fire District is the correct entity for Mr. Atkins to contract with, but it was his opinion that such an agreement needed to be publicly bid. This is contrary to what Mr. Jackson and his people had represented at prior meetings. It is, however consistent with Commissioner Conley and Solicitor Braslow's feeling. This information was passed on to Mr. Jackson for a response and/or a revised proposal. As of November 19, 2012 Conley has not heard back from anyone. (11/12)*

*As of December 17, 2012 Conley has not heard back from anyone. (12/12)*

Conley read a report from solar company's structural engineer indicating that the roof trusses will need to be beefed up in order to support the weight of the solar panels. Conley will reach out to the

# LOWER TOWNSHIP FIRE COMMISSION

SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204

## Minutes of the Minutes of the May 20, 2013 Meeting

engineer to be sure that there is no problem with the trusses without adding the solar panels and attempt to get a quote for what it would cost to get a proposal that will tell us how much beefing up the trusses will need and the anticipated cost for the work if we decided to go ahead with the solar panels. (04/13)

- *A discussion was initiated regarding our insurance coverage limits and in particular to be sure that our Financial Data Specialist and our Treasurer are covered for at least 1 million dollars and the Town Bank Fire Company officers for a minimum of \$50,000.00. We will also need to know if Missie, our Financial Data Specialist needs to be named in the policy.*

*Brown suggested that perhaps we should have someone from Volunteer Fire Insurance Services give us a full presentation of our insurance coverage and limits much like we used to get from the late Walt Fortnum. Nolan will contact VFIS to get the quotes and try to set up the presentation ASAP. (04/13)*

**Nolan presented quotes from VFIS of N.J. for Additional coverage as follows” To increase theft coverage on all Commissioners except the Treasurer and all officers of the Town Bank Fire Co. to \$50,000 an additional \$60.00/year, the Treasurer to \$1.2 million for an additional \$60.00 per year and the Financial Data Specialist to 1.2 million for an additional \$179.00/year for a total increase of \$299.00/year. A motion to purchase the additional coverage as soon as possible was offered by Conley and seconded by Andrews, voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one.**

**Nolan also reported that Joe Giorgi from VFIS of N.J. was scheduled to attend the Commissioners meeting but he is not here. (05/13)**

- *Conley requested authorization to purchase 2 new computers for Missie and him as theirs are very outdated; he anticipated that the cost with the new version of Microsoft Office and battery backup would not exceed \$3,500.00 for the both. Motion to authorize the purchase was offered by Andrews and seconded by Prendergast, voting yes, Andrews, Brown, Conley, Nolan and Prendergast; voting no, no one; abstaining, no one. (04/13)*

**Conley reported that the two computers have been received for a total cost of \$2,970.06 for both and are currently being set up. (05/13)**

## NEW BUSINESS

New purchases authorized that were requested by Chief Megonigal are as follows:

- 30 air tanks inspection and the necessary replacement parts necessary to pass inspection from American Diving in the amount of \$606.00

**LOWER TOWNSHIP FIRE COMMISSION**

**SECOND DISTRICT  
P.O. BOX 724  
NORTH CAPE MAY, NEW JERSEY 08204**

Minutes of the Minutes of the May 20, 2013 Meeting

**PUBLIC PORTION**

Nothing

There being no further business, the meeting was adjourned at 20:40 hours by a motion by Nolan and a second by Andrews.

Respectfully submitted,

Lewis H. Conley, Jr.  
Secretary/Commissioner