

**BOARD OF FIRE COMMISSIONERS REGULAR MEETING
HOPEWELL TOWNSHIP FIRE DISTRICT NO.1
HOPEWELL TOWNSHIP MUNICIPAL SERVICES BUILDING**

THURSDAY, FEBRUARY 27, 2014

CALL MEETING TO ORDER/STATEMENT OF PROPER NOTICE - Chairman Chipowsky called the meeting to order at 7:00 PM stating that the notice of the meeting had been posted on the municipal bulletin board and forwarded to the Hopewell Valley News and The Trenton Times, in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

PLEDGE OF ALLEGIANCE AND SALUTE TO THE FLAG - Chairman Chipowsky led those in attendance in the Pledge of Allegiance to the flag.

ROLL CALL BY CHAIRMAN - Those answering the roll call of Chairman Chipowsky:

MEMBERS PRESENT:

Chairman Chipowsky, Vice-Chairman Lenarski, Treasurer Cseremsak, Secretary Kintzel, Commissioner Lynch

MEMBERS ABSENT:

None

CHIEF OFFICERS PRESENT:

Captain Ferrara (Pennington First Aid Squad), Chief Varrasse (Hopewell Fire Department and Emergency Medical Unit), Deputy Chief Soganic (Union Fire Company and Rescue Squad)

STAFF PRESENT:

Administrative Assistant Ocicki (Hopewell Township Fire District No.1)

PROFESSIONALS:

None

MINUTES SUBMITTED FOR APPROVAL

Motion by Vice-Chairman Lenarski, seconded by Secretary Kintzel to approve the regular session minutes from November 21, 2013.

MOTION CARRIED

Motion by Treasurer Cseremsak, seconded by Vice-Chairman Lenarski to approve the regular session minutes from December 5, 2013.

MOTION CARRIED

Motion by Commissioner Lynch, seconded by Treasurer Cseremsak to approve the regular session minutes from December 12, 2013.

MOTION CARRIED

PUBLIC COMMENT (AGENDA)

None

NEW BUSINESS

RESOLUTION 2014-12

**A RESOLUTION APPROVING THE CERTIFIED LIST OF ELIGIBLE VOLUNTEERS
FROM THE UNION FIRE COMPANY AND RESCUE SQUAD FOR THE LENGTH OF
SERVICE AWARD PROGRAM**

Copy of resolution and record of vote is attached

DISCUSSION:

Secretary Kintzel reported on an issue with the certified listing.

MOTION CARRIED

Secretary Kintzel abstained from voting on the resolution.

RESOLUTION 2014-13

**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH
PENNINGTON BOROUGH FOR BASIC LIFE SUPPORT SERVICES**

Copy of resolution and record of vote is attached

DISCUSSION:

None

MOTION CARRIED

MOTION CARRIED

TREASURER'S REPORT

BILLS & CLAIMS

Summary read by Treasurer Cseremsak:

BILLS & CLAIMS

Authorized cash disbursements requiring approval for payment of bills in the following amounts:

Bill List:		\$66,831.80
Payroll Ending:	January 25, 2014	\$30,544.43
Payroll Ending:	February 8, 2014	\$34,627.41
Payroll Ending:	February 22, 2014	\$32,704.16
Total Disbursements:		\$164,707.80

Motioned by Treasurer Cseremsak, seconded by Commissioner Lynch to adopt the bills and claims as read.

DISCUSSION:

None

MOTION CARRIED

UNFINISHED BUSINESS

EMS Billing:
No progress.

Water Study:
No report.

UFCRS Ambulance Replacement:
Deputy Chief Soganic provided a progress report on the ambulance construction, and a recent visit to the factory. Vice-Chairman Lenarski expressed his appreciation for the invitation to attend a factory tour.

Fire Code Fee Increases:
No progress.

Union Fire Company and Rescue Squad Generator:
Administrative Assistant Ocicki provided a status report on the generator project including approval of the project by the Delaware River Canal Commission and her efforts to draft the bid documents.

Fire District Building Project:
No progress.

OFFICERS REPORTS

Hopewell Valley Emergency Services Unit:
No report.

Union Fire Company and Rescue Squad:
Deputy Chief Soganic reported on the upcoming fire company banquet.

Pennington First Aid Squad:
Captain Ferrara asked if the Board has any further information on the status of emergency medical services dispatching. The Board, Captain Ferrara, and Deputy Chief Soganic discussed emergency medical services dispatching and the fire service legacy system. Captain Ferrara reported on a plan to replace a 1998 ambulance owned by the Pennington First Aid Squad. Captain Ferrara asked if the Board would consider allowing the Pennington First Aid Squad to purchase the one of the current ambulances owned by the fire district to have its patient “box” placed on a new chassis. The Board and Captain Ferrara discussed the value of the ambulance and the possibility of transferring the ambulance to the Pennington First Aid Squad. State licensing of the ambulance was also discussed.

Hopewell Fire Department and Emergency Medical Unit:
Chief Varrasse reported on the most recent calls for service statistics for the Emergency Medical Unit. Chief Varrasse reported on the annual banquet that was recently held.

Pennington Fire Company:
No report.

PUBLIC COMMENT (NON AGENDA)

Commissioner Lynch brought up the possibility of the board members obtaining uniforms or polo shirts for each Board Member.

Chairman Chipowsky brought up recruitment and retention and discussed it with the Board. The Board discussed a recent call for service at the Union Fire Company and Rescue Squad that had a low attendance response. The Board discussed volunteer staffing. Captain Ferrera and Deputy Chief Soganic reported on assistance provided by the fire company when winter weather is present.

Chairman Chipowsky asked if there was a need for an executive session and there was not a need.

ADJOURNMENT

Motion by Treasurer Cseremsak and seconded by Secretary Kintzel to adjourn the meeting at 7:25 PM.

MOTION CARRIED

Respectfully submitted,

A handwritten signature consisting of the letters 'M' and 'M' in a cursive, stylized font.

Matthew Martin
Chief of Emergency Services

**BOARD OF FIRE COMMISSIONERS
HOPEWELL TOWNSHIP FIRE DISTRICT NO. 1**

RESOLUTION 2014-12

**A RESOLUTION APPROVING THE CERTIFIED LIST OF ELIGIBLE VOLUNTEERS FROM
THE UNION FIRE COMPANY AND RESCUE SQUAD FOR THE LENGTH OF SERVICE
AWARD PROGRAM**

WHEREAS, the Board of Fire Commissioners of Hopewell Township Fire District No. 1 (“Board”) is in receipt of a Certified List of Eligible Volunteers from the Union Fire Company and Rescue Squad for the Length of Service Award Program for the Calendar Year 2013; and

WHEREAS, the Board finds the list acceptable and approves said list to be posted for a 30-day posting; and,

WHEREAS, after said 30-day posting has been completed, contributions to individual volunteer accounts shall be deposited on behalf of the eligible volunteers.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Hopewell Township Fire District No. 1, that the Certified List of Eligible Volunteers of the Union Fire Company and Rescue Squad is accepted and approved.

RECORD OF BOARD VOTE ON PASSAGE

Commissioner	Moved	Second	Aye	Nay	Abstain	Absent
Cseremsak			✓			
Kintzel					✓	
Lenarski	✓		✓			
Lynch		✓	✓			
Chipowsky			✓			


Mr. Donald C. Kintzel, Secretary

A CERTIFIED COPY
2/27/14

**BOARD OF FIRE COMMISSIONERS
HOPEWELL TOWNSHIP FIRE DISTRICT NO.1**

RESOLUTION 2014-13

**A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH
PENNINGTON BOROUGH FOR BASIC LIFE SUPPORT SERVICES**

WHEREAS, the Borough of Pennington (“Borough”) is responsible for providing a system for the provision of emergency care and transportation of persons who are sick or injured and in need of immediate medical care within the boundaries of the Borough; and

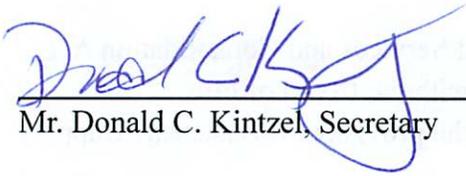
WHEREAS, for this purpose, pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. Seq.), the Borough desires to contract with the Board of Fire Commissioners of Hopewell Township Fire District No.1 for the provision of Basic Life Support Services within the boundaries of the Borough; and

WHEREAS, the proposed Shared Services Agreement, of which a copy is attached, is in substantially the same form as the 2013 Agreement between these parties including the \$3,000 annual fee for the services.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Hopewell Township Fire District No. 1, that the Chairman of the Board of Fire Commissioners is hereby authorized and directed to execute the attached Shared Services Agreement between the Board of Fire Commissioners and the Borough of Pennington for the provision of Basic Life Support Services within the boundaries of the Borough, subject to approval as to the final form by the Borough Attorney of the Borough of Pennington.

RECORD OF BOARD VOTE ON PASSAGE

Commissioner	Moved	Second	Aye	Nay	Abstain	Absent
Cseremsak		✓	✓			
Kintzel			✓			
Lenarski			✓			
Lynch	✓		✓			
Chipowsky			✓			


Mr. Donald C. Kintzel, Secretary

February 27, 2014



THE BOROUGH OF PENNINGTON

January 27, 2014

Hopewell Township Board of Fire Commissioners
201 Washington Crossing – Pennington Road
Titusville, NJ 08560-1410

Attention: Matt Martin

Matt:

Enclosed please find a certified copy of the following Resolution approved at a meeting of the Pennington Borough Council on January 6, 2014 along with two copies of the signed agreements:

Resolution 2014-1.24	Authorizing the Mayor to Execute a Shared Services Agreement with the Board of Fire Commissioners of Hopewell Township Fire District No. 1 for the Provision of Basic Life Support Services for the year 2014
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Please forward a copy of the fully executed agreement to my attention when completed.

Sincerely,


Betty Sterling
Borough Clerk/Treasurer

**Borough of Pennington
Resolution #2014 – 1.24**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
SHARED SERVICES AGREEMENT WITH THE BOARD OF FIRE
COMMISSIONERS OF HOPEWELL TOWNSHIP FIRE DISTRICT NO. 1
FOR THE PROVISION OF BASIC LIFE SUPPORT SERVICES FOR THE YEAR 2014**

WHEREAS, the Borough of Pennington (the "Borough"), is responsible for providing a system for the provision of emergency care and transportation of persons who are sick or injured and in need of immediate medical care within the boundaries of the Borough; and

WHEREAS, for this purpose, pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et.seq.), the Borough desires to contract with the Board of Fire Commissioners of Hopewell Township Fire District No. 1 for the provision of Basic Life Support Services within the boundaries of the Borough;

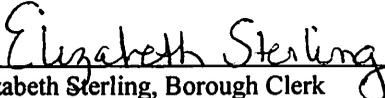
WHEREAS, the proposed Shared Services Agreement, of which a copy is attached, is in substantially the same form as the 2013 agreement between these parties including the \$3,000 annual fee for the services;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor of the Borough of Pennington is hereby authorized and directed to execute the attached Shared Services Agreement between the Borough of Pennington and the Board of Fire Commissioners of Hopewell Township Fire District No.1 for the provision of Basic Life Support Services within the boundaries of the Borough, subject to approval as to final form by the Borough Attorney of the Borough of Pennington.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	M				Marciante	X			
Griffiths	X				Tucker	S			

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on January 6, 2014.


Elizabeth Sterling, Borough Clerk

**SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF PENNINGTON
AND THE BOARD OF FIRE COMMISSIONERS
HOPEWELL TOWNSHIP FIRE DISTRICT NO.1
JANUARY 1, 2014 TO DECEMBER 31, 2014**

THIS AGREEMENT dated as of Jan 6, 2014 by and between the Borough of Pennington, a municipal corporation of the State of New Jersey (the "Borough"), and the Board of Fire Commissioners Hopewell Township District No. 1 (the "Board").

WITNESSETH THAT:

WHEREAS, the Borough is responsible for providing Emergency Medical Services and Basic Life Support Services ("BLS") within the Borough of Pennington; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.), and N.J.S.A. 26:2K-61, the Borough desires to contract with the Board for BLS services for the benefit of the residents of the Borough; and

WHEREAS, the Borough and the Board are both "local units" and the BLS services are "shared services" within the meaning of N.J.S.A. 40A:65-3; and

WHEREAS, the Borough and the Board have each by Resolution authorized the entry into this Agreement, with a copy being available for public inspection at the offices of both the Borough and Board respectively, and on file with The Division of Local Government Services in the Department of Community Affairs, pursuant to the provisions of N.J.S.A. 40A:65-4, and 5; and

NOW, THEREFORE, in consideration of the mutual agreements and covenants herein contained, the parties agree as follows:

1. **Scope of Services**. The Board agrees to provide to the Borough, for the benefit of the residents of the Borough, emergency BLS services.

2. **Fee for the Services**. In connection with the provision of BLS services, the Board shall charge and the Borough shall pay Three Thousand (\$3,000.00) Dollars per year during the term of this Agreement.

3. **Liability**. The Borough and the Board shall be responsible for acts of their own negligence consistent with the provisions of the New Jersey Tort Claims Act, *N.J.S.A. 59:1 et seq.*, arising out of or relating to the performance of any activity under the terms of this Agreement.

4. **Termination.** Notwithstanding the terms of the agreement set forth herein, upon sixty (60) days written notice, either party may terminate this Agreement.

5. **Arbitration.** The parties agree that controversies arising under this Agreement or relating to any alleged breach thereof shall be determined by arbitration in accordance with the rules of the American Arbitration Association in Trenton, New Jersey or at a location mutually agreed upon by the parties. It is understood that such arbitration is final and binding upon the parties and by executing this Agreement the parties are waiving their rights to seek damages in court, including the right to a jury trial.

6. **Entire Agreement.** This Agreement and the agreements referred to in this Agreement, contain the entire agreement and understanding of the parties and supersede all prior agreements, negotiations, arrangements, and understandings relating to BLS services.

7. **Amendments and Waivers.** This Agreement may be amended, modified, superseded, or canceled, and any of the terms or conditions of this Agreement may be waived, only by a written instrument signed by each party to this Agreement or, in the case of a waiver, by or on behalf of the party waiving compliance. The failure of any party at any time to require performance of any provision in this Agreement shall not affect the right of that party at a later time to enforce that or any other provision. No waiver by any party of any condition, or of any breach of any term in this Agreement, in any one or more instances, shall be deemed to be a further or continuing waiver of such condition or of any breach of any other term.

8. **Third-Party Beneficiaries.** The provisions of this Agreement are solely between and for the benefit of the respective parties to this Agreement and do not inure to the benefit of or confer rights upon any third party.

9. **Severability.** This Agreement shall be interpreted in all respects as if any invalid or unenforceable provision were omitted from this Agreement. All provisions of this Agreement shall be enforced to the full extent permitted by law.

10. **Headings.** The headings of the sections and subsections of this Agreement have been inserted for convenience of reference only and shall not restrict or modify any of the terms or provisions of this Agreement.

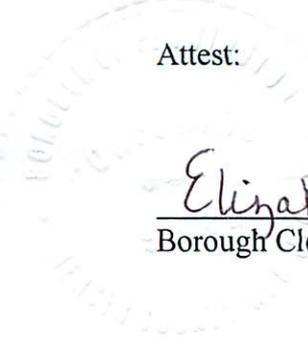
11. **Governing Law.** This Agreement shall be governed by, and interpreted and enforced in accordance with the laws of the State of New Jersey, as applied to contracts made and to be performed in that state.

12. **Construction.** The language used in this Agreement shall be deemed to be the language chosen by the parties to express their mutual intent, and no rule of strict construction shall be applied against any party. Unless otherwise expressly provided, the words "include" and "including" whenever used in this Agreement shall not limit the preceding words or terms.

13. **Counterparts.** This Agreement may be signed in counterparts, each of which shall be deemed to be an original, and the counterparts shall together constitute one document. Counterparts may be signed and delivered by a party by fax, which shall be binding on that party when faxed, with one or more copies signed in original to be later delivered by express delivery service or mail.

Signed as of the date first written above.

Attest:


Elizabeth Staling
Borough Clerk

Borough of Pennington
County of Mercer

Anthony J. Lohr
Mayor

Attest:

M. A. Cypri
Chairman

Board of Fire Commissioners
Hopewell Township Fire District No. 1

David C. King
Secretary