

JH 8/2/22
DP 7/24/22

BOARD OF FIRE COMMISSIONERS
EAST BRUNSWICK FIRE DISTRICT NO. 1
MINUTES OF THE COMMISSIONER'S MEETING
July 5, 2022

Commissioner Bruce R. Smith, Chairman, called the meeting to order at 7:00 PM in the meeting room of the Board of Fire Commissioners located at 310 Rues Lane, East Brunswick, NJ 08816.

Commissioner Smith led the Commissioners in the Pledge of Allegiance to the Flag and read the notice by R.S. 10-4, The Open Public Meetings Act, into the minutes. Notice of time, date, location and agenda of this meeting to the extent then known was duly published at least 48 hours in advance of this meeting by posting in the official newspaper of the Board and by posting on the official bulletin board of the Board of Fire Commissioners.

Roll Call:

Commissioner Hoover: Present
Commissioner McDonald: Present
Commissioner Mosher: Present
Commissioner Prinzo: Present
Commissioner Smith: Present

Fire Chief's Report: Chief Sommer could not make the meeting but left Commissioner Smith a list of items needed for his office and firefighting equipment. Chairman Smith will bring those up under new business.

Fire Marshal's Report: See attached report.

Building Maintenance:

Legal Report: The attorney stated that the balance of the invoice may be paid for the roof project.

Treasurer's Report: Commissioner McDonald read the report of the Treasurer into the minutes and a copy of the report is attached. Commissioner Hoover made the motion to approve the treasurer's report and authorize payment of bills, seconded by Commissioner Mosher.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

Minutes: Commissioner McDonald made a motion to approve the minutes of the meetings January through June of 2022. Commissioner Mosher seconded the motion.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

Correspondence: Commissioner Hoover received a letter from the NJ Dept. of Labor regarding the Prevailing Wage Act and the Public Works Contractor Registration Act. That letter is attached.

Public Portion: No public present.

Old Business: Commissioner Smith made a motion seconded by Commissioner Mosher to pay the balance of the invoice to VMG Group.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

New Business: Commissioner Smith read the list of items that Chief Sommer requested. The first item was to replace the Chief's desk that has been in disrepair for a long time. The desk from W.B. Mason is \$3,309.44 plus delivery and shipping charges. Commissioner McDonald made the motion seconded by Commissioner Prinzo to purchase the desk and related costs not to exceed \$5,000.00,

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

The chief also requested to purchase 30 batteries, 6 forcible entry tools along with magnetic holders at a cost of \$1,100.00, Commissioner Smith made the motion seconded by Commissioner Prinzo to spend the \$1,100.00 for the purchase of the forcible entry tools.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

The chief requested to purchase 6 Scott air cylinders to replace cylinders that are out of date. The cost is \$9,271.00 that includes a \$600 trade in allowance for 6 old cylinders. Commissioner McDonald made the motion seconded by Commissioner Mosher to purchase the 6 cylinders at the cost of \$9,271.00.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

Commissioner Smith stated that the safety vehicle (713) went in for an oil change and brake work. The cost is \$1,233.00. Commissioner Hoover made the motion seconded by Commissioner Mosher to approve the work.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

Commissioner Smith stated that the in front of the Board building is faded and needs to be replaced. The cost to replace the sign face from Bob's Signs is \$400.00. Commissioner Smith made the motion seconded by Commissioner McDonald.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved.

Commissioner Smith spoke about an issue we were having with our current website/email company. Our emails stopped working for both the Bureau of Fire Safety and the Board of Commissioners about two weeks ago. We went a week without access to our emails while the company tried to fix it. We had to get our IT company along with Comcast to try and figure out the problem. The issue ended up being with the

website/email company. Due to this issue we had to get a new IP address along with new email addresses and websites through Microsoft 365. Costs for IT work were aprox. \$4000. Our attorney sent Netlink Web Services a letter confirming the mutually agreed upon termination of services as of July 31, 2022. Letter attached.

Commissioner Smith stated that there was previous talk of having the pole barns insulated. He got prices, \$49,800 for the 40x50 building and \$43,400 for the 40x40 building. This was giving as information for future discussions.

Commissioner Mosher made a motion seconded by Commissioner McDonald to go into Closed session to discuss personnel matters.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved. Time 7:45 pm.

Commissioner Mosher made a motion seconded by Commissioner McDonald to exit Closed Session.

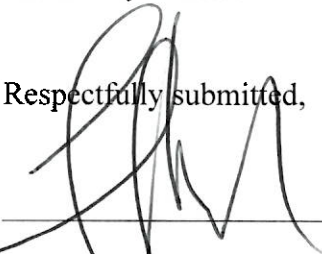
Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved. Time 8:00 pm.

Adjournment:

Being no further discussion or business at this time, Commissioner Mosher made the motion seconded by Commissioner McDonald to adjourn the meeting.

Roll call: Com. Hoover...aye/ Com. McDonald...aye/ Com. Mosher...aye/ Com. Prinzo...aye/ Com. Smith...aye. The motion was accepted and approved. Time 8:05 pm.

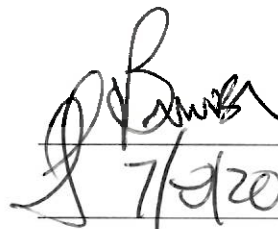
Respectfully submitted,


Frederick J. Hoover, Clerk
Board of Fire Commissioners
East Brunswick Fire District #1

FJH/jt

File:

APPROVED

 07-07-22
7/9/2022
RM 7-8-22
JP 7/31/22
7/31/22 8/2/22

EAST BRUNSWICK FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS

ROLL CALL TALLY SHEET

Meeting Date: 1-5-2022

Called to Order at: 7 PM

By: CHAIRMAN SMITH

Attendance: P - Present A - Absent

Hoover P McDonald P Mosher P Prinzo P Smith P

Motions Y - Yes N - No ABS - Absent ABST - Abstain

Motion to Approve rpt of TRIPS AND AUTHORITY PAYMENT OF PROPERTY ADJUSTED TAXES

Motion made by: Hoover Seconded by: Mosher

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to Approve JAN 2022 - NME 2022

Motion made by: MCD Seconded by: Mosher

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion made by: SMITH Seconded by: Mosher

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to Pay Budgeted Fuel Repayment minus DANA

Motion made by: _____ Seconded by: _____

Hoover _____ McDonald _____ Mosher _____ Prinzo _____ Smith _____

EAST BRUNSWICK FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS

ROLL CALL TALLY SHEET

Meeting Date: _____ Called to Order at: _____ By: _____

Attendance: P - Present A - Absent

Hoover _____ McDonald _____ Mosher _____ Prinzo _____ Smith _____

Motions Y - Yes N - No ABS - Absent ABST - Abstain

Motion to Acct Repayment Desk - WBS NASON \$3,309.44

2) 4' CABINETS for SAUSCUB R OFFICE - 300 EA (300.00) NTE 5,000

Motion made by: MCD Seconded by: PRINZO

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to Purchase MISC EQUIP/BATTERIES/SEC Hooks - NTE 9,100.00

Motion made by: SMITH Seconded by: PRINZO

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to Purchase (6) Scott Air Packs to replace the out of

DATE CYLINDERS - NEW BATTERIES on a PUC - OLDEST SPLIT 3 & 3 AT PINE & CC

Motion made by: MCD Seconded by: MOSHER

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to Acct Repayment of 713 - \$1,233 from SRG -

Motion made by: HOOPER Seconded by: HOOPER

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

EAST BRUNSWICK FIRE DISTRICT #1
BOARD OF FIRE COMMISSIONERS

ROLL CALL TALLY SHEET

Meeting Date: _____ Called to Order at: _____ By: _____

Attendance: P - Present A - Absent

Hoover _____ McDonald _____ Mosher _____ Prinzo _____ Smith _____

Motions Y - Yes N - No ABS - Absent ABST - Abstain

Motion to approve \$400 Bob's Signs to Repair Tank
COMM SIGN @ 1580 OBT

Motion made by: McD Seconded by: McD

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to have a comm session @ 8:00 & discuss
MATTERS

Motion made by: McD Seconded by: McD

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

MOTION TO ~~RESOLVE~~ CLOSE SESSION AT 8:00 PM

Motion made by: McD Seconded by: McD

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

Motion to adjourn @ 8:05 PM

Motion made by: McD Seconded by: McD

Hoover Y McDonald Y Mosher Y Prinzo Y Smith Y

7-5-2022



PHILIP D. MURPHY
Governor

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 110, TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO
Commissioner

SHEILA Y. OLIVER
Lieutenant Governor

June 15, 2022

Dear Local Government and School Officials:

With the New Jersey Prevailing Wage Act having undergone multiple changes over the past few years, the New Jersey Department of Labor and Workforce Development (NJDOL) is encountering an increasing number of violations that negatively impact the timeliness and cost of public works projects. NJDOL, the New Jersey Department of Community Affairs (DCA), and the New Jersey Department of Education (DOE), jointly write this correspondence to remind local governments and boards of education of key public body responsibilities under both Acts.

The NJDOL Division of Wage and Hour Compliance is responsible for enforcing multiple statutes regarding the performance of public work set forth in the Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq. and the Public Works Contractor Registration Act (PWCR Act), N.J.S.A. 34:11-56.47 et seq. New Jersey laws concerning public work not only safeguard worker efficiency, safety, and well-being, but also help protect employers paying fair employee compensation and complying with State tax and insurance laws from being undercut by unfair competition. The PWCR Act now also requires public works contractors to participate in a United States Department of Labor-registered apprenticeship program, guaranteeing that contractors receiving public funds are contributing to training and growing New Jersey's crucial construction industry workforce.

Pursuant to N.J.S.A. 34:11-56.26, the Prevailing Wage Act defines a "public body" as "the State of New Jersey, any of its political subdivisions, any authority created by the Legislature of the State of New Jersey and any instrumentality or agency of the State of New Jersey or of any of its political subdivisions." Furthermore, the definition of "public work" in the Prevailing Wage Act, which is also incorporated by reference in the PWCR Act, is:

construction, reconstruction, demolition, alteration, custom fabrication, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program. "Public work" shall also mean construction, reconstruction, demolition, alteration, custom fabrication, or repair work, done on any property or premises, whether or not the work is paid for from public funds, if, at the time of the entering into of the contract the property or premises is owned by the public body or:

- (a) Not less than 55% of the property or premises is leased by a public body, or is subject to an agreement to be subsequently leased by the public body; and



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- (b) The portion of the property or premises that is leased or subject to an agreement to be subsequently leased by the public body measures more than 20,000 square feet.

Pursuant to N.J.S.A. 34:11-56.27, contracts for public work that exceed a certain threshold, currently \$16,263 for municipalities and \$2,000 for all other public bodies, are subject to both the Prevailing Wage Act and the PWCR Act. Such contracts must contain language advising of the applicability of the Act, along with either the prevailing wage rates for each craft or trade needed to perform the contract or a hyperlink which the contractor(s) can use to obtain the rates. N.J.S.A. 34:11-56.28.

N.J.S.A. 34:11-56.38 also requires public bodies to check the NJDOL list of contractors debarred for violating the Prevailing Wage Act to ensure no contract for public work is awarded to such contractors. The NJDOL prevailing wage debarment list is available [online](#). Likewise, if a debarred entity appears on the Ownership Disclosure Statement that a contractor must submit with their bid pursuant to N.J.S.A. 52:25-24.2, the contract cannot be awarded to that contractor.

All contractors, subcontractors, or lower tier subcontractors who bid on or engage in the performance of any public works contract subject to Prevailing Wage Act, and after April 1, 2020, any contract for which another State law requires payment of prevailing wage, are required to obtain a Public Works Contractor Registration (PWCR) certificate from NJDOL. The PWCR certificate for the contractor and any named subcontractors shall be provided to the public body prior to contract award and must be effective as of the date the contractor either submitted its bid, responded to a solicitation of quotes, or otherwise agreed to perform work exceeding the public body's prevailing wage threshold. Although not required by statute, it is strongly recommended that a public body check the PWCR status of a contractor and any named subcontractors prior to awarding a contract for public work. PWCR status can be checked online via the same hyperlink as listed above for checking Prevailing Wage Act debarment. Awarding public work to an unregistered contractor may expose a public body to potential litigation along with an NJDOL-issued Stop Work Order (SWO) that could prohibit the contractor from working on the public body's project and potentially all other public works projects.

After a project subject to the Prevailing Wage Act is underway, the public body must receive, maintain, and make available, the certified payrolls which are to be submitted by all contractors and subcontractors on a weekly basis. This is pursuant to N.J.A.C. 12:60-5.1(c), which states:

The public works contractors and subcontractors shall submit to the public body or lessor which contracted for the public works project the following in a form satisfactory to the Commissioner

...

1. A certified payroll record on each public works project.
 - i. Such record shall be submitted each payroll period within 10 days of the payment of wages.
 - ii. The public body shall receive, file, store and make available for inspection at its normal place of business and during normal business hours the certified payroll records.

[P.L. 2021, c. 301](#), effective as of May 7, 2022, requires a contractor submitting the lowest bid for a contract that is subject to the Prevailing Wage Act, if that bid is 10 percent or more lower than the next lowest bid, to certify to the public body that the prevailing wage rates required by the Act shall be paid. Further, P.L.

2021, c. 301 also amended N.J.S.A. 34:11-56.27 to require that any contract for public work expressly stipulate that workers performing work under the contract shall not be paid less than the required prevailing wage rate.

SENDZIK & SENDZIK

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JANICE L. RICHTER
Of Counsel

* 1977-2021

June 30, 2022

Netlink Web Services, LLC
180 Talmadge Road, Suite 521
Edison, New Jersey 08817

Attn: Pete Hall

Re: Board of Fire Commissioners
Fire District No. 1
Township of East Brunswick

Dear Mr. Hall:

Please be advised that this office is general counsel to the Board of Fire Commissioners, Fire District No. 1, Township of East Brunswick. My client advised that there was a recent issue with services provided by your company. My client further advised that, after discussion, the Board and your Company have mutually agreed to part ways. I am writing to confirm your conversation with Chairman Smith, that your Company's services will no longer be needed as of July 31, 2022. It is my understanding that this was a mutually agreed upon termination date and I am writing to confirm same so that there is no further interruption in my client's services. Please confirm in writing that the termination of services will not occur until July 31, 2022.

Thank you for your attention to this matter.

Very truly yours,
SENDZIK & SENDZIK, P.C.

By:


KATE SENDZIK HAINES, ESQ.

KSH:kw

VIA FIRST CLASS MAIL

cc: Bruce R. Smith, Chairman (via email only)

BOARD OF FIRE COMMISSIONERS
EAST BRUNSWICK FIRE DISTRICT #1

TREASURER'S REPORT

July 5, 2002

OPEN PURCHASE ORDERS:	\$ 1,064,660.51
CASH RECEIPTS:	\$ 541,962.87
EXPENDITURES:	\$ 132,852.99

ACCOUNT BALANCES

Fire Company Dedicated:	\$ 33,025.12
Bureau of Fire Safety Penalty:	\$ 35,705.30
General Cash Checking:	\$ 1,289,722.43
Provident Money Market:	\$ 1,023,701.85(as of June)

<u>TOTAL ASSETS:</u>	\$ 2,382,154.70
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