

**Board of Fire Commissioners
GLOUCESTER TOWNSHIP FIRE DISTRICT 6
Monthly Board Meeting Minutes**

Meeting Held: December 15, 2020
Meeting Place: Board Office
Meeting Called to Order: 6:31pm
Members of Board Present: **Chairman** – George Brown
Vice Chairman – Richard Annacone
Treasurer – Brian Robinson
Secretary – George Flinn
Commissioner – Steven Funkhouser
Administrative Clerk – Renee Evans
Solicitor – David Carlamere

Salute the Flag

The Sunshine Law – George Brown: In accordance with the NJ Sunshine Law this meeting is open to the public. The public portion will follow the regular business of the Board.

Roll call Commissioners:
All present.

Minutes of the previous meeting - Motion to accept the previous month’s minutes as they are available to the public upon request.
Motion made by Comm. Robinson, seconded by Comm. Annacone. Roll call vote, all yes.

Correspondence – Renee Evans
Adm.Cl.Evans: It’s all been distributed.

Treasurer’s Report – Rich Annacone

William Penn General Account	2,362,694.05
William Penn Payroll Account	46,289.60
Expenditures: For 12/15/20	67,644.82
TOTAL AMOUNT FOR APPROVAL	67,644.82

Motion made by Comm. Flinn, seconded by Comm. Funkhouser to approve the Treasurer’s Report as read.
Roll call vote, all yes.

COMMITTEE REPORTS

Budget Co-Commissioner – George Brown

Comm. Brown: On the budget?

Adm.Cl.Evans: We’re getting there.

Comm. Brown: When will we be done?

Comm. Annacone: We’re waiting on the Accountant, right?

Adm.Cl.Evans: We’re doing some stuff with the Accountant and there’s a few numbers we’re still doing.

Comm. Brown: OK and who’s responsible for those numbers that you’re waiting on, besides the Accountant, anybody else?

Adm.Cl.Evans: We’re going to sit down with the team and get the numbers in.

Comm. Brown: OK

Computer Services – George Brown

No report.

Fire Prevention – George Brown

No report.

IAFF Contracts Co-Commissioner – George Brown

No report.

Legal Liaison – George Brown

No report.

Liaison to the District Volunteers – George Brown

Comm. Brown: Any new members?

Chief Brezee: No new members at this time.

Comm. Brown: OK.

Budget Co-Commissioner – Rich Annacone

Comm. Annacone: The Budget is ongoing.

IAFF Contracts Co-Commissioner – Rich Annacone

No report.

Personnel / Administration – Rich Annacone

Comm. Annacone: The contracts, we still have a couple to take care of.

Personnel / Operations – Rich Annacone

No report.

Apparatus – Brian Robinson

Comm. Robinson: Nothing except for I did attend while working a Council meeting last night, and Councilwoman Carolyn Grace spoke very, very, very well on Operation Santa. We came through Brittany Woods and did a fantastic job, spent time with the kids. As Mr. Carlamere will attest to it was good.

Sol.Carlamere: Yes.

Comm. Robinson: Thank you very much guys.

Chief Brezee: Yes, she sent an email to the Police Chief who forwarded it to myself.

Comm. Brown: Great. Nice job on the rides. Anything else Comm. Robinson?

Comm. Robinson: No sir.

Fire Department Equipment – Brian Robinson

No report.

Fire Department Operations – Brian Robinson

No report.

Training – Brian Robinson

No report.

Insurance – George Flinn

No report.

Sign – George Flinn

No report.

Water – George Flinn

No report.

Building Maintenance & Grounds – Steve Funkhouser

Comm. Funkhouser: I'll refer to the Chief's Report. Everything is good.

Comm. Brown: Are we all squared away for what we need for the Special Meeting on Saturday night regarding the building?

Comm. Funkhouser: The budget has been turned in already, what else do we need?

Comm. Brown: To get the Solicitor any information so he can put together a Resolution for a \$200,000...

Sol.Carlamere: You announced at the meeting before and will open up a Special Meeting and take a vote on a line item for \$200,000 for a Capital project. And then you need a motion at the end if there are any public questions need answered, then call for a vote. The voters present have a right to vote also besides all the Commissioners.

Comm. Brown: OK. So do we have to be here for the three hours sitting around here looking at each other, duh.

Sol.Carlamere: Unfortunately that's how the Statute reads that you have to be present. You're going to be voting also, it's your Special Meeting.

Comm. Flinn: We have to sit here for 3 hours?

Comm. Brown: That's what I was trying to clarify.

Sol.Carlamere: I guess you can come and go but it has to be open during that time and has to be someone here for questions what have you.

Comm. Annacone: As long as we have a quorum here.

Sol.Carlamere: You open it, you have a quorum and you have to be available, maybe stagger your Commissioners so if anybody is coming in, someone could be here to answer questions.

Comm. Annacone: So we all have to be here for the opening...

Sol.Carlamere: Yes, absolutely.

Comm. Annacone: Then all here for closing.

Sol.Carlamere: Correct.

Comm. Annacone: And somebody has to be here during.

Comm. Brown: Alright, so is there anybody not going to make it?

Comm. Robinson: I'm working.

Comm. Brown: OK. That's what I wanted to know so we came prepared for Saturday. Anything else Comm. Funkhouser?

Comm. Funkhouser: No.

Communications – Steve Funkhouser

No report.

EMS / Supplies & Equipment – Steve Funkhouser

No report.

Turn-Out Gear – Steve Funkhouser

No report.

Uniforms – Steve Funkhouser

No report.

Chief – Michael Brezee

Chief Brezee: My report's been submitted. The only thing to add was Operation Santa was a big success. (applause)

Comm. Brown: Nice job guys.

Chief Brezee: They did a great job this year. No complaints directly to me. I fielded a couple phone calls and a couple questions, but nothing negative in the whole situation. Maybe because of lock down, it seems like people were a bit more cheery this year. It went well. The guys busted their butts and we got it done. We do apologize that we are unable to have the family dinner this year, but we intend to make that up.

Motion made by Comm. Flinn, seconded by Comm. Funkhouser to accept the Chief's Report. Roll call vote, all yes.

Solicitor – David Carlamere

Sol.Carlamere: The only thing I want to discuss with the Board is we're trying to determine what the County Board of Elections is going to do with Fire District Elections this year. There was a lot of feedback that they're not going to be

Solicitor – continued

able to get the vote-by-mail ballots out on time. They don't have the authority to extend the Election so they're waiting for the Governor's executive order and follow that. From what I understand, I was speaking to Mr. Braslow, State Association of Fire Districts, and communicating with him, and he seems to be getting an opinion that they're going to move the Fire District Elections to April. You have to meet all your other deadlines so you're on track with that. They're talking about increasing your Temporary Budget from 14% to 30 some %. The terms of the Commissioners they have to address, it's longer. There are a lot of things they have to put in place. Nothing is confirmed yet, they don't know if that's going to happen. They don't know if they're going to allow you to vote in a machine or require everything to be vote my mail. So the burden is on them and now it's back and forth on how it's going to happen. They have to find out soon, but so far you stay on track as you are now.

Comm. Flinn: I have a question. They can force people to have to vote-by-mail? Is that really legal?

Sol.Carlamere: What they did last election, the voting machines are there, but they're only accessible by anyone that has a handicap. Everyone else when they came in they filled out paper ballots.

Comm. Flinn: Yeah, I get that so like we always had our election boxes out and ballots and fill them in.

Comm. Brown: I agree with Comm. Annacone. I'm sitting here dumb founded. So on that, let's say it isn't until April. Does that mean we couldn't do anything with the roof until after April even though we're into that budget?

Sol.Carlamere: If they increase your cap you might be able to. If it gets approved then your special meeting capital item is in the budget, but your budgets not approved yet. Now what happens is, let's say your budget is rejected, it still goes to the governing body but now this item becomes a special item that's already been voted on, so I don't think the governing body has the ability to strike that. Anything that's already been approved by a voter in a sense, I don't believe the governing body has the ability to strike an item. So I would tend to think after each process, it's not going to live too long because it's complicated as to how it functions. Right now if the Board comes in 6-9pm and approves it and your vote's been tallied, and your budget gets rejected whenever it is, third Saturday in February or April, this item in my opinion can't be approved unless you agree as you negotiate with the governing body.

Comm. Flinn: Right, because that Saturday is actually election for voting on that issue. It's already approved.

Sol.Carlamere: It's the same thing if you were buying a truck and the truck has been approved, you can't strike it out unless you agree. The voter already said yes to that in a sense.

Comm. Flinn: Right, because they're voting on that this Saturday.

Comm. Annacone: Once it's approved, then we can start getting bids...

Comm. Brown: No, but the capital item as I understand it is included in the annual budget. It's just earmarked because it's treated differently from an Accounting standpoint, correct?

Sol.Carlamere: Correct, but if your budget is rejected, everybody has the right to go through your budget and change items.

Comm. Brown: Town Council you're talking about.

Sol.Carlamere: Yes, Council. What they have traditionally done in years past when budgets have been rejected, they sit down and try to negotiate with a committee of Commissioners or Commissioner so it's not an adverse burden being put on, because what you do as your function, they're just trying to step in and look at the numbers. So the position has always been where I think it's a legal position also, if the voter already said yes to a specific item and it's now a contractual item, it can't come out. They can only do other things that are discretionary to change your budget.

Comm. Brown: I understand that part of the process, but in April we don't have an approved budget yet...

Sol.Carlamere: Correct.

Comm. Flinn: You can only spend a certain percentage.

Comm. Brown: You can't even go out for bids if it's not been...I was trying to get this clarified now so we don't have more confusion...

Sol.Carlamere: The voter on Saturday is going to say we'll approve this capital appropriation in your budget, correct?

Comm. Brown: That's the purpose of the special meeting. But the budget is not approved till April.

Sol.Carlamere: Correct. However that budget ends up after the third Saturday in February or April, however that ends up, this stays there.

Comm. Flinn: They can't touch that money.

Comm. Brown: I understand that, but...

Comm. Annacone: It can at least go out for bid if you know that money is going to be there.

Comm. Brown: Well that's the question I'm asking.

Solicitor – continued

Sol.Carlamere: You can get started, but by the time all this ends, you're not going to have a contract to sign until the ground work...

Comm. Brown: Well not just that because this could possibly be extended again. You'd want the bids to be more than 30 days or 60 days, whatever a normal capital project bid is.

Comm. Flinn: Worst case scenario it becomes an emergent appropriation and we fix the roof, know what I mean?

Comm. Brown: You're just trying to complicate things. OK, you get what I was saying. I asked a question more for myself and Steve, that if it's approved on Saturday, then you still really have to wait until April.

Comm. Funkhouser: We'll get bigger buckets.

Comm. Brown: I was going to bring a bigger bucket tonight, but I didn't.

Comm. Annacone: I agree.

Resolutions – Renee Evans

Comm. Brown: At the last meeting, we passed a Resolution for the reimbursement of the medical waiver for Ff. Adam Craig. The number that we had would have gone through the Accountant's understanding of the law and his conversations I guess with people in Trenton. The number is a little bit less. We had the schedule that the Clerk sent over to him, and that number is \$22,803.76. And we'd like to vote on that rather than the \$25,000 that we voted on last month. Does that affect the Clerk's number?

Adm.Cl.Evans: I'm not eligible.

Comm. Brown: You're not eligible?

Adm.Cl.Evans: No, we looked into it.

Comm. Brown: OK, we only have one Medical Waiver. So the Resolution regarding the Clerk should not include that.

Motion made by Comm. Flinn, seconded by Comm. Funkhouser to approve the Medical Waiver Calculation Reimbursement of \$22,803.76 to Ff. Craig. Roll call vote, all yes.

Sol.Carlamere: I have a question. Last meeting you also moved the Clerk's Resolution, and she's not qualified. Now you can indicate that, or you can do it formality if the Board choses, and make a motion to rescind that Resolution.

Comm. Brown: That's what I would do, rescind that last Resolution and go ahead with the corrected one for the Firefighter.

Motion made by Comm. Funkhouser, seconded by Comm. Flinn to rescind the Resolution at last month's meeting for the Clerk's Medical Waiver. Roll call vote, all yes.

Old Business – George Brown

Comm. Brown: Old Business? (hearing none)

New Business – George Brown

Comm. Brown: New Business? (hearing none)

Public Portion – George Brown

Comm. Brown: Anyone like to address the Board, stand up, state your name and address. (hearing none)
Are the stipend checks ready for tonight?

Adm.Cl.Evans: Yes.

Comm. Brown: We have not approved that number yet?

Adm.Cl.Evans: It was in the bills.

Comm. Brown: I think the stipend number is always approved separately. Do we have that number?

Adm.Cl.Evans: The total was \$22,999.01 I believe.

Comm. Brown: Let's get it correct because that's always been separate. So the stipends were calculated and approved by the Chief, and did any of the Commissioners look at it? Comm. Robinson, you did look at the stipend numbers?

Comm. Robinson: Um hum. I signed several of them.

Public Portion – continued

Adm.Cl.Evans: The total was \$22,999.99.

Comm. Brown: OK, motion to approve the 2020 stipends.

Motion made by Comm. Robinson, seconded by Comm. Flinn to approve the 2020 Firefighter Stipends for \$22,999.99. Roll call vote, all yes.

Closed Session – George Brown

Comm. Brown: We'd like to go into Closed Session to discuss the Chief's contract. Let the record show we're going Closed Session at 6:51pm

Motion made by Comm. Funkhouser, seconded by Comm. Annacone. Roll call vote, all yes.

Open Session – George Brown

Comm. Brown: OK, let the record show that we've come out of Closed Session at 7:40pm, with no resolution on the Chief's contract yet. We hope to resolve that at the next meeting which is on Monday. The Chief understands, I think he may not agree with, but he understands what the Board's position is. The Board clearly understands his position.

Roll call at 7:40pm. All present.

Comm. Brown: The Solicitor has a follow up comment on the Saturday Special Meeting that he wants to note for us.

Sol.Carlamere: The Saturday meeting, the way it's been structured is a result of the amendment to 48:14-84. That is what everyone calls a show of hands vote. You call a Special Meeting and purchase a truck or Capital apparatus. You call a Special Meeting, you advertise it and you post notices, then you have a show of hands vote by those that come in and certify they are registered voters, then the Commissioners vote and the meeting is in and out in a half hour. When they amended Title 84, they amended that along with the encouragement of Fire Districts to go to general elections rather than their annual elections. If you read through the Title 84, if you're a general election in November, you don't need voter approval to do Capital for purchases. You just have a meeting, advertise for it, have a public hearing on the issues and if Commissioners vote, you need 2/3 vote. So what they were doing when they amended this is try to encourage Fire Districts to go to the general November elections. Your budget is no longer part of the general election if you are a November election. It's like School Boards. If you vote your budget, and that's it, the voters don't vote on it. If you remain as a February election, then all those things have to go before the voters. It's a little bit confusing, because now it says you have to have your Special Meeting 6-9pm. Until this amendment came in, the Attorney General of New Jersey said if you're having a vote, that means you have to have absentees before all the vote-by-mail, you have to have all of that, and that created a lot of confusion. So the interpretation of this coming out of Trenton, Local Finance Board is saying, well you don't really call it an Election, you just say you're going to have a vote, and stay away from the word Election because if you use the word Election, you have to have ballots, vote-by-mail and all those crazy things. But it still creates confusion because now it still says that meeting has to last from 6-9pm, and it has to be a confidential vote, you have to have some type of ballot so you can have secrecy. They're really doing it the same way but they're trying to compensate because it becomes impossible. So I think what you should do, I was thinking of it while you were having your discussion on the other issue, you're meeting should start at 6pm and you should have a full quorum of the Commissioners because you vote also. You should open up the meeting at 6:00pm, announce what the meeting is for, you can have a discussion on it, but then I think you go right into the vote. If there are public here they can vote on that time. And I think all the Commissioners should vote when they're here in the beginning. There should be a ballot, and I thought I'd work with the Clerk, yes, no, that kind of thing so everybody could fill it out and put it in a ballot box, and take necessary action for the secrecy and privacy of casting the vote so we're going to have to do that. You're going to have to keep the meeting open 6-9pm. You have to have a quorum of Commissioners coming back to close it, maybe count the votes at the same time and indicate whether it passed or failed. So you probably have to do it in that fashion, so I kind of think that's how you should have it. I don't think you have to stay here, all the Commissioners. There probably should be somebody in charge of the ballot box so to speak, and maybe one Commissioner, but then you have to all be back to count and certify the Election result.

Comm. Annacone: Can we do that, or do we need somebody from the Board of Elections here, how do we certify if they're registered voters.

Open Session – George Brown

Comm. Flinn: Our Clerk can certify the Election.

Sol.Carlamere: I don't know if you have in the past, you have the County send you a list of registered voters.

Comm. Brown: Yes, it was checked during the vehicle acquisition Special Meeting.

Sol.Carlamere: If you have that, you'll be able to know if someone comes in, you can look them up on the list and say OK, you're registered.

Comm. Annacone: What if somebody registered from then till now?

Comm. Brown: Same thing, you take a...

Sol.Carlamere: Provisional ballot.

Comm. Brown: They vote provisionally.

Sol.Carlamere: So you probably have that, so what I'll do is I just might reach out today to get some information. I know it's \$200,000 for entire roof being replaced. I just might indicate question...should the Board of Fire Commissioners etc. Then we'll use that as the ballot question. As far as the mechanics of it, be here at 6, open it up, the Commissioners should vote so you know you're all voted, and then at least one Commissioners should stay besides your Clerk who's going to be here 6-9pm, but by the close of the meeting you should have the quorum back again and count the votes.

Comm. Annacone: We're allowed to count our votes?

Sol.Carlamere: The Clerk will open it, yes here, no there.

Comm. Brown: The Clerk checks for people coming in the door to see if their registered voters, gives them the ballot, puts it in the ballot box and count it like we would normally.

Sol.Carlamere: They modified 84 which we always called it a show of hands vote. They encourage Districts to go through general elections.

Comm. Brown: So to the volunteers, whatever the next event is if you want a second hot dog, you have to know what section of the law is that he quoted tonight.

Sol.Carlamere: That's all I wanted to say, so I'll communicate with you if you have questions.

Adjourn – George Brown

Motion made by Comm. Flinn, seconded by Comm. Funkhouser to adjourn the meeting at 7:48pm.

Roll call vote, all yes.

Comm. Brown: Thank you everyone for coming, thank you for volunteering this year. The guys did a great job all the way around, and it's much appreciated by the Community.