

LOWER TOWNSHIP FIRE COMMISSION

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

Minutes of the Meeting of the August 9, 2024

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 the flag salute, roll was called; Commissioners present were Andrews, Barger, Brown, Conley and Prendergast. Susan Smith, Financial Data Specialist, was also in attendance. Also, present were two firefighters, and no other members of the public.

MINUTES

The minutes of the July 15, 2024, regular meeting was reviewed, and a motion was offered by Commissioner Andrews and seconded by Commissioner Barger to approve the minutes as written, voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one.

TREASURER'S REPORT

The Treasurer's reports were read by Commissioner Prendergast, copies of the reports are attached hereto and made a part hereof.

Interest earned for the month was \$6,214.48.
The total income for the month was \$6,214.48.

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

The Commissioners reviewed all bills that were submitted to the Treasurer in proper form. Resolution 24-01.08 authorizing payment of those bills totaling \$31,594.14, was offered by Commissioner Conley, and seconded by Commissioner 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. Nothing.

TOWN BANK VOLUNTEER FIRE COMPANY REPORT

1. A report of the month's activities was read by Chief Megonigal, a copy of which is attached hereto and made a part hereof. Of specific note, the new radios have been received, however the microphones for them have not been received.

BUREAU OF FIRE SAFETY REPORT

The Commissioners Bureau of Fire Safety meeting is not scheduled again until September, therefore there was nothing to report.

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)

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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)

Commissioner Conley reported that he has been in touch with CM3 Building Solutions who performs pipelining for fire suppression systems. He has received preliminary literature, which he shared with the Commissioners, and has requested a representative to 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 our September meeting to discuss the sprinkler system replacement. (08-2020)

Jim Ferrante of Rich Fire Protection attended the meeting. He discussed the possibility of performing 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.

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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 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 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)

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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)

Commissioner Brown reported that he received the final technical specifications today and will circulate them to all commissioners for review and comment following tonight's meeting. (02/2023)

Commissioner Brown distributed the copies of the technical specifications and asked for any comments. Chief Megonigal suggested that a statement be added that the firehouse must be operational during any construction work, especially while work is performed in the area of the engine bays. Commissioner Conley requested a "Word" file of the technical specifications for completing the bid package. There was also a discussion regarding the need for a construction inspector to be sure the specifications are adhered to. Commissioner Conley will investigate to see if there is such an individual in the area with that expertise. (03/2023)

Commissioner Brown has a copy of the "Word" file that can be used to finalize the bid package. A discussion followed regarding replacing the ceiling tiles and upgrading the lighting system in the multi-purpose room while the ceiling tiles are removed for the sprinkler replacement.

Chief Megonigal will seek a ballpark estimate of the lighting upgrade and Commissioner Brown will talk to ERCO regarding a ballpark estimate for suspended ceiling replacement. Commissioner Conley will insert language in the bid package that would include those items as drop/add items, so that they can be included if the additional items fall within the project budget. (04/2023)

Commissioner Brown has spoken to ERCO and received a preliminary estimate to replace the ceiling tiles with white 2x2 ceiling tiles on the existing grid in the multi-purpose room kitchen, hall, stage, laundry room and storeroom for \$27,210. Clarification was needed since the existing ceiling is 2x4.

For all new tile grids in the multi-purpose room, kitchen, stage, hallway, laundry room & storeroom add \$15,788.

If ERCO is to provide a dumpster add \$3,000.

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Commissioner Brown is following up with ERCO to see if there was an error since the current ceiling tiles and grid are 2' x 4', not the 2' x 2' stated in the proposal. (06/2023)

Commissioner Brown will be meeting with ERCO's representative tomorrow and will review the questions with him. (07/2023)

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)*
3. *Commissioner Brown has received a proposal from CM3 Building Solutions for the replacement of the three engine bay heaters anticipated to be replaced in 2024. Commissioner Conley noted that the specifications in the proposal did not seem to include automated controls tied to our existing computer controls that provides for CM3 receiving diagnostics of the system, which was to be included. Brown reported that he will follow-up with CM3 to see if it is included in the price or not. (02/2023).*

The Chief reported that the existing three engine bay heaters are not working properly even though they were supposed to be repaired. Commissioner Brown will follow up with CM3 Building Solutions to get them working. (02/2024)

Commissioners Conley & Brown met with representatives of CM3 Building Solutions and reviewed the heater issues in detail and the existing contract wording. CM3 will issue a clarification of the proposal to repair the engine bay heaters. (04/2024)

4. **Investigative Committee** - *Commissioner Conley led a discussion regarding consideration of a meeting of all three Lower Township Fire Districts and all three volunteer fire companies' chiefs to discuss fire protection in the future, given the difficulty in obtaining new and young volunteer firefighters. The concept would be to establish goals and needs and secure a study as well as a plan for the future by an expert in this area and a plan to secure funding for the study.*

Conley volunteered to coordinate and set up the first meeting with all 15 commissioners and the 3 fire chiefs as well as Richard Braslow, who would attend virtually. The meeting will be held at the Lower Twp. Municipal Hall. (5/2023)

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Conley reported that he has requested the email addresses of each fire chief and each commissioner in Fire Districts 1 and 3 from the district's representatives at the last Fire Bureau meeting. To date he has not received those email addresses. (06/2023)

Commissioner Conley reported that he received an email from Commissioner Gentek of Lower Township Fire District No. 1 requesting the email address of each of the Commissioners and the Fire Chief in order to be able to notify them of a meeting to be scheduled following the September Bureau of Fire Safety meeting for a discussion on a paid duty crew for the fire service. The meeting will be conducted in compliance with the open public meetings act.

Commissioner Conley provided the emails as requested, via return email. (08/2023)

The Commissioners from all three Fire Districts along with the Fire Chief's from all three fire companies met following the Bureau of Fire Safety meeting on September 27, 2023, as appropriately noticed to follow the Open Public Meetings Act.

There was a general discussion regarding a lack of first responders, especially during the workday. MA lot of the responders do not work locally, which makes it difficult for them to respond during work hours. There was a lot of discussion, and all of the attendees saw a need to develop a resolution.

It was decided that each of the three fire districts would appoint two people to an Investigative Committee to represent both the fire district and the fire company from each district. Their charge would be to report back to their fire districts the progress and direction of the Investigative Committee, but all final decisions will be made by the three fire districts and fire companies as a whole.

At the October 16, 2023, meeting, Fire District 2 appointed Commissioner George Barger and Chief Lew Megonigal to represent Fire District 2 on the Investigative Committee. (10/2023)

At the November 20, 2023, Commissioners meeting, Commissioner Barger reported that no one has been in contact with him or Chief Megonigal regarding a follow-up meeting or provided any additional information. (11/2023)

Chief Megonigal reported that there will be a meeting of the Committee next Wednesday. (12/2023)

Chief Megonigal reported the meeting was held December 20, 2023, at the Villas Station. A discussion regarding the use and how best to use a "Duty Crew" was the central discussion,

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and the topics of legality, insurance, scheduling, and cross training were all needed to be addressed before any concept can be initialed. Another meeting will be scheduled after the holidays. (01/2024)

Chief Megonigal reported that the Committee are meeting monthly and currently working on insurance coverages (02/2024).

Commissioner Conley has been requested to contact Solicitor Richard M. Braslow, Esq. regarding what type of contract/agreement would be necessary to permit Lower Township to extend the disability/unemployment insurance coverage to the three-fire district's duty crew. Solicitor Braslow was suggested due to his experience with New Jersey's Fire Districts, some of which have already been using duty crews to supplement the volunteer fire companies. (06-24).

- 5. At the request of Commissioner Brown, Jeff Safirstein, Security Account Executive from CM3 Building Solutions appeared at the meeting to discuss alternative methods of opening the firehouse doors in addition to the current job method. Firefighters are concerned that in order to answer a fire call they must have the assigned job (they are only issued one) and may have more than one personal vehicle and that can be problematic if their spouse is using the vehicle that has the job in it.*

Jeff discussed the use of cell phone access, and face recognition access to supplement the job. He will be looking for other options and putting together a proposal/report of options and costs. (08/2023).

- 6. Commissioner Conley reported that the new LOSAP rate has been posted on the State's website the LFN-1 notice was published on January 18, 2024, and the LOSAP rate for 2023 will be \$2,070.00. (02/2024)*

Commissioner Conley Reported that the LOSAP points have been received from the Chief and will be posted for the next month to provide the Fire Company opportunity to review the list and request a hearing on the matter should someone perceive a discrepancy. (06/2024)

Commissioner Conley reported that he has received one (1) written appeal of the LOSAP Awards list provided by the Town Bank Volunteer Fire Company and a mediation hearing will be held by the Fire District to attempt to resolve the issue. (06/2024) still pending (07/2024).

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Commissioner Conley reported that the appeal meeting was held, and the appellant was confirmed as not qualifying for calendar year 2023, the original LOSAP qualifying list will be submitted to Lincoln Financial for calendar year 2023. (08/2024)

7. A motion was offered by Commissioner Barger and seconded by Commissioner Prendergast to authorize the proposal from EPOXY Flooring, 708-3 Old Shore Road, Forked River, NJ 08731 to repair the engine bay floors (patchwork only) for \$6,000.00, with the cost coming from the Building Maintenance line, voting yes, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one. (02/2024)
10. Commissioner Conley discussed raising the bond (insurance) that is carried on the President, Treasurer and Financial Data Specialist that is near the average amount of funds that are in the bank account. Andrews will look into the current amount we currently have and the cost to increase the amount to \$1M, \$1.5M, etc. (04/2024)

NEW BUSINESS

1. Commissioner Conley presented an updated proposal from Planet Technologies for six seats of Microsoft 365 and email service via the cloud for \$1,602.72 for 1-year as recommended by our computer consultant, Wes Barber. The proposal approved last month had expired and this proposal is good to the end of August. Susan Smith, Financial Data Specialist, advised that the Purchase Order Number PO 24-00122 can remain the same and be updated to the new amount. A motion to authorize the updated proposal from Planet Technologies totaling \$1,602.72 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. The Fire District has received a proposal solicited by the Town Bank Volunteer Fire Company for repairs to the Fire House Parking Lot from Goodman's Sealcoat for two options:

The first was to restripe the parking lot only for \$2,067.00.

The second was to repair the potholes in the parking lot, sweep the entire surface and apply a layer of seal coat and then restripe the parking lot for \$8,8,978.00.

The Commissioners were unanimous that they would prefer the second option, however additional quotes are necessary in either case. Commissioner Conley will work with the Fire

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Company to acquire additional quotes and verify that Goodman's Sealcoat has the required qualifications; insurance coverage, etc. to perform the services should they be the low quote.

3. Commissioner Brown has received notice from Rich Fire Protection that there is a malfunction of a 3# valve in our air over water fire suppression system in the engine bay area and provided a written request to replace the valve for \$17,425.00 with a required down payment of \$8,712.50.

Commissioner Brown has received a second quote from Affordable Fire to replace the valve for \$16,500.00 if the existing valve could not be rebuilt. If awarded the work they would first attempt to rebuild the existing valve, for a considerably lower fee.

Due to the urgency of getting the repairs completed as soon as possible, a motion was made by Commissioner Conley and seconded by Commissioner Andrews to award the work to Affordable Fire as proposed, not to exceed \$16,500.00 with the understanding that they would attempt to repair the 3" valve first and will provide the District with the necessary licenses, insurance coverage, business registration certificate, etc. necessary. Voting yes, Andrews, Barger, Brown, Conley, and Prendergast; voting no, no one; abstaining, no one.

4. President Brown reported that he is still waiting for our boiler inspection report from Hartford Steam Boiler Inspection Co. to be provided in order to ameliorate that outstanding Fire Inspection violation.

The work was completed months ago, and the inspection stickers are on the boilers, but the certificate is not mounted in the utility room as required. The Fire District has not received the certificate to post, and the Division of Fire Safety has not received the certificate. Hartford Steam Boiler reported that they will get the certificate to us and the State very soon.

PUBLIC PORTION

1. Nothing.

There being no further business, the meeting was adjourned at 19:40 hours by a motion by Commissioner Barger and a second by Commissioner Prendergast.

Respectfully submitted,

Lewis H. Conley, Jr.

Lewis H. Conley, Jr.
Secretary/Commissioner