

The regular meeting of the Board of Fire Commissioners, District #3, was called to order at 7:37 p.m. by Commissioner Walter on April 20, 2009.

**PRESENT** – Commissioners Walter, C. Jordan, Baylis, M. Jordan, and Concato.

**ABSENT** - None

This meeting was duly advertised in accordance with the open business-meeting act of the State of New Jersey.

**VOLUNTEER COMPANY REPORT** – No new members to report. President Hussey advises that they obtained insurance for 5501 and will get Administrative Clerk Brown a copy of the insurance cards as soon as they obtain a hard copy.

President Hussey requests copies of insurance information. Administrative Brown to provide them with copies of the Board's insurance policies.

**SECRETARIES REPORT** – Report tabled until next month.

**TREASURER'S REPORT** - Commissioner Concato reads the summary of the Treasurer's report. Motion to accept the summary as read made by Commissioner C. Jordan, seconded by Commissioner M. Jordan. **VOTE: AYE:** Commissioners Walter, C. Jordan, M. Jordan, and Concato. **NAY:** None.

**ATTORNEY'S REPORT** – Attorney Youssouf advises that he had contract from Chief Byrnes and reviewed the statute surrounding the return of a fire vehicle previously donated. Per the statute NJSA 40A:11-36.6 entitled **“Sale or other disposition of personal property”**. If the estimated fair value of the property to be sold exceeds 15 percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale to the highest bidder. The contracting unit need not advertise for bids when it makes any such sale to the United States, the State of New Jersey, another contracting unit, any body politic to which it contributes tax raised funds, any foreign nation which has diplomatic relations with the United States, or any governmental unit in the United States.

Per the statute NJSA 40A:12-21.1 **“Private sale of personal property authorized”** When the governing body of any county or municipality shall determine that any form of personal property as defined owned by the county or municipality, is no longer needed for county or municipal purposes, as the case may be, that governing body, by resolution or ordinance, may authorize a private sale of the personal property without compliance with any other law governing disposal of personal property by counties and municipalities, for a consideration, which may be nominal to any organization or association listed. The private sale of the personal property shall contain a limitation that the personal property shall be used only for the purposes of that organization or association, and to render those services or to provide those facilities as

may be agreed upon, and not for commercial business, trade or manufacture, and that if the personal property is not used in accordance with that limitation, ownership thereto shall revert to the county or municipality.

Attorney advises that with these two statutes, the property needs to revert back to us. He also noted that we can then use the truck as a trade-in for the new pumper.

Discussion regarding the bid specs and the new ethics of sale and purchase of fire trucks. Motion made to send the specs out for bid after the two chief's have approved their content, motion made by Commissioner M. Jordan, seconded by Commissioner Concato. **VOTE: AYE:** Commissioners Walter, C. Jordan, M. Jordan, and Concato. **NAY:** None.

Motion to accept Resolution to go out to bid for the New Pumper Class A Engine, publication of notice to be held until final agreement is met as to the bid specifications by the truck committee and the Board of Fire Commissioners. Motion by Commissioner Concato, seconded by M. Jordan. **VOTE: AYE:** Commissioners Walter, C. Jordan, M. Jordan, and Concato. **NAY:** None.

**CHIEF BYRNES' REPORT** - A report has been given to the Commissioners for review. A copy of report is attached.

**CHIEF FATOVIC'S REPORT** – A report has been given to the Commissioners for review. A copy of report is attached.

Chief Fatovic advises the Board that 5521 did not go to the fire academy last week, but will be going this Thursday from 6 p.m. to 10 p.m.

Discussion regarding the career staff physicals. Commissioner Jordan advises that the SOG for Drug Screening is currently in review and as soon as it is authorized, the career staff will have their physicals. No action at this time, table until the next meeting.

**OLD BUSINESS** – District Study – no report, table until next meeting.

Washer Extractor – no report, table until next meeting.

Commissioner Walter would like names assigned to all items on the agenda, so that he will know who to go to for the subject matter. Also he would like the agenda sent out the Wednesday before the meeting and confirmation that they will be attending, otherwise they will need to provide a written report of their topic.

Chief Fatovic advises that the career staff went to a class given for inspection of the gear, but the volunteers did not know. Commissioner Walter wants this item tabled until next meeting.

5504 repainted and graphics applied – no report, table until next meeting.

GMC new graphics applied – no report, table until next meeting.

Brake Inspection program – no report, table until next meeting.

**NEW BUSINESS** –. Discussion regarding Karen Conover's use of the gym. FF Stacy advises that she has no family here and would like a work out buddy. Further discussion regarding guests. Motion to allow any active firefighter of station 55 only, to be allowed a gym guest as long as the guest is preapproved. Motion by Commissioner C. Jordan, seconded by M. Jordan. **VOTE: AYE:** Commissioners Walter, C. Jordan, Baylis, M. Jordan, and Concato. **NAY:** None.

Resolution read to approve AXA Equitable's specimen 457 Plan. Discussion regarding the plan. Board advised that this is like a 401k, in which the monies come directly from the employee's salary and therefore, does not cost the Board anything. Plan to be overseen by the Board Clerk. Commissioner Walter is concerned and wants a consensus of the majority of the employees. He wants Administrative Clerk Brown to draw up a petition and have all employees sign it. He wants to be sure he gets all input from all the employees. Table this item to next month.

**OPEN TO THE PUBLIC:** Al Robbins takes the floor and questions the insurance coverage and the use of the gym by guests. Attorney advises that our insurance will cover anyone entering into our building.

Motion to accept a Resolution authorizing a closed-session or executive session for the purpose of discussing potential litigation; lawyer-client privileged material and personnel material. Subject matter to be released when it is no longer privileged, by Commissioner C. Jordan. Seconded by Commissioner Concato. **ROLE CALL:** AYE; COMMISSIONER WALTER: AYE; COMMISSIONER C. JORDAN: AYE; COMMISSIONER BAYLIS: AYE; COMMISSIONER M. JORDAN: AYE; COMMISSIONER CONCATO.

Meeting closed to the public for Executive at 8:27 p.m.

Executive session opened at 8:27 p.m. In attendance are Commissioner Walter, C. Jordan, Baylis, M. Jordan and Concato. Chief Fatovic, Assistant Chief Carson, President John Hussey, Attorney Joseph Youssouf, and Administrative Clerk Brown.

Executive session closed at 9:25 p.m.

Regular meeting reopened at 9:25 p.m.

Motion to adjourn the meeting at approximately 9:25 p.m. by Commissioner Baylis, seconded by Commissioner Concato. **VOTE: AYE:** Commissioners Walter, C. Jordan, Baylis, M. Jordan, and Concato. **NAY:** None.

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**COMMISSIONER M. JORDAN, SECRETARY**