



Forest Grove Board of Fire Commissioners September 26th, 2023 - Meeting Minutes

This meeting of the Board of Fire Commissioners, District 4, Township of Franklin, Gloucester County NJ was called to order on September 26th, 2023 @ 19:00 and attended by the members noted below. This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meeting notices sent to the Courier Post newspaper, filed with the Municipal Clerk at the Township of Franklin, County of Gloucester and posted at the Forest Grove Volunteer Fire Company.

1. Members Present

- X Andrew Bellone Jr. - Chairman
- X Samuel Scapellato - Vice Chairman
- X Mykola “Nick” Myronowskyj - Secretary
- X Joseph Scapellato - Treasurer
- X Thomas Bellone Sr. – Commissioner

Public Present & Others:

Douglas Perry – Deputy Chief Forest Grove Volunteer Fire Company

2. Reading of the minutes of the previous meeting

A motion to accept minutes as read was made by Thomas Bellone Sr. and seconded by Andrew Bellone Jr. No changes to be made.

3. Treasurers Report & Bills against the Commission

Joseph Scapellato reported:

Petty cash balance in the amount of \$134.00.

The third tax payment was received in the amount of \$138,120.50. This payment was processed.

There is a Comcast Business discrepancy of \$50.00 on our account. Comcast does not know how this discrepancy in our favor was applied to our account.

A motion to pay all bills and to accept the Treasurers report was made by Mykola Myronowskyj and seconded by Samuel Scapellato.



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4. Old Business

Mykola Myronowskyj reported on the following:

Filing of documents that he can locate from 2011 and prior. The files that are being archived are being organized, then scanned and then filed.

Mykola Myronowskyj continues to work on the Forest Grove equipment audit and reported that he finally received the equipment inventories for the Deputy Chiefs vehicle.

The MUA's for the surrounding locals that have not been completed yet will begin as soon as possible.

43-52 The transmission fluid sensor shows low transmission fluid and the radiator is failing. The technician from MRA found that the problem was a damaged sensor wire. The repair was made. The radiator repair PO that was approved was submitted to the vendor. The new radiator was ordered and the repair is 6 to 8 weeks out. Andrew Bellone Jr. reminded that the operator of the apparatus will need to keep an eye on the temperature of the truck and take the appropriate actions to ensure that that it does not overheat.

The Seagrave MCI (Materials Cost Increase) letter that was sent on 08-15-2023 requesting an additional \$104,499.00 above the contracted price has been reviewed by our legal advisor. The virtual meeting with Seagrave to discuss the increase was completed on September 11, 2023. During this meeting multiple options were discussed and no resolution was reached.

5. New Business

Mykola Myronowskyj reported:

Ed Paul the Boards auditor from Ball Buckley & Seher passed away last month. Ball Buckley & Seher notified us that they will completed the 2022 audit, but will not be performing future fire district audits.

An application for Nelson Martinez was received. His background check passed. The application was approved by the Board and will be sent to the Chief for further processing.

Due to Ball Buckley & Seher no longer performing fire district audits, Mykola Myronowskyj reached out to another auditor, Nightlinger, Volpe and Colavita of Williamstown. They work with Ball Buckley & Seher and they perform fire district audits and budget work. They are taking in new customers and the Board will be engaging their services. Until the Board receives the preliminary 2022 audit, we cannot begin to create the 2024 budget.

The Board unanimously agreed by vote that we should engage Nightlinger, Volpe and Colavita in these services.



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5. New Business continued

Deputy Chief Perry asked if the Board would consider donating the unused Fire Police car to Vern's place for parts, a local junkyard for parts. The vehicle is unrepairable and is an eyesore in the rear of the Fire Company property. Since this vehicle was purchased and maintained using tax payer monies, Mykola Myronowskyj advised that he would look into if it was legal to donate the vehicle.

After several meetings and discussions regarding the Seagrave Materials Cost Increase (MCI) all Board members, our legal advisor and auditor agree that this increase is a breach of contract, it has been determined that paying this increase would be in our best interests since there is so much time and money already invested in this project. As well as needing to cancel the contracts with HGAC and the leasing company.

We contacted Seagrave and requested that the cost breakdown of all increases be sent to us, in addition we requested additional warranty terms and other considerations. Seagrave sent the Board an amendment to the order terms are on file as well as the cost breakdown. The amendment is on file and attached in these minutes.

Mykola Myronowskyj advised that 2 motions will need to be made this meeting. Mykola Myronowskyj made a motion to accept the Seagrave Amendment to Order Terms as written, see attached. Chairman Andrew Bellone Jr. Seconded the motion. All Board members voted Aye and the motion was passed unanimously.

Mykola Myronowskyj advised that with the first motion being passed, another motion is needed to set a special meeting for the voters to approve the cost increase.

Mykola Myronowskyj made a motion to set a special meeting at the next regular Commissioners meeting on October 24th, 2023 from 18:00 to 21:00 in accordance with applicable laws. Chairman Andrew Bellone Jr. Seconded the motion. All Board members voted Aye and the motion was passed unanimously.

The special meeting will be held during the October 24th, 2023 regular meeting to obtain voter approval. The meeting will be published in 2 newspapers and posted in 5 public locations within the district at least 10 days prior to the special meeting.

Mykola Myronowskyj made a motion to add the additional cost of \$104,499.00 to the 2024 budget and offset this cost using capitol funds. This motion is made in advance of the voter approval needed to utilize these funds. Should the voters deny the additional cost, this motion will be nullified. Chairman Andrew Bellone Jr. Seconded the motion. All Board members voted Aye and the motion was passed unanimously.



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Public Comments

Chief of the Fire Department: Not Present

President of the Fire Department: Not Present

Others: Not Present

7. Adjournment

A motion to adjourn the meeting was made by Mykola Myronowskyj and seconded by Andrew Bellone Jr.

Meeting was adjourned at 19:30hours.

*Respeprfully Submitted,
Mykola "Nick" Myronowskyj
Secretary of the Board
Board of Fire Commissioners, District 4
Township of Franklin, Gloucester County NJ*



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5:45 PM
09/26/23
Accrual Basis

Franklin Township Fire District No 4 Balance Sheet As of September 30, 2023

	Sep 30, 23
ASSETS	
Current Assets	
Checking/Savings	
Newfield Na Bk 0505	94,584.14
Newfield Savings 9924	748,522.71
Total Checking/Savings	843,106.85
Total Current Assets	843,106.85
TOTAL ASSETS	843,106.85
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Restricted Fund Future Cap	378,748.54
Total Other Current Liabilities	378,748.54
Total Current Liabilities	378,748.54
Long Term Liabilities	
Future Capital	12,000.00
Truck Loan	-95,223.90
Total Long Term Liabilities	-83,223.90
Total Liabilities	295,524.64
Equity	
Opening Bal Equity	44,604.16
Retained Earnings	565,377.79
Net Income	-62,399.74
Total Equity	547,582.21
TOTAL LIABILITIES & EQUITY	843,106.85



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5:43 PM
09/26/23
Accrual Basis

Franklin Township Fire District No 4 Transactions This Month As of September 30, 2023

Type	Date	Num	Name	Amount
Newfield Na Bk 0505				
Deposit	09/19/2023			138,120.50
Bill Pmt -Check	09/26/2023	13219	Action Signs & Awards	-225.00
Bill Pmt -Check	09/26/2023	13220	Blaze Emergency Equipment C...	-9,450.44
Bill Pmt -Check	09/26/2023	13221	Business Radio Licensing	-115.00
Bill Pmt -Check	09/26/2023	13222	Comcast (Xfinity)	-29.98
Bill Pmt -Check	09/26/2023	13223	Comcast 569	-221.84
Bill Pmt -Check	09/26/2023	13224	Dennis Allonnardo	-1,042.63
Bill Pmt -Check	09/26/2023	13225	Diamond Tool	-276.28
Bill Pmt -Check	09/26/2023	13226	Dival Safety Equipment, Inc.	-21,718.57
Bill Pmt -Check	09/26/2023	13227	Douglas Perry	-488.81
Bill Pmt -Check	09/26/2023	13228	DTA Solutions LLC	-125.00
Bill Pmt -Check	09/26/2023	13229	Fire and Safety Services, LTD	-1,001.39
Bill Pmt -Check	09/26/2023	13230	Forest Grove Fire Co	-4,024.29
Bill Pmt -Check	09/26/2023	13231	Mes PA	-633.00
Bill Pmt -Check	09/26/2023	13232	Mykola Myronowskyj	-80.00
Bill Pmt -Check	09/26/2023	13233	Riggins	-139.98
Bill Pmt -Check	09/26/2023	13234	SALEM COUNTY FIRE ACAD...	-150.00
Bill Pmt -Check	09/26/2023	13235	Simpson Refrigeration	-371.76
Bill Pmt -Check	09/26/2023	13236	SOUTH JERSEY WELDING S...	-61.06
Bill Pmt -Check	09/26/2023	13237	Staples	-234.06
Bill Pmt -Check	09/26/2023	13238	TransUnion	-75.00
Bill Pmt -Check	09/26/2023	13239	Turtle Fire Systems LLC	-4,120.50
Bill Pmt -Check	09/26/2023	13240	UAE Petroleum	-708.48
Bill Pmt -Check	09/26/2023	13241	Verizon Wireless 197	-187.16
Bill Pmt -Check	09/26/2023	13242	Vineland Ace Hardware	-2,873.76
Bill Pmt -Check	09/26/2023	13243	Vineland Auto Electric	-1,239.08
Bill Pmt -Check	09/26/2023	13244	Wheat Road Coldcuts	-103.88
Total Newfield Na Bk 0505				88,423.55
Newfield Savings 9924				
Total Newfield Savings 9924				
TOTAL				88,423.55



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AMENDMENT TO ORDER TERMS

THIS AMENDMENT TO ORDER TERMS (this "Amendment"), dated as of _____, 2023, is made by and between Seagrave Fire Apparatus, LLC, 105 East 12th Street, Clintonville, WI 54929 ("Seagrave") and Board of Fire Commissioners, District #4, 1635 Forest Grove Road, Vineland, NJ 08360, by its authorized representatives ("Purchaser" and, together with Seagrave, the "Parties").

BACKGROUND

This Amendment applies to each order, contract, agreement, instrument, term or undertaking (collectively, the "Order Terms") relating to one (1) unit(s) of Seagrave custom fire apparatus, model TB70CT Seagrave Marauder Pumper, numbered SO #78M62 (the "Apparatus"), including, without limitation, the Contract between Seagrave Fire Apparatus, LLC and Board of Fire Commissioners, District #4, Vineland, NJ, by its authorized representatives, dated May 24, 2022. The manufacture and delivery of the Apparatus under the Order Terms as in effect prior to this Amendment (the "Original Order Terms") has become commercially impracticable. The Parties desire to enter into this Amendment to provide for an equitable modification of the Original Order Terms.

NOW, THEREFORE, for and in consideration of the premises, the covenants contained in this Amendment and the Order Terms, and other good and valuable consideration, the receipt, sufficiency and adequacy of which are acknowledged by the Parties, the Parties hereby agree as follows:

1. Material Price Increase. The Original Order Terms are hereby amended to add a material price increase in the amount of One Hundred Four Thousand Four Hundred Ninety-Nine Dollars (\$104,499) (the "Material Price Increase") and shall be payable by Purchaser to Seagrave upon delivery and acceptance of the Apparatus and prior to the Apparatus being placed into fire service. The Material Price Increase shall be payable in addition to the amounts otherwise payable under the Original Order Terms. This is a one-time Material Price Increase, and no additional Material Price Increases will be added to the Original Order Terms.
2. Limited Warranty. The Original Order Terms are hereby amended to extend the standard Seagrave Two-Year Limited Warranty to a Four-Year Limited Warranty.
3. Parts Voucher. The Original Order Terms are hereby amended to provide a Parts Voucher ("Parts Voucher") to Purchaser in the amount of Ten Thousand Dollars (\$10,000), which shall be valid for five (5) years, commencing on the date this Amendment is fully executed. The Parts Voucher can be used on any parts purchased from Seagrave, subject to Seagrave's standard terms and policies with respect to Parts Vouchers in effect at the time of use.
4. Delivery of Apparatus. The Original Order Terms are hereby amended to provide for shipment of the Apparatus to Purchaser no later than February 28, 2025. In the event a change order will delay this delivery date, a revised date will be specified in the change order. Delays due to strikes or other force majeure events beyond Seagrave's control will be just cause for delay in



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delivery. Liquidated damages in the amount of One Hundred Dollars (\$100.00) per day shall go into effect on March 1, 2025.

5. Effect of Amendment. This Amendment shall constitute an amendment to the Original Order Terms. To the extent of any conflict between the terms of this Amendment and the original Order Terms, the terms of this Amendment shall control. Except as provided in this Amendment, the Original Order Terms shall remain in full force and effect.

6. Multiple Counterparts. This Amendment may be executed in multiple counterparts, each of which shall be deemed to be an original, but all of which taken together shall constitute one and the same agreement.

[SIGNATURE PAGES FOLLOW]