

LOWER TOWNSHIP FIRE COMMISSION

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

Minutes of the Meeting of the December 19, 2022

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, Brown, Conley, and Prendergast. Susan Smith Financial Data Specialist pro-tem, was also in attendance. Also, present were two firefighters, and no other members of the public.

MINUTES

The minutes of the November 21, 2022, regular meeting was reviewed, and a motion was offered by Commissioner Andrews and seconded by Commissioner Prendergast approve the minutes as written, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one.

TREASURER'S REPORT

1. The Treasurer's report was read by Commissioner Prendergast, a copy of the report is attached hereto and made a part hereof.

Interest earned for the month was \$2,710.00.

2. A motion to approve the Treasurer's report, was offered by Commissioner Conley and seconded by Commissioner Prendergast, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.
3. The Commissioners reviewed all bills that were submitted to the Treasurer in proper form. Resolution 22-01.12 authorizing payment of those bills totaling \$46,091.52, was offered by Commissioner Conley, and seconded by Commissioner Andrews, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

CORRESPONDENCE

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The Secretary read the following correspondence:

1. A copy of Lower Township Resolution #2022-333 dated 11/07/2022 approving the proposed Commissioner's salaries for 2023 was received from Julie Picard, Township Clerk.

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 that the station's Ingersoll Rand air compressor is out of service. The valves in one of the cylinder heads has broken. The cost to repair it is \$1,446.00. The service technician was concerned about the integrity of the tank due to the age of the unit, about 25 years old. The Chief has requested a quote for a replacement compressor, but in the interim feels we need to repair the existing compressor since with all of equipment and parts delays, it may be a while before the replacement will be installed in the station.*

A motion was offered by Commissioner Andrews and seconded by Commissioner Barger to approve the Ingersoll Rand Proposal to replace gaskets and valves on the first and second stage of the existing compressor as outlined in their 1/20/2022 quote for \$1,446.00, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (01/2022)

None of the repair parts have arrived was reported to the Chief by Ingersoll Rand (02/2020)

The Chief reported that the air compressor has been temporarily repaired and currently functioning, but the vendor does not have an anticipated date for delivery of the new air compressor. (08/2022)

3. *The Chief reported that there may be an issue with the Port Engine on Marine 1. The issue is being investigated by a marine engine specialist. (03/2022)*

The port engine on Marine 1 has been damaged by a fire pump water line break that went into the port engine air intake. The preliminary estimate for repairs is \$40,000.00

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for a new port engine and about \$17,000 for the piping. A claim has been submitted to the insurance company. (04/2022)

The Chief submitted a claim to our insurance company and the claim was denied, the water damage to the engine was an exclusion from the policy.

He anticipates that the new engine should be here in about a month (June 2022) (05/2022)

Commissioner Conley has reached out to Melissa Ford from the Division of Local Government Services regarding the emergency and felt that this is an emergency and would qualify for an emergency appropriation as outlined in N.J.S.A. 40A:14-78.11 et seq. Pursuant to that information, Commissioner Conley introduced Resolution 22-30 Declaring that an Emergency Exists and making an Emergency Appropriation of \$60,000.00 and that the deferred charge will be included in the 2023 Annual Budget, which was seconded by Commissioner Andrews, voting yes, Andrews, Barger, Brown, and Conley; voting no, no one; abstaining, no one.

It is noted that this resolution shall not take effect until the municipal governing body (Lower Township) shall by a vote of not less than two-thirds of its full membership approve the emergency appropriation and certify its approval to the Fire District. (06/2022)

The chief reported that there is no delivery date available for the delivery of the new port engine for Marine 1, however the damaged piping has been replaced. (07/2022)

The Chief reported that Cummings is sending us a new engine and is scheduled to be here by the end of October. (10/2022)

The Chief reported that the engine has arrived from Cummings, it is not a new engine but a rebuilt one. The rebuilt port engine is currently being installed in Marine 1 and should be back in service in another week. (11/2022)

BUREAU OF FIRE SAFETY REPORT

The Bureau of Fire Safety reports were distributed by Commissioner Conley to the commissioners, a copy of which is attached to the original of these minutes.

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OLD BUSINESS

1. Commissioner Brown reported that Rich Fire Protection has performed the flushing of the fire suppression system and the system is functioning as designed. They 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. Commissioner 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)

Commissioner 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)

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

Commissioner 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, did some extensive investigating, and reported that they would provide us with a proposal, and he has not received that proposal yet. (08/19)

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

Commissioner 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 retaining an engineer to review and expand the specifications and prepare and monitor the bid process and inspect the installation. (10/19)

Commissioner 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)

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Commissioner 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)

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

Commissioner 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)

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

Commissioner Conley will work with Richard Braslow to develop a specification and bid package for the repair/replacement and will work with Leon Costello for whatever needs to be done to be able to use the dedicated building maintenance capital fund to pay for the repairs (06/2021)

Commissioner Conley reported that Solicitor Braslow is reaching out to Melissa Miller at DCA regarding an emergency process that can be used to get the work completed. (07/2021)

DCA determined the replacement of the fire suppression system was NOT an emergency and needed to follow the process for a capital expenditure, which includes a special capital meeting and itemization in the 2022 budget. Conley has coordinated that effort with Solicitor Braslow

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and Auditor Leon Costello and has advertised the special capital meeting for December 13, 2022, between the hours of 6 pm to 9 pm. (11/2022)

Commissioner Conley reported that following the Special Meeting, where the \$400,000 Capital expenditure was approved, it was included in the 2022 Budget, which was also approved.

Commissioners Brown and Conley will meet with a representatives of Fire Suppression system vendors to discuss options that may be available to enable the Fire District to move forward with this project. The meeting is scheduled for Friday March 25, 2022. (03/2022)

Commissioner Brown reported that Steve Gaddy will have specifications ready for us to review in the next three weeks. (08/2022)

Commissioner Brown reported that Steve Gaddy will have specifications ready for us to review in the next four weeks. (10/2022)

Commissioner Brown reported that Steve Gaddy will have specifications ready for us to review soon. (11/2022)

Commissioner Brown reported that Steve Gaddy has provided a first draft of the specifications and anticipates a final draft ready for Commissioners review by the end of January, 2023. (12/2022)

2. *Commissioner Conley and Chief Megonigal will be working on an updated mutual aid contract with the Cape May Point Volunteer Fire Company. (08/19)*
1. *Commissioner Brown reported that the bats are back and presented a proposal from Western Pest Services to tent the East end of the Firehouse and follow-up with sealing the areas of entry once the bats exit the building for \$1,500,00. A motion was offered by Commissioner Conley and seconded by Commissioner Barger to approve the proposal voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (08/2022)*

Commissioner Brown reported that Western is currently fogging the area and continue for the next couple of weeks. (10/2022).

Commissioner Brown reported no bats have been seen. (11/2022)

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NEW BUSINESS

1. Commissioner Conley reviewed the 2022 Annual Audit for the calendar year 2021 in detail. It is noted that there are no corrective actions identified or required. All the Commissioners received a copy of Annual Audit and signed the Group Affidavit.

Commissioner Conley reported that a copy of the Synopsis of the Annual Audit was published in the Cape May Star & Wave.

Commissioner Conley reported that the LOSAP Annual Review has also been completed and copies of the review was also provided to all Commissioners.

Resolution 22-30-R voiding Resolution 22-30 for the emergency repairs to Marne 1 was offered by Commissioner Andrews and seconded by Commissioner Barger, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

2. Commissioner Conley Reviewed the approved 2023 Annual Budget which is summarized as a total budget of \$1,343,031.63, which includes an amount to be raised by taxation of \$1,051,000.00. The amount to be raised by taxation is increased by \$15,900.00, which is offset by the increase in the total assess valuation of the Fire District at \$1,529,953,700.00. Simply translated that means that the proposed tax rate per \$100 of Assessed Valuation will remain the same \$0.0670.

President Brown opened the meeting for public comment on the 2023 Annual Budget, there was no one in attendance that wanted to speak for, against or have questions about the budget. The public portion was closed by a motion by Commissioner Andrews and seconded by Commissioner Prendergast, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

Resolution 22-34 adopting the 2023 Annual Budget was offered by Commissioner Andrews and seconded by Commissioners Prendergast, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

3. Commissioner Brown reported during the months of November and December the district's financial data specialist for many years, Charlotte (Missie) Axelsson developed a medical issue that does not permit her to continue to provide those services to the district, effective immediately. Upon receiving that notice, Commissioner Brown and

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Commissioner Conley searched for a replacement. Commissioners Brown and Conley conducted a personal interview with Susan Smith who is very well qualified to perform the duties of our financial data specialist, knows and understands government accounting and requirements as well as being familiar with our Edmunds Accounting software and is available to start working immediately, in fact, has attended this meeting and has processed the reports for this month's meeting to demonstrate her qualifications.

Resolution 22-35 Appointing Susan A Smith as Fire District No. 2's Financial Data Specialist for the remainder of the 2022-2023 year was offered by Commissioner Conley and seconded by Commissioner Andrews, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

4. Commissioner Conley reviewed the LOSAP regulations and Local Finance Notice LFN 2022-02 as well as the written language contained in the original resolution approved by the voters. As a result, the Commissioners believe that automatic cost of living adjustments are permissible.

Resolution 22-36 determining Cost of Living (CPI) Adjustments are Applicable for the Fire District No. 2's Length of Service Awards Program (LOSAP) and further that Fire District No. 2 shall implement a one-time adjustment to the current 2021 CPI maximum rate of \$1,804.00 was offer by Commissioner Andrews and seconded by Commissioner Prendergast, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

5. The following purchases which were anticipated in the annual budget were authorized by a motion by Commissioners Andrews and seconded by Commissioner Prendergast, voting yes, Andrews, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.
 - a. From Mid Atlantic Fire & Air, Laurel Springs, NJ. One (1) Halligan tool, one (1) fire hooks shoulder hook, and one (1) fire hooks flat-head axe for a total of \$339.00.

PUBLIC PORTION

Nothing

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There being no further business, the meeting adjourned at 19:58 hours by a motion by Commissioner Andrews and a second by Commissioner Prendergast.

Respectfully submitted,

Lewis H. Conley, Jr.
Secretary/Commissioner