

BOARD OF FIRE COMMISSIONERS
Pennington Borough Fire District No. 1
P.O. Box 387
Pennington, NJ 08534

MINUTES
November 15, 2022

CALL TO ORDER

The regularly scheduled remote 'Zoom' meeting was called to order by Chairman Blackwell at 7:30 p.m. following adequate and electronic notice under the Open Public Meetings Law and N.J.A.C. 5:39 (annual meeting notice including information on how the public could access and participate in the remote meeting, make public comment and where relevant documents, if any, would be made available published in the Times of Trenton (12/29/21) and Hopewell Valley News (1/07/22), provided to the Hopewell Express, sent to the Borough Clerk for filing and public posting and posted on the board's website, at the firehouse entrances and at board offices, as well as provided to any person requesting same in advance of the meeting.

ROLL CALL

Present by roll call were Commissioners Robert DiFalco, Ryan Fraser, Robert Ingram, Brian Hofacker and Chairman Mark Blackwell.

Also present: Joseph Carducci, C.P.A., Attorney Appleby, Chief DeForte

PUBLIC COMMENTS

Garrett Sutherland, Lieutenant at the Fire Company has taken up the role as assistant engineer at the Fire Department. His background is in automotive and is trying to think of service schedules for every piece of equipment with an engine on it more regularly, so everything works when we need it. At the last couple meetings, he mentioned looking at getting prices from shops. Mentioned how there was a concern about there being a conflict of interest in using the shop he worked at, so he priced around at some other shops. He worked on getting prices from other shops – until last week it came to his attention that they decided to go with another shop – he was upset about this because he felt like it was a waste of his time. Sutherland says that there may be a few other conflict of interests that the Commissioners may

not know about. He looked into NJ State law and said there has been other instances of conflicts of interests throughout this past year.

Back-and-forth between Sutherland and Chairman Blackwell. Sutherland claims that the work he does is for free – says he never gave a bill to the Board of Fire Commissioners or the Fire Company. Chairman Blackwell asks other commissioners to comment on whether there is a conflict of interest. Concern raised by Fraser that “if it is over a certain threshold, it needs to go out to bid” and then defers to Attorney Appleby on this issue and concern. Attorney Appleby clarifies the confusion about bid thresholds.

Discussion about creating a record of billing and that the Board is cautious in choosing a vendor, and says they need to do their due diligence because at times there can be perceptions of conflicts of interest, even when one may not exist under the Finance Board’s rulings. Chairman Blackwell says from his perspective they just want to make sure that when things go out to bid, they are just following the proper rules. Sutherland says he understands, and thanks everybody. No more public comment.

CHIEF’S REPORT

There were 35 calls in October 2022: Three (3) to Pennington Borough, 20 to Hopewell Township, 2 to Hopewell Borough. Remainder were out of District. Two (2) calls were automobile, 3 were brunch/leaves/ and there was 1 CO alarm. Two calls for gas leaks. Twelve (12) Mutual Aid calls.

Tires got replaced – an unexpected expense, and cost about \$7000. They were State bid tires. Accountability tags – need to get these ordered. Electric Milwaukee saw – approximately \$225 from Home Depot. Trying to ask permission to get a P.O. cut separately from that.

Chairman Blackwell asked if any more questions on the Chief’s Report? Chief discussed fire in Ewing.

TREASURER’S REPORT

Chairman Blackwell asks if there are any questions on the bills. No questions at this moment.

\$24,174.46 worth of bills for the month.

Discussion on nature of bills. Dell laptop service is going to run out at the end of the year – another 2-year service warranty would be \$189.

Motion to amend the bills to include the Dell purchase for \$189: seconded.

Attorney Appleby : Roll Call: Commissioners DiFalco, Ingram, Hofacker, Chairman Blackwell. All voted yes.

OLD BUSINESS

- Fire Service Agreement with Hopewell Township – No further along then we were last time.
- Fixed Asset – Question for Attorney Appleby : what is the minimum dollar amount we should be tracking. Answer: You don't want to be artificially parceling out pieces of things that are part of a whole.
 - o Chairman Blackwell: Where do we draw the line between asset and inventory.
- Election Results – Congratulations to re-elected Commissioners. Chairman Blackwell did not get anything from Mercer County about the election results.
- Title Transfer on Motor Vehicles: Chairman Blackwell spoke with them today – it was all their mistake, and they are going to take care of all of it -they will go to title holder, get them to release the title and return the title back to the lending company. They don't know how or why it happened, but it was definitely on their end, according to the Chairman.
- Tanker Refurbishment with Hopewell Township – the last Chairman Blackwell heard was that they did not want to refurbish the tanker, but they haven't given the okay about going out and buying a tanker. By the looks of things, it will roll into another year before buying another tanker.

NEW BUSINESS:

- Hybrid Meeting:
 - o Attorney Appleby : The regulations in place during COVID expired that allowed for virtual meetings. Recommendation to utilize Hybrid meeting – a decision that needs to be made by the Board. Recommendation is outlined in the memo.
 - o Chairman Blackwell – We may need to go down to the fire station and rotate for these meetings on Tuesday nights, and this is something we're going to have to get together and discuss.

APPROVAL OF MINUTES

September Minutes: Commissioner DiFalco noted misspelling of his name.

Motion to approve as amended: Commissioner DiFalco made motion, and was seconded by Commissioner Hofacker. All voted in favor.

October Minutes:

- Motioned by Commissioner Fraser and seconded by Commissioner DiFalco. All in favor.

BUDGET:

- Attorney Appleby : Having talked with Jonathan earlier, looking at what you have here, you are not above the 2% tax levy as far as asking for above the tax from last year, so you don't need the referendum. The number that needed to be raised by taxes was \$314,043. This budget is \$315,288.
- Auditor Jonathan Weiss: 2022 taxes were \$314,043 to the people of Pennington Borough. Without any change it is currently \$313,994 – a bit less than last year – nowhere close to 2% either plus or minus.
- Chairman Blackwell – they took money out to reserve the capital. Less money in the capital reserve than they put in last year.
- Jonathan – we are doing about \$85k less than last year.
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Resolution read by Attorney Appleby to go into executive session.

Motion made to go into Closed Session by Chairman Blackwell and seconded by Commissioner DiFalco. All voted in favor.

EXECUTIVE SESSION (separate minutes)

Motion by Commissioner DiFalco made to go back into open session. Motion seconded by Commissioner Fraser. All voted in favor.

Noted that no persons were waiting in the “waiting room” to be allowed back into the meeting.

Adjournment

Motion to adjourn by Commissioner Ingram and seconded and Commissioner DiFalco. All voted in favor.

Meeting adjourned at 10:07 p.m.