

LOWER TOWNSHIP FIRE COMMISSION

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

Minutes of the Minutes of the May 17, 2021

The regular monthly meeting of Fire District 2, Lower Township, Cape May County, New Jersey was called to order at 19:00 hours by President Brown at the Town Bank Fire House, 224 Town Bank Road, North Cape May, N. J.

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, Barger, Brown, Conley, and Prendergast. Charlotte, "Missie" Axelsson Financial Data Specialist was not in attendance. Also present were three firefighters, and no other members of the public.

MINUTES

The minutes of the April 19, 2021 regular meeting were distributed earlier. A motion was offered by Andrews and seconded by Barger to approve the minutes as written, voting yes, Andrews, Barger, Brown, Conley and Prendergast; voting no, no one.

TREASURER'S REPORT

1. The Treasurer's report was read by Prendergast, a copy of the report is attached hereto and made a part hereof.
 - a. Interest earned for the month was \$804.49.
 - b. A Lower Township tax check for \$406,040.00 was received.

A motion to approve the Treasurer's report, as written, was offered by Prendergast and seconded by Conley, voting yes, Andrews, Barger, Brown, Conley and Prendergast; voting no, no one; abstaining, no one.

2. The Commissioners reviewed all bills that were submitted to the Treasurer in proper form. Resolution 21-01.05, authorizing payment of those bills totaling \$8,746.84, was offered by Conley and seconded by Prendergast, voting yes, Andrews, Barger, Brown, Conley and Prendergast; voting no, no one; abstaining, no one.

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CORRESPONDENCE

The Secretary read the following correspondence:

1. None

TOWN BANK VOLUNTEER FIRE COMPANY REPORT

1. A report of the month's activities was read by Chief Megonigal, a copy of which are attached hereto and made a part hereof.
2. The Chief reported on a situation with the newest Pierce pumper. The pump was not operating properly, and Fire & Safety Services was notified to repair the pump. As it turned out the pump was out of oil, although there was no evidence of an oil leak on the engine by floor or on the pump itself, yet the oil was gone. The Chief is working with Fire & Safety Services to get the pump repaired and hopefully be covered under warranty. (04/2021)

The Chief reported that the replacement pump has been ordered and the cost for the replaced pump, installed will be \$22,000.00.

BUREAU OF FIRE SAFETY REPORT

- Conley reported that:
 - Ms. Blackley reported the Inspector Belles is willing to work additional hours if the workload warrants. She also reported that she is happy with his work and the workload is expanding and reminded everyone that although Inspector Belles is currently a part-time employee, the budget provides for a full-time employee. The Commissioners support the concept of Inspector Belles being upgraded to a full-time employee if or when Ms. Blackley feels it is appropriate.

OLD BUSINESS

1. *Brown reported that Rich Fire Protection has performed their inspection and determined that there is an issue with the kitchen hood not working properly. It may be an electrical issue and the Chief will have Marsden Electric look at it and if it is electrical to repair it (08/18)*

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Brown reported that the fan was fixed; it was an electrical issue, however, Rich Fire Protection, when performing the 5-year internal inspection of the sprinkler system revealed that the system needed flushing and provided photographs to substantiate the need. Brown presented a letter from Rich Fire Protection dated 9/07/18 proposing a not to exceed fee of \$13,800, to furnish labor and materials to perform the repairs to the sprinkler system. They can begin the work as soon as a PO is issued.

Brown has performed a lot of checking and has had a couple of conversations with Rich Fire Protection, and they are 90% sure that the flushing will correct everything with the system.

A motion to approve the proposal of Rich Fire Protection was offered by Andrews and seconded by Barger, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (09/18)

Brown reported that Rich Fire Protection would be here to flush the system on or about November 21, 2018. They originally were going to come earlier by he asked them to hold off until after the November elections since the building is used for a polling place for several districts and we did not want to inconvenience the election process.

Brown reported that Rich Fire Protection has performed the flushing of the fire suppression system and the system is functioning as designed. The also reported that the system will need major work sooner than later. They believe it will be necessary to replace the entire system from the entry manifold back. Brown will try to get a preliminary cost for the replacement so that we have an idea of the cost, which will most probably exceed the bid threshold. (01/19)

Conley had the original building plans scanned and Brown will provide a copy to Rich Fire Protection so that they can prepare an accurate estimate of the replacement cost. (05-19)

Brown reported that Rich Fire Protection will be at the firehouse tomorrow for fire system testing. (07-19)

Brown reported that Rich Fire Protection was hoping that we could provide them with the actual CADD files for the firehouse and not a PDF copy of the original construction drawings. The CADD files are not available, therefore their team visited the building and did some extensive investigating and reported that they would provide us with a proposal, and he has not received that proposal yet. (08/19)

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Brown reported that he is still waiting for the proposal to provide the work. (09/19)

Brown reported that he has received a detailed proposal to provide the work from Rich Fire Protection in the amount of \$204,000, which did not include a performance bond, trash removal, as well as exceeding the bid threshold. The matter will need to be considered in the 2020 budget and possibly retaining an engineer to review and expand the specifications and prepare and monitor the bid process and inspect the installation. (10/19)

Conley recommend hiring a Fire Suppression System Engineer to prepare specifications, a bid package and monitor construction of the new sprinkler system. He reiterated that we are not specialists in that field, we need someone looking out for us, and to be sure, we get a product that is up-to-date and up-to the current fire code. (11/19)

Conley reported that he has been in touch with CM3 Building Solutions who performs pipe lining for fire suppression systems. He has received preliminary literature, which he shared with the Commissioners, and has requested a representative meet with him at the firehouse. (03/2020)

Conley reported that the meeting with the CM3 Building Solutions representative has been delayed due to the COVID 19 Pandemic. (06/2020)

Brown reported that a representative, Jim Ferani, from Rich Fire Protection would attend at our September meeting to discuss the sprinkler system replacement. (08-2020)

Jim Ferrante of Rich Fire Protection attended the meeting. He discussed the possibility to perform the replacement of the sprinkler system in stages. He was informed that the proposal that Rich Fire Protection submitted earlier was fragmented and did not contain many things that we want included in the proposal, some of which was, full performance bonding, hauling away all waste, any touch up or repainting that was necessary and replacement of any ceiling tiles that were damaged as part of the construction. He was also told that any proposal would need to comply with the New Jersey Public Contracts Law including prevailing wage rates, performance guarantees, etc.

Jim will take all the information back to the office and generate a new proposal or the contact information for a specification writer to prepare specifications for the work required so that the project can go out to bid. (09/2020)

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Brown reported that he has not heard from Jim Ferani yet. Brown will reach out to him. (10/2020)

2. *Conley and Chief Megonigal will be working on an updated mutual aid contract with the Cape May Point Volunteer Fire Company. (08/19)*
3. *Chief Megonigal reported that the breathing air compressor used to fill the firefighter's air-packs is no longer functioning and is beyond repair. The fire company needs to have breathing air for not only the air-packs but for the dive tanks also. The Chief presented a proposal from the HGAC Cooperative to purchase a new breathing air compressor; the cost of the new breathing air compressor, including trading in the old compressor, through the HGAC is \$57,942.63. There are sufficient funds for the purchase available under the Maintenance & Repairs line in the current budget.*

A motion was offered by Conley and seconded by Andrews to authorize the purchase through the HGAC Cooperative for \$57,942.63, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (12/19)

4. *Conley reported that Town Bank Fire Company Treasurer Mark Delano for two properties reported to be owned by Lower Township Fire District No. 2 on a published "Unclaimed Property" list. Conley filed the appropriate Unclaimed Property Inquiry Form with the State of New Jersey electronically and has received a notice acknowledging the filing and providing notice that no further information is required. The notice also indicated that we would be notified of their finding in about 30 days. (02/2020)*
5. *Resolution 20-32, Approving the bid package for financing and authorizing the advertisement of those bids for financing a Lease with an option to purchase a firetruck, (Pierce Aerial Tower) was offered by Andrews and seconded by Barger, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (06/2020)*

Conley reported on the financing for the new Aerial, three bids were received, and the apparent low bidder was US Bank Corp at an interest rate of 1.2314%, that amount to be financed for 3 years is \$472,046.99 with an annual payment of \$161,239.98. The bids are currently under review by Solicitor Braslow.

He also reported that somehow related to the COVID-19 Pandemic, we have been informed by Fire & Safety that the trade in for the old aerial is down \$30,000. (07/2020)

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Conley reported that he has reviewed the preliminary submission package to the Local Finance Board for the new Pierce Aerial Tower and reviewed same with the other commissioners. Conley offered Resolution 20-34 Authorizing the package to be submitted to the Local Finance Board, seconded by Andrews, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (12/2020)

Conley reported that the Fire District is scheduled to appear at the Local Finance Board (a Zoom meeting) in February. He and Richard Braslow, Esq. have collaborated on the application package and will appear on behalf of the Fire District (01/2021)

Conley reported that the purchase of the new Aerial Tower received unanimous approval from the Local Finance Board, and he is working on the Lease/Loan Documents.

Resolution #21-19 Authorizing the Award of Contract to the Fire & Safety Services for the Pierce Aerial Tower to be purchased through the HGAC was offered by Andrews and seconded by Barger, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (02/2021)

Conley reported that the purchase order has been processed and emailed to Fire & Safety Services to be submitted to the HGAC. Construction is estimated to be 13 months. (03/2021)

Conley reported that he has closed on the financing with US Bank and the funds are now in escrow w/US Bank and will be released when requested when the new Aerial Tower has been constructed. (05/2021)

6. *Scott Brown reported that the bats are back. He has contacted Western Pest Control and legally they cannot do anything about them until after August 1, 2020 as that ends the breeding season and they are protected. (07-2020)*

Brown reported that the nets have been reinstalled by Western Pest Control to control the bats. (08-2020)

Brown reported that the nets have been installed. (02/2021)

7. Andrews reported that someone from the mosquito commission contacted him regarding water ponding in the dumpsters and near the west downspout. It seems the water ponding in the dumpsters is due to COVID-19 pandemic. Since the fire company cannot rent the hall, there is no accumulation of trash in the dumpsters, and they have not been emptied in a while.

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Andrews will talk to the Township Public Work department regarding a solution. It was also discussed that the cast iron downspout shoes are exceedingly difficult to clean out; we will have someone look at them to see if they can be removed. (08-2020)

Brown reported that the Fire Company has drilled holes in the dumpsters to allow them to drain and has contacted a couple of rain gutter/down spout specialists to submit proposals for consideration to repair or replace the downspouts and drainage boots. (9/2020)

Barger reported that he has secured two bids to add Leaf Guards to the gutters, clean & flush to down spouts and cast-iron sidewalk boots at two vastly different costs Apex Gutters for \$4,160.00 and Gutter Guys for \$14,510, after some investigation, he determined that the primary difference was that Apex was a small family business and Gutter Guys a multi-location corporate entity. Following the proposal review, a motion was offered by Prendergast and seconded by Andrews to approve the proposal from Apex Gutters for \$4,160.00 voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (01/2021)

Brown reported that Apex Gutters should be on-site in approximately 3 weeks, weather conditions permitting, to install the Leaf Guards on the rain gutters. (03/2021)

Barger reported that the leaf guards have been installed but the Cast Iron boots have not been removed, Barger will be following up Apex Gutters as to why the boots have not been removed. They will not be paid for any work until the boots are removed. (04/2021)

8. *Andrews reported that a recent storm took out a neighbor's tree that caused damage to the Fire Districts fence. He notified Murphy Fence Co. who originally installed the fence to repair it and send us a bill. Once the bill is received, we will send it to the neighbor. That lot is vacant, and we will obtain the owner's name and address from the tax assessor. Murphy Fence Co. anticipates it will take 2 to 3 months to be able to repair the fence. (11/2020)*

Andrews reported that the neighbor who owns the vacant property that contained the tree the damaged the fence is constructing a modular home on the lot and has asked permission to remove the damaged fence while the house is under construction and has agreed to replace the fence, in kind, once the construction is complete. (03/2021)

9. *(Conley reported that the 2021 Annual Election has be moved to April 20, 2021 by the Governor's Executive Order, in hopes that the pandemic will subside, and an in-person election can be held, but there are no guarantees. All the Commissioner's expiring terms have*

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been extended to April 20, 2021 and the temporary 2021 budget will be extended until April 20, 2021 and will be expanded to include 30% of the 2020 budget instead of the usual 14%. (01/2021)

Conley reported that the April 20, 2021 Annual Election will be an in-person election with mail-in ballots available as we have always done in the past. The information came, in writing, from the Cape May County Clerk's Office. (01/2021)

Conley reminded everyone that the Annual Election is tomorrow April 20, 2021, and the polls are open from 2:00 pm to 9:00 pm. Conley offered a motion, seconded by Prendergast, that the poll workers be paid \$125.00 each for the day, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (04/2021)

Conley reported on the annual election results: Barger and Conley were reelected with a vote total of 224 and 232 respectively and 4 write-in candidates with 1 vote each. The Annual Budget was defeated with a total vote of 123 yes and 129 no votes. There were approximately 207 votes by mail.

The defeated budget must be reviewed and a budget set by the Township of Lower at a public meeting which must be held within 30 Days of the election. Conley will reach out to Richard Braslow, Esq. and Leon Costello for direction and guidance.

A public meeting was scheduled by Lower Township for May 17, 2021, to review and set the annual budget for the fire district. After reviewing the 2021 Fire District 2, Lower Township's annual budget it was the Council's opinion that the proposed annual budget did not increase the tax rate and noted that many governmental agencies had to increase their budgets due to the COVID-19 pandemic and should remain as proposed. This action was memorialized in Lower Township Resolution 2021-174 (05/2021)

NEW BUSINESS

1. Conley reported that CM3 Building Solutions found while performing their on-going maintenance that two accumulators in the HVAC systems needed to be replaced and submitted a written proposal to replace them for a not to exceed price of \$3,840.00 and they also found the hot water circulator leaking and submitted a second proposal dated 5/12/2020 to replace the hot water circulator for \$2,509.00 which was the cost of the part and freight, the installation is covered under the maintenance contract. A motion was offered by Conley and

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seconded by Barger to approve both the accumulators and the hot water circulator replacement proposals, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

PUBLIC PORTION

Nothing.

There being no further business, the meeting adjourned at 19:20 hours by a motion by Andrews and a second by Prendergast.

Respectfully submitted,

Lewis H. Conley, Jr.
Secretary/Commissioner