

# Atlantic County Firefighters' Association

"In Union For The Safety Of All"

President  
Amor "Skip" Portale  
Vice President  
Ellsworth Ott  
2<sup>nd</sup> Vice President  
Charles "Chick" Kisby



Secretary  
Robert A. Mellon  
Treasurer  
Jaime C. Mellon  
Asst. Sect./Treasurer  
Cindy L. Badger

September 18, 2013

## Call to Order

The regular meeting of the Atlantic County Firefighters' Association was called to order at 20:00 on September 18, 2013 at the Hammonton Vol. Fire Company Sta. 1 by President Amor "Skip" Portale. The meeting was opened with a flag salute followed by an Invocation by the Chaplain of the Association, Reverend Thomas Sweeny. President Portale then pointed out the fire exits and asked that all electronic devices be silenced.

## Opening Remarks and Introduction of Host Chief

Howard Berchtold relayed thanks from the Reinhard family for all of the county fire service presence and support after the passing of Ted Reinhard. Howard further noted that Carl Tortello, Past Chief of Pomona Vol. Fire Co., had also recently passed. Howard reported that his brother and Past Chief of Galloway Twp. Fire Dept., Brian Berchtold, who is employed by the US Navy and was in the Washington D.C. building during the shooting incident and was able to evacuate safely. President Portale introduced Hammonton Volunteer Fire Company Chief, Dennis Lasassa Jr.. Chief Lasassa welcomed all to Hammonton.

## In Attendance

Roll call was taken by Secretary Robert A. Mellon who reported a quorum was present.

## Approval of Minutes

A motion was made, seconded, and carried to approve the minutes of the August 21, 2013 meeting, as sent to the member companies.

## Report of Treasurer

A motion was made, seconded, and carried to accept the report of the Treasurer, totaling \$130,572.99, as read by Treasurer Jaime C. Mellon.

Bank of America	/	Bank of America	/	Capital One 360	/	Parke Bank	/	Parke Bank
Checking: \$58,309.42	/	Savings: \$5,003.51	/	Savings: \$20,275.99	/	12 Month CD: \$23,374.37	/	13 Month CD: \$23,609.70
					/	1.10% - Due 10/30/2013	/	0.65% - Due 5/6/2014

## Special Presentation

President Portale introduced Chief Robert H. Meyers Jr. Ret., Goshen Vol. Fire Company; Past President, New Jersey State Exempt Firemen's Association; and Region 3(Southern NJ) Trustee, New Jersey State Fire Chiefs Association. Chief Meyers reported on scholarships available to active firefighters currently pursuing a college degree. Both the NJ State Fire Chiefs Assoc. and the NJ State Exempt Firemen's Assoc. have scholarships available annually. Both associations have historically received a low number of applications from southern New Jersey and Chief Meyers wants to make sure that everyone is aware of the scholarships. Detailed information and applications for the scholarships are available at <http://www.njchiefs.com> and <http://www.njsefa.org>.

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## Committee Reports

**Executive Committee** – Chairman Howard Berchtold reported that the Egg Harbor City Fire Dept. did a great job at the service for Ted Reinhard. Howard noted that he was proud of the county fire service presence at the service. Howard summarized the minutes of the Executive Committee meeting held on September 6, 2013. Howard reported on the ongoing 501(c)3 application progress. Howard thanked the association Secretary, Robert Mellon, for having already having most of the corporate documents updated and ready for the application process. Howard reported on a 501(c)3 committee meeting with attorney Evelyn Caterson to review the final steps required before filing the final application with the IRS. Howard reported that the attorney recommended that the current Conflict of Interest Policy be amended into the bylaws and the Executive Committee agrees to recommend the bylaw addition. The Executive Committee has recommended that the final 501(c)3 application be reviewed by the attorney before filing with the IRS. The estimated attorney fee should be no more than \$750 (maximum 10 hours at \$75 per hour) and the IRS application fee is \$750. The Executive Committee is recommending that both the estimated attorney fee and the application fee be approved. Howard also reviewed the Executive Committee recommendation to hold the CD due in October in the savings account, as recommended by the treasurer due to the savings account currently having the same interest rate as CDs. Howard reported that the next meeting of the Executive Committee is scheduled for November 1, 2013 in South Egg Harbor at 19:30. The committee will meet at the South Egg Harbor firehouse at 17:00 or the Never There Gun Club, Hammonton, at 17:20 for the spaghetti and crab sauce dinner at the gun club. All are welcome to join the committee for dinner.

**Atlantic County Fire Training Advisory Board** – Howard Berchtold summarized the proceedings of the Advisory Board meeting held on September 9, 2013. Reviewed the ongoing maintenance of the training center, burn building, and propane pad. All present agreed that the Anthony "Tony" Canale Training Center would not be a good location for county central dispatch.

**Fire Coordinator** – Fire Coordinator Ed Vincent reported on the recent mutual aid requests to Burlington County for the Delanco Dietz & Watson incident and to Ocean County for the Seaside Park Boardwalk incident. Ed reported on the county resolution tied to the health department that applies to all use of county expendables and that they must be replaced. That resolution applies to the use of county firefighting foam and any municipality requesting and using firefighting foam must replace the quantities used. Ed reported on the status of the Homeland Security Grants and the working group meeting. The remaining 2011 and 2012 funds must be spent down by October. The 2013 grants are still pending approval and will be regionally based. The NJ Shore Region consists of Atlantic, Cape May, Ocean, and Monmouth Counties. Ed reported on the possible recommended uses of the Atlantic County share of the 2013 funds including trailers, damage assessment software, and any remaining funds used for the county technical rescue team. Ed reported on the mutual aid agreement and the municipalities that have signed along with those that have not. Ed reported that mutual aid plans (different than mutual aid agreement) must be updated with the NJ Division of Fire Safety prior to January 1<sup>st</sup>. The Deputy Fire Coordinators are available to any department/company needing assistance with updating their mutual aid plans. Ed reported that one of the county radio towers will be temporarily out of service during a needed repair.

**Training** – Director of Training Mike Corbo reported that Firefighter I is running with thirty-three students. The Firefighter II class was canceled due to only three registrations received but is now running with thirteen students. There was ten last minute registrations for Firefighter II. Please register those interested in any scheduled classes as soon as possible so to prevent any unnecessary cancelations. Mike reported that the Tools of Rescue class is being rescheduled to November due to a scheduling conflict. Mike reported that Drill Ground Instructor is scheduled for Sunday November 3<sup>rd</sup>. There is also six other Drill Ground Instructor courses scheduled throughout the state. All certified fire instructors need to take the Drill Ground Instructor course every three years. Mike reported on the upcoming scheduled classes. Mike reported that the

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propane pad is shut down for repairs and Suburban Propane has emptied the tank. All repairs should be done by the end of September. Mike reported on the need to possibly replace some of the burn building doors that cannot be repaired. Mike reminded all that the smoke machine is available to all departments/companies drilling at the training center and that they only need to purchase the smoke fluid by reimbursing the association for actual cost. Mike reviewed the status of the county technical rescue team including how it came about, how it will operate, and ongoing training to bring members up to required standards. Mike reported that the EHTFD TRT is the current operational team within the county and they will integrate with the county TRT when it is operational. The required training and equipment gathering means the county TRT is still at least one year from being operational.

**Atl. Co. Fire Chief's Association** – Chick Kisby reported that the next meeting of the Atl. Co. Fire Chief's Association will be on September 26, 2013 at the Nesco Vol. Fire Company.

**NJ Firemen's Home** – Oscar Dutch reported there is nothing new to report since the annual report made at the New Jersey Firemen's Association convention in Wildwood.

**Atlantic County Fire Radio Policy Committee / Central Dispatch** – Oscar Dutch reported on attending the September 10 Board of Chosen Freeholders meeting. There was no formal action on central dispatch. The Freeholders facilities committee and budget committee both recommended to purchase the AK Pharma building in EHT for the central dispatch location. Oscar reported that his contacts have informed him that the Freeholders will be backing away from those recommendations for central dispatch. Oscar may be sending out a request for county firefighters and officers to attend the October 1<sup>st</sup> Freeholder meeting in support of central dispatch moving forward without delay.

**NJ Firemen's Assn.** – Henry Schoenstein reported on the New Jersey Firemen's Association convention held in Wildwood on September 13<sup>th</sup> and 14<sup>th</sup>. Henry reported on the daily attendance and the voting totals. Henry reported H. Lee Baker was reelected to the office of 2<sup>nd</sup> Assistant Secretary in the only contested vote for officer. Henry reported that twenty-five residents of the Firemen's home watched the live stream of the convention. Henry reported that the New Jersey Firemen's Association website now has forms available for printing. Henry reported that the quarterly reports are due by October 15<sup>th</sup>. Henry thanked all those that helped with Ted Reinhard's service on behalf of the Egg Harbor City Fire Department.

## Communications

Thank you card received from Hope Reinhard and family thanking the association for the tremendous presence and outpouring of love and respect received after the loss of Ted Reinhard.

Request from Family Services Association with obtaining fire trucks for their September 28<sup>th</sup> Touch A Truck fundraiser.

## Deferred Business

There was no deferred business to act on.

## New Business

Dennis Sharpe reported that he attended Congressman LoBiondo's workshop for the Assistance to Firefighters Grant (AFG) program. It was reported that AFG funding has been approved for the next five years. Dennis summarized some of the new

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grant requirements including the need to have a System for Award Management (SAM) number prior to applying. Dennis recommended that everyone have someone review their application before filing it.

Motion was made, seconded, and carried to accept the recommendation of the Executive Committee that the association not roll over the CD due in October at Parke Bank and transfer the funds to savings as recommended by the Treasurer.

Motion was made, seconded, and carried to accept the recommendation of the Executive Committee that the association retain Attorney Evelyn S. Caterson and allot funds for the \$750.00 IRS application fee and the estimated \$750.00 attorney fee and proceed with the IRS 501(c)3 application.

Motion was made, seconded, and carried to accept the recommendation of the Executive Committee that the association move forward with a bylaws revision that adds the Conflict of Interest Policy into the bylaws as recommended by the attorney.

The first reading of the proposed By-laws addition was accepted as read.

## **Bills**

The bills, totaling \$2,305.80, were read by Treasurer Jaime C. Mellon. A motion was made, seconded, and carried to pay the bills from the proper funds.

Bills --- Brown & Brown - \$2.00 (commercial automobile correction) / This & That Uniforms - \$819.25 (60 polo shirts & t-shirts) / South Jersey Welding - \$13.46 (training maintenance) / Butterhof's Farm - \$937.50 (straw) / ESI Equipment - \$63.60 (equipment maintenance) / Jimmie's Florist - \$100.00 (flowers for service - Ted Reinhard) / International Society of Fire Service Instructors - \$125.00 (annual membership) / AtlantiCare - \$20.00 (4 CPR cards) / Robert Mellon - \$74.99 (reimbursement for new hard drive - treasurer laptop) / Thomas Sweeny - \$150.00 (2 trophies for Wildwood parade)

## **Applications for Membership**

There were no applications for membership.

## **Good of the Order**

President Portale congratulated the companies that won trophies at the Wildwood parade; Weymouth, Landisville, Collings Lakes, Estell Manor, Northfield, and East Vineland. Also congratulated were the winners of the ACFFA sponsored trophies. Best Appearing Atlantic County Pumper/Engine was Collings Lakes and Best Appearing Atlantic County Company Overall was also Collings Lakes.

Thank you to the Hammonton Volunteer Fire Company Sta. 1 for hosting the evening and providing the refreshments.

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## Adjournment

Benediction was conducted by Chaplain Rev. Thomas Sweeny. There being no further business at hand, the meeting was adjourned at 21:45. The next regular meeting is scheduled to be held at 20:00 on October 16, 2013 at the Estell Manor Vol. Fire Company.

Attested:

Robert A. Mellon, Secretary

**Date Clearing**      [http://www.atlanticcountyfireassoc.org/ACFFA\\_Date\\_Clearing.htm](http://www.atlanticcountyfireassoc.org/ACFFA_Date_Clearing.htm)

## **Fire Department/Company/Association Events**

Sat. Sep. 28, 2013	08:00	Weymouth VFC	Annual Yard Sale
Sat. Sep. 28, 2013	11:00	Cardiff Shopping Center	TOUCH-A-TRUCK Fundraiser for Family Service Association
Fri. Oct. 4, 2013	18:30	Bayview VFC	Booze Cruise @ AC Cruises in Gardner's Basin in Atlantic City, NJ
Sat. Oct. 5, 2013	10:00	Oceanville VFC	Oktoberfest @ Historic Smithville & Village Greene (Selling Hot dogs, Hamburgers, and French Fries)
Sat. Oct. 5, 2013	16:00	Germania VFC	Turkey Dinner
Sun. Oct. 6, 2013	10:00	Oceanville VFC	Oktoberfest @ Historic Smithville & Village Greene (Selling Hot dogs, Hamburgers, and French Fries)
Fri. & Sat. Oct. 2013	19:00	Nesco VFC	Haunted Hayride
Fri., Sat., & Sun. Oct. 2013	19:00	Scullville VFC	Terror in the Junkyard (Located at Fleming Junkyard)
Sat. Oct. 12, 2013	08:00	Mays Landing Country Club	12 <sup>th</sup> Annual William Kennedy Memorial Golf Tourn. Benefiting Elwood VFC and Wescoat
Fri. Oct. 18, 2013	19:00	Oceanville VFC	Beef & Beer @ Fred & Ethel's Lantern Light Tavern in Smithville, NJ
Sat. Oct. 19, 2013	15:30	Port Republic VFC	Roast Beef Dinner
Sat. Oct. 26, 2013	09:00	South Egg Harbor VFC	Ladies Auxiliary Fall Craft Show 09:00-15:00
Sat. Nov. 9, 2013	16:00	Oceanville VFC	Baked Ham & Fried Oyster Dinner
Sun. Nov. 10, 2013	16:00	Somers Point VFC #2	Spaghetti Dinner

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## ACFFA Meetings

### Atlantic County Firefighters' Association

Wed. Oct. 16, 2013	20:00	Estell Manor VFD	Hosting ACFFA Monthly Meeting
Wed. Nov. 20, 2013	20:00	Somers Point VFC Sta. 2	Hosting ACFFA Monthly Meeting
Wed. Dec. 18, 2013	20:00	West Atlantic City VFC	Hosting ACFFA Monthly Meeting
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Wed. Jan. 15, 2014	20:00	Egg Harbor City VFD	Hosting ACFFA Annual Reorganization Meeting and Annual Memorial Service
Wed. Feb. 19, 2014	20:00	Longport VFD	Hosting ACFFA Monthly Meeting

### Atlantic County Firefighters' Association - Executive Committee

Fri. Nov. 1, 2013	19:30	South Egg Harbor VFC	Hosting ACFFA Executive Committee Meeting
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Fri. Jan. 3, 2014	19:30	Pomona VFC	Hosting ACFFA Executive Committee Meeting (Annual Reorganization)

## Other Atlantic County Organization Meetings

### Atlantic County Fire Training Advisory Board

Mon. Nov. 18, 2013	19:00	Anthony "Tony" Canale Training Center	Meeting of Atlantic County Fire Training Advisory Board
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Mon. Jan. 13, 2014	19:00	Anthony "Tony" Canale Training Center	Meeting of Atlantic County Fire Training Advisory Board

### Atlantic County Fire Chief's Association

Thurs. Sep. 26, 2013	20:00	Nesco VFC	Hosting Meeting of Atlantic County Fire Chief's Assoc.
Tues. Nov. 26, 2013	20:00	Linwood VFD	Hosting Meeting of Atlantic County Fire Chief's Assoc.
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Tues. Jan. 28, 2014	20:00	Absecon VFD	Hosting Meeting of Atlantic County Fire Chief's Assoc.

### Atl. Co. Firefighters' Death Benefit Fund Association

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Thurs. Jan. 23, 2014	19:30	Linwood VFD	Hosting Meeting of Atl. Co. Firefighters' Death Benefit Fund Assoc.

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Proposal for Addition

"By-Laws, Atlantic County Firefighters' Association of the State of New Jersey".

## NEW ARTICLE

### **ARTICLE XIII CONFLICT OF INTEREST POLICY**

#### SECTION 1: PURPOSE

*The purpose of this conflict of interest policy is to protect this tax-exempt organization's interest when it is contemplating entering in to a transaction or arrangement that might benefit the private interest of an officer of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.*

#### SECTION 2: DEFINITIONS

##### 1. Interested Person

*Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.*

##### 2. Financial Interest

*A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:*

- a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement.*
- b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or*
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.*

*Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.*

*A financial interest is not necessarily a conflict of interest. Under Section 3, Subsection 2, a person who has a financial interest may have a conflict of interest only if the appropriate board or committee decides that a conflict of interest exists.*

#### SECTION 3: PROCEDURES

##### 1. Duty to Disclose

*In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.*

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## 2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

## 3. Procedures for Addressing the Conflict of Interest

a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

b. The chairperson or the governing board or committee shall, if appropriate, adopt a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

## 4. Violations of the Conflicts of Interest Policy

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

## SECTION 4: RECORDS OF PROCEEDINGS

The minutes of the governing board and all committees with board delegated powers shall contain;

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

## SECTION 5: COMPENSATION

a. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters



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*pertaining to that member's compensation.*

*c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.*

## SECTION 6: ANNUAL STATEMENTS

*Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:*

- a. Has received a copy of the conflicts of interest policy.*
- b. Has read and understands the policy*
- c. Has agreed to comply with the policy, and*
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax exempt purposes.*

## SECTION 7: PERIODIC REVIEWS

*To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:*

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.*
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in excess benefit transaction.*

## SECTION 8: USE OF OUTSIDE EXPERTS

*When conducting the periodic reviews as provided for in Section 7, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews are conducted.*

Respectfully submitted;

By-laws Committee  
Friday, September 6, 2013

First Reading  
Wednesday, September 18, 2013