

**MINUTES OF A MEETING OF THE  
BOARD OF FIRE COMMISSIONERS,  
TOWNSHIP OF UPPER; DISTRICT #3**

**October 17, 2022**

A meeting of the Board of Fire Commissioners of the Township of Upper, District #3 was held on October 17, 2022, at 5:15 p.m. at the Marmora Volunteer Fire Company on Old Tuckahoe Road in Marmora, NJ. Commissioners **Paul Hoster, Kurt Austin, Doug Snyder, and Jeff Pierson** were present. Also present were **Tonya DeVita** representative for **Cheryl Ward, CPA**, Accountant and Recording Secretary to the Board along with **Jon Batastini, Esq.** Counsel to the Board, **Jay Newman**, Chief of the Marmora Volunteer Fire Company.

The meeting was opened by attorney, **Jon Batastini** who read the appropriate notice in accordance with the Open Public Meetings Act of the State of New Jersey.

As the first order of regular business, the Board reviewed and approved the minutes of the prior meeting, held September 19, 2022.

**Ms. DeVita** presented a financial report, including a list of checks to be approved, signed, and distributed. The checks were approved as presented. **Ms. DeVita** reviewed the 2022 year-to-date expenses relative to the budget.

**Ms. DeVita** reviewed the completed 2021 Audit Report issued by the Board's Auditor, Michael Bohrer, Esq., CPA. The audit results were "clean." There were no findings or recommendations from the Auditor as to methods to improve the Board's system of accounting controls. The Board approved the Audit report as represented. The Board signed a Group Affidavit and passed a Resolution documenting its approval. Cheryl Ward's office will submit the Audit Report to the State of New Jersey, Department of Community Affairs.

Solicitor **Jon Batastini** presented a retainer agreement for the 2023 calendar year. After reviewing the agreement, the Board unanimously passed a motion to retain **Jon Batastini** as Solicitor for the 2023 calendar year.

At this meeting, the Board reviewed the proposed budget, which was discussed at the September 19, 2022, workshop meeting. The Board reviewed the cost to the taxpayers for utilizing some or all of the Cap Bank from 2020. After a long discussion and calculations of estimated increases per taxpayer, the Board unanimously approved the 2% increase, plus using half of the Cap Bank from 2020 which brings the total increase to 9% which is the cost of inflation. The Board did not want to add the new "rateables" into the 2023 budget. **Cheryl Ward CPA** office will complete the budget forms for submission to the State of New Jersey, Department of Community Affairs. **Ms. DeVita** reminded the Board that the next meeting to be held on December 5, 2022, is when the 2023 Budget is adopted, after being advertised as such.

The Board reviewed and unanimously approved a fire services contract between the volunteer fire company and the Board, whereby the fire company agrees to provide fire fighting services to Upper Township District #3 for the 2023 calendar year in exchange for a stated fee. The contract will be reviewed by the fire company.

**MINUTES OF A MEETING OF THE  
BOARD OF FIRE COMMISSIONERS,  
TOWNSHIP OF UPPER; DISTRICT #3**

**October 17, 2022  
(continued)**

The Board unanimously approved to amend the lease agreement between the volunteer fire company and Upper Township District #3 expiring December 31, 2023, to increase the fee for leasing the fire house, due to expected repairs to the building. **Mr. Batastini** will prepare this amendment. Once amended the lease agreement will be reviewed by the fire company.

The 2023 budget includes a total of \$5,250 in compensation to be paid to the Board of Fire Commissioners. The Commissioners passed a resolution to pay the President \$1,250 and the four other Commissioners \$1,000 each for the calendar year 2023. The checks to each Commissioner will be issued in September 2023.

**Mr. Newman** stated that the truck titles will be changed into the Board's name and that John Barlow will be doing so for a fee. Also discussed was the emergency repair to the Tower Ladder. The Board agreed that it will fit the repair into its 2022 budget.

With the move out of the district and the resignation of **Jeff McAfee**, The Board of Fire Commissioners of the Township of Upper, District #3 discussed the appointment of the vacancy. **Paul Hoster** made a motion to appoint **Sean Whelan** to finish out the year. This was seconded by **Mr. Snyder**; all were in favor. **Mr. Whelan** will need to run for one year to finish Jeff McAfee's term, in February 2023.

There being no further business for the Board, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Approved and Submitted,

---

Cheryl Ward, CPA *Recording Secretary*

---

Paul Hoster, *Chairman*