

Wednesday, October 4, 2017

A regular meeting of the Toms River Fire Commissioners, District No. 2 was called to order at 7:30 p.m. at the Pleasant Plains Firehouse, 40 Clayton Avenue, Toms River, New Jersey. Chairman Blank made the required public statement. "Adequate notice of this meeting has been provided in accordance with the Open Public Meetings Act by the adoption of a schedule of regular meetings and notice thereof being posted in the Municipal Building, 33 Washington Street, Toms River; being filed with the Municipal Clerk and being transmitted to the Asbury Park Press and the Star Ledger and to all persons who have requested copies in accordance with statute."

Roll call was taken; Present: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Absent: Mr. Geoghegan.

Minutes of the previous meeting were approved on a motion was offered by Mr. Duff, seconded by Mr. Silva and accepted as written providing that the minutes shall be made available for inspection by any member of the public during the meeting.

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Received check #8907 dated September 28, 2017 in the amount of \$650 from Pleasant Plains Fire Dept. for reimbursement of insurance for September 2017.

Received check #000548 dated October 2, 2017 in the amount of \$1,250 from Jerry's Towing and Recovery Services, Inc. for towing paid by the insurance company.

Received check #94415 dated September 26, 2017 in the amount of \$797,000 from the Township of Toms River for 3<sup>rd</sup> quarter 2017 tax appropriation.

Bills were presented by Treasurer Duff and were approved for payment on a motion offered by Mr. Duff, seconded by Mr. Britton (each commissioner abstains to his voucher, if any).

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

All Hands Fire Equipment	3,647.61	Silverton Vol. Fire Company	4,825.00
Benecard	1,375.90	Toms River Fire District #1	275.08
Blue Cross Blue Shield	2,094.61	United Healthcare	13.18
Comcast	252.33	Verizon Wireless	1,052.22
Continental Fire & Safety	738.00	Asbury Park Press	269.30
Dynamic Testing	440.00	ERS Fleet Repair, Inc.	6,713.05
ERS Fleet Repair, Inc.	518.69	Hartford	218.38
IAFC Registration	760.00	Meridian	20,920.00
JCP&L	418.35	Paychex	133.45
Motorola Solutions	438.00	Retro Fitness	420.00
New Jersey Fire Equipment	2,638.40	Riggins	1,301.49
New Jersey Natural Gas	26.78	Service Tire	2,280.00
Ryan Parente	540.00	Sheraton Sand Key Resort	1,920.00
Pleasant Plains Fire Dept.	3,992.00	The Stress Center	30.00
Suez Water	19,105.99	Verizon	32.08

Total \$77,389.89

Correspondence – Correspondence has been provided to all commissioners.

Apparatus – Commissioner Britton reported that the brakes were done on the trucks. Commissioner Silva reported that 2905 is at Cummins, in Bristol, Pennsylvania for repair; Cummins said they ran the serial number on the vehicle and no warrantee work has been done on that vehicle despite the vehicle being sent out for repair twice; hopefully, we will get all the money that we paid so far for the repair on that issue. Chief Sinnott reported that the stokes basket holder on 2911 needs repair, and 2906 needs heater work and canvas work.

Fire Academy – Commissioner Duff that they are making progress on some work there.

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Purchasing – Purchasing Agent Gargano reported the following:

- Firefighting Tools and Equipment Bid – All equipment was received except the 5” hose and 2 ladders from Continental Fire & Safety. Delivery date is October 11, 2017.
- Generator for Substation – Quotes are due back October 18, 2017
- Fire Commissioners’ Badges and placard – on order
- Reminder – all purchases must have a purchase order before the item/service is purchased. Please contact the Board office in advance of any purchase/service.

Substation:

- Commissioner Britton reported that quotes are being sought for the generator, and we have to get the gutters cleaned before the generator is installed. Commissioner Blank said he will take care of that.
- Commissioner Blank stated that there was a leak at the Substation last week; it was from the condensate line on the air conditioner; he fixed it.

Silverton report: Chief Sinnott made the following report:

- The Fall Festival/ Poker Run is this Saturday.
- The Fire Prevention Bureau has been keeping them updated with the water project in Anchorage and Green Island along with the new construction of a high school at the OCC property. The Fire Prevention Bureau sent him the plan review for it. It will be a vocational high school.
- Spillman unveiled their phone app; it is called “Touch.” It is an app on your phone where you can connect to your server; everything that you can see on your mobile laptop, you can see on your cell phone. He feels this would be valuable for the fire officers to use in the future.
- Request permission to speak with OEM to have a 5 x 5 stationed at Silverton Firehouse; they have room for it at their station, and it will allow better use of one of the trucks when storms occur. Currently, one has been at Station 27 since the spring. OEM will maintain the truck.

A motion was offered by Mr. Duff, seconded by Mr. Silva to approve Silverton’s request for equipment as follows providing funds are available:

- 10 Defib Pads
- 2 Defib Batteries
- 3 Fire Police Winter Coats, Rain Coats, and Gloves for Willson, Guziejewski, and Brezniak from Red The Uniform Tailor
- 15 Majestic Model #NB-BLK-PAC-II 21” Long Black Nomex Blend Protective Hood w/Long Notched Shoulder Bib Design
- 10 Pro-Tech 8 Titan Long Cuff Firefighting Gloves from Continental Fire & Safety (State Bid)
- 73 Pro-Tech 8 B.O.S.S. Litex Rescue Gloves from Continental Fire & Safety (State Bid)
- 2 APX Portable Charges with Installation on 2900 and 2910
- 1 MA228202 Mustang Ice Rescue Suit Liner Repair by All Hands Fire Equipment
- 2 MSD576 Water Rescue Suit Closeout XXL/XL
- 20 343-HS-O Hose Straps with Buckle
- 1 Cell Phone Reimbursement for Bob Sinnott
- 1 Mobile Air Cart
- 2 #274085000 Hurst e-DRAULIC R421E2 Ram Package includes Ram, Charger, and (2) EXL Batteries from Tasc Fire Apparatus, Inc. (State Bid)
- 1 Canvas Top Repair on 2906 by Convery Canvas
- 1 Heater Repair on 2906 by Sure Marine Service

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Asst. Chief Sabey asked about fuel at Silverton Firehouse. Business Administrator Gargano reported that Riggins delivered fuel today. She asked if Silverton applied the fuel usage to their station check software. Asst. Chief Sabey stated that they have not done that yet.

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Pleasant Plains Report: Chief Parente made the following report:

- They are doing a lot of work out-of-town, and they have no communication with them. He will get the County spec to communicate with Lakewood and Manchester.
- Advised that the purchase order to Fire District #1 is to be voided out relative to installing Jackson frequencies in Pleasant Plains and Silverton radios

A motion was offered Silva, seconded by Mr. Britton to approve Pleasant Plains' request for equipment as follows:

- 2 S54L Kocheck 5" Storz 74 ½ NH Hydrant Adapter
- 3 Akron FHW HD Hydrant Wrench
- 1 Extinguisher Bracket
- 1 Install 6 Vehicle Chargers and Mount Plate in 3065 by ERS
- 1 Motorola Tri Band UHF Portable
- 1 Air System Install in Building for Truck

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

- Chief Parente reported that they are having issues with Knox boxes being coded out correctly by the dispatcher; he does not think the console has been updated yet; the codes in the console are not matching the apparatus any longer; the Knox Box system needs to be audited so that the codes match each individual truck – the procedure and coding for all the Knox boxes in Pleasant Plains need to be audited so that each truck is paged correctly because they are having problems on scene making that happen. 2<sup>nd</sup> Lieut. Yezzi reported 3061, 3041, and 3065 – depending on the unit, it is either the old system or the new system; 3051 is not being recognized by the dispatch console at all. A purchase order is to be issued to Fire District #1 to check on this; 3065 is the only one with the old style.

Business Administrator Report – Business Administrator Gargano reported that all paperwork relative to the 2016 audit has been advertised and distributed to those required (Township, DCA, attorney), and it will be posted on the website.

**Unfinished Business:**

Approval of SOGs re: Accountability, Emergency Traffic, Emergency Evacuation was made on a motion offered by Mr. Silva, seconded by Mr. Duff (attached).

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Train-The-Trainer Class for Bailout Systems – Commissioner Blank stated that the two fire districts agreed that we will pay for two of Fire District #1's firefighters this time to attend, and Fire District #1 will pay for two of our firefighters next time.

Resolution Opposing the Adoption of Changes to the Minor Work Regulations of the New Jersey Uniform Construction Code was introduced by Mr. Silva, seconded by Mr. Duff (attached).

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Resolution to Approve the 2016 Audit was introduced by Mr. Duff, seconded by Mr. Britton (attached).

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Resolution of Unexpended Balance of Improvement Authorizations was introduced by Mr. Silva, seconded by Mr. Duff (attached).

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Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Subscription Renewal Agreement with Emergency Services Marketing Corp. for IamResponding was approved on a motion offered by Mr. Silva, seconded by Mr. Duff (attached).

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Renewal of CD at Shore Community Bank was approved on a motion offered by Mr. Duff, seconded by Mr. Britton.

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

Service on Existing Breathing Air Systems Due – Commissioner Blank stated that Airpower called and stated that we are due for service on our breathing air systems; does the Board want them done while we are waiting for Continental to install the new systems? The Board agreed that they would not have the service done at this time.

Rescue Vehicle – A motion was offered by Mr. Silva, seconded by Mr. Duff to move forward with the rescue truck purchase through HGAC.

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

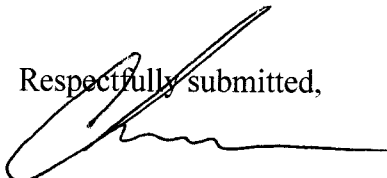
Opti-Com – Commissioner Blank reported that there will be a meeting after the next joint board meeting with Fire District #1 representatives, Commissioner Silva, and himself in reference to the new and old system.

Adjournment – A motion to adjourn the meeting was offered by Mr. Silva, seconded by Mr. Duff.

Roll call vote; Aye: Mr. Britton, Mr. Silva, Mr. Duff, Mr. Blank.  
Nay: None.

The meeting was adjourned at 8:04 p.m..

Respectfully submitted,




Christopher Silva  
Acting Clerk

You are currently viewing: [TRFD SOG 3-06 Accountabi...docx](#) (62 KB)

Print... Help

You can either click the link to open the original attachment or right-click the link to save the file.

<b>TOMS RIVER TOWNSHIP FIRE DEPARTMENT</b>			
<b>Standard Operating Guidelines</b>			
<b>CHAPTER: 3</b>	<b>SECTION: 06</b>	<b># OF PAGES: 4</b>	
<b>SUBJECT: ACCOUNTABILITY</b>			
<b>EFFECTIVE DATE:</b>	<b>BY THE ORDER OF: Toms River Bds of Fire Commissioners Dist. 1 &amp; 2; Toms River Joint Fire Officers Assn.</b>		<b>SUPERSEDES O #: SOG 3 06, Eff. 1-</b>

**Purpose:** This guideline establishes a system to maintain accountability of all personnel during all emergency operations of the department. The guideline will be known as the PAS or Personnel Accountability System.

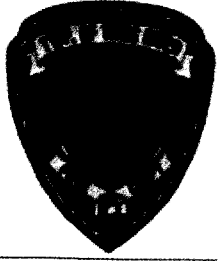
**Scope:** The PAS shall be used under the direction of the Incident Commander of any emergency that has the potential of placing Personnel in hazardous environments. It will be the decision of the Incident Commander as to what level the PAS will be used.

**General:** The Personnel Accountability System is designed as a tool to be used by the Incident Commander of any operation to assist them in maintaining the status of all personnel assigned to the incident. The system relies upon all personnel to be responsible for the use and maintenance of their PAS identification tag.

**Responsibility:** It shall be the responsibility of each firefighter to maintain their personal accountability tags. If a tag is lost or damaged it shall be reported immediately to an officer. It is also the responsibility of the firefighters to utilize the accountability system as outlined below to ensure the safety of all personnel at the incident. It shall be the responsibility of the officers to ensure that the accountability system is being utilized properly.

**I. Description of System Components:**

- A. **PAS Tag** - Every Fire Department member will be issued two personal accountability tags (PAS) that will remain in their possession at all times when not assigned to a unit or incident.
- B. **PAS Apparatus Collection Point** – Located in the rear crew compartment of all apparatus.

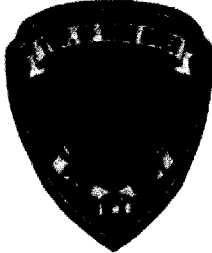
<b>TOMS RIVER TOWNSHIP FIRE DEPARTMENT</b>			
<b>Standard Operating Guidelines</b>			
<b>CHAPTER: 3</b>	<b>SECTION: 07</b>	<b># OF PAGES:</b>	
<b>SUBJECT: EMERGENCY TRAFFIC</b>			
<b>EFFECTIVE DATE:</b>	<b>BY THE ORDER OF:</b>	<b>SUPERSEDES ORDER #:</b>	

**Purpose:** To provide a standard for emergency traffic messages

**Scope:** This guideline pertains to all fire personnel

- A. Emergency Traffic: The term used to alert personnel, listening or operating a radio that a priority message needs to be transmitted.
- B. When emergency traffic messages are between the dispatcher and a unit in the field, the dispatcher shall take control of the radio. When emergency traffic messages are between command and units in the field, command shall take control of the radio.
- C. When an emergency traffic message is heard all personnel operating at the incident should pay careful attention to the broadcast message and refrain from using the radio.
- D. Emergency Traffic will be initiated as follows:
  - Unit # - "(2500) Break – Emergency Traffic"
  - District 1 – "(2500) Break – Emergency Traffic"
  - District 1 activates alert tone and identifies unit with emergency traffic to proceed, all other units to stay off the air.

~~When broadcasted by the dispatcher, Alert Tone 2 is used on fire channel 1 and the assigned fire ground channel followed by the message on both channels.~~

<b>TOMS RIVER TOWNSHIP FIRE DEPARTMENT</b>		
<b>Standard Operating Guidelines</b>		
<b>CHAPTER: 3</b>	<b>SECTION: 08</b>	<b># OF PAGES: 1</b>
<b>SUBJECT: EMERGENCY EVACUATION</b>		
<b>EFFECTIVE DATE:</b>	<b>BY THE ORDER OF: Toms River Bds of Fire Comms Dist 1&amp;2 Individually, Toms River Fire Officers</b>	<b>SUPERSEDES ORDER #: 3-08 eff. 1/1/2005</b>

**Purpose:** This guideline provides for a standard evacuation tone to evacuate a structure in the event of an emergency

**Scope:** This guideline pertains to all personnel

#### Procedures

- A. The "Emergency Evacuation" shall be used by command to clear all personnel from a building or scene. Emergency Evacuation is used in conjunction with emergency traffic.
- B. Fireground personnel will hold all non-essential radio traffic until normal radio traffic is continued
- C. The dispatcher shall, at the request for emergency evacuations:
  1. Sound ALERT TONE 2 on fire Channel 1 and fire ground channel.
  2. Announce "EMERGENCY EVACUATION – All personnel evacuate the structure per command."
  3. Apparatus operators will sound 3 five-second blasts of the air horn
 

\*\*\*NOTE\*\*\* Operators will be cognizant of their location in regard to the CP. Apparatus in close proximity to the CP should not sound the air horn, in order to reduce the chance of command missing radio messages
- D. Once all emergency evacuation notifications are completed a PAR will be conducted
- E. At the conclusion of the evacuation situation, Command should then transmit "ALL CLEAR, RESUME RADIO TRAFFIC" on all assigned radio channels to end the emergency situation

**RESOLUTION OF THE TOMS RIVER TOWNSHIP BOARD OF FIRE**  
**COMMISSIONERS, DISTRICT No. 2,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY, OPPOSING THE ADOPTION**  
**OF CHANGES TO THE MINOR WORK REGULATIONS OF THE NEW JERSEY**  
**UNIFORM CONSTRUCTION CODE**

**WHEREAS,** the Toms River Township Board of Fire Commissioners, District No. 2, is established and operating pursuant to N.J.S.A. 40A:14-70 to -105.1; and,

**WHEREAS,** the Toms River Township Board of Fire Commissioners, District No. 2, is entrusted with the obligation to provide fire protection services to the citizens of the Township of Toms River in order to protect the health, safety and lives of those citizens; and,

**WHEREAS,** the New Jersey Department of Community Affairs, Division of Codes and Standards has proposed significant changes to the minor work regulations of the New Jersey Uniform Construction Code; and,

**WHEREAS,** the Toms River Township Board of Fire Commissioners, District No. 2, has been advised that the members of the New Jersey Codes Coalition representing all disciplines administering the regulations at a regularly scheduled meeting discussed the proposed changes to the minor work regulations; and,

**WHEREAS,** the members of the New Jersey Codes Coalition at that meeting expressed deep concern regarding these proposed changes; and,

**WHEREAS,** the members of the New Jersey Codes Coalition feel that said proposed changes will have a significant impact on the safety of occupants in the built environment in New Jersey; and,

**WHEREAS,** the Toms River Township Board of Fire Commissioners, District No. 2, agree with the concerns of the New Jersey Code Coalition; and,

**NOW, THEREFORE,** be it Resolved that:

1. The Toms River Township Board of Fire Commissioners, District No. 2, opposes proposed changes to the minor work regulations of the New Jersey Uniform Construction Code;



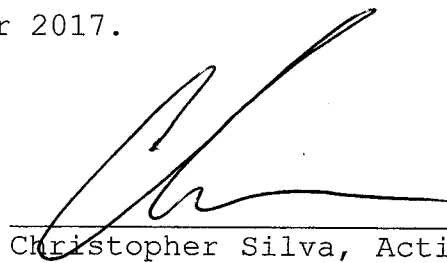
2. The Toms River Township Board of Fire Commissioners, District No. 2, respectfully joins in the request by the New Jersey Codes Coalition that the New Jersey Department of Community Affairs, Division of Codes conduct a public hearing on the proposed changes;

3. A certified copy of this resolution shall be sent to the New Jersey Department of Community Affairs, Division of Codes and Standards.

**CERTIFICATION**

I, Christopher Silva, Acting Clerk of the Board of Fire Commissioners of Fire District No.2, County of Ocean, and State of New Jersey do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Board of Fire Commissioners at a meeting held on the 4th day of October 2017.

  
\_\_\_\_\_  
Robert Blank, Chairman

  
\_\_\_\_\_  
Christopher Silva, Acting Clerk

## RESOLUTION

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended 2016 has been completed and filed with the Department of Community Affairs pursuant to N.J.S.A. 40A:5A-15, and

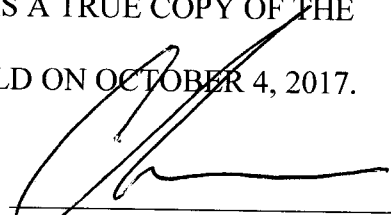
WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Toms River Fire Commissioners, District No. 2 hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended 2016, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations", and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

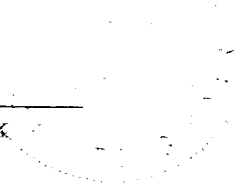
BE IT FURTHER RESOLVED that the secretary of the authority hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON OCTOBER 4, 2017.



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Christopher Silva, Acting Clerk  
October 4, 2017



October 4, 2017

Reallocation of Unexpended Balances of Improvement Authorizations

WHEREAS, the Fire Commissioners of Toms River, District No. 2 did adopt the Two Chiefs' Vehicles project on February 21, 2016; and

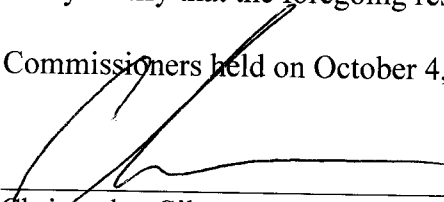
WHEREAS, all purchases and agreements have been completed and there remains unexpended balances of \$24,518 for the Two (2) Chiefs' Vehicles project;

NOW, THEREFORE, BE IT RESOLVED, by the Fire Commissioners of Toms River, District No. 2 that unexpended balances of the Two (2) Chiefs' Vehicles project in the amount of \$24,518 be reallocated as follows:

<u>Project No.</u>	<u>Project Name</u>	<u>Cancelled to or Against</u>	<u>Amount</u>
2017-1	Rescue Fire Truck	Capital Improvement Fund	\$24,518

CERTIFICATION

I, Christopher Silva, Acting Clerk of the Commissioners of Fire District No. 2 in the Township of Toms River, County of Ocean hereby certify that the foregoing resolution was duly adopted at a regular meeting of the Commissioners held on October 4, 2017.

  
\_\_\_\_\_  
Christopher Silva, Acting Clerk 10/4/17



## SUBSCRIPTION RENEWAL AGREEMENT

FULL SUBSCRIBER NAME: TOMS RIVER FIRE DISTRICT #2 (NJ)

(The name of the entity that is subscribing, hereinafter "Subscriber")

RENEWAL SUBSCRIPTION  
COMMENCEMENT DATE: October 31, 2017

This Agreement is entered into by and between Emergency Services Marketing Corp., Inc. ("ESMC"), as the duly licensed provider of the iamResponding.com services ("IaR"), and Subscriber. Pursuant to the Terms and Conditions set forth herein, ESCMC agrees to provide Subscriber with access to IaR, for the term and at the costs set forth herein. Subscriber is solely responsible for obtaining its' own internet connection and hardware.

1. This renewal subscription shall commence on the Renewal Subscription Commencement Date set forth above, and shall terminate on **December 31, 2017**. Subscriber's access to IaR shall not be provided by ESCMC until ESCMC has received this signed Subscription Agreement from Subscriber.
2. a) The Subscription Fee is as follows:
  - \$133.70** due on or before October 31, 2017.
  - b) Telephone Call Costs: \$1.67.  
This is paid annually, together with your annual Base Subscription Fee.
3. [Intentionally omitted]
4. All subscription fees are in US funds, and shall be paid in US funds.
5. This Subscription Agreement expressly adopts and incorporates the Terms of Use of IaR, which are posted on the IaR site at [www.iamresponding.com](http://www.iamresponding.com).
6. Subscriber shall not share the functionality, or any portion, of IaR with any other entity, at any time. Any such sharing shall be deemed a material breach of this Agreement.
7. If Subscriber defaults in any respect whatsoever with regard to the terms and conditions of this Subscription Agreement or the Terms of Use, ESCMC shall have the right, in its sole discretion, to suspend or terminate Subscriber's subscription to IaR, and to suspend or terminate Subscriber's access to IaR. Any payments not timely made shall be considered a material default by Subscriber.
8. ESCMC reserves the right to modify the appearance, content and/or functionality of IaR at any time, in its sole discretion, with the understanding that core functionality will be maintained.

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Subscription Agreement to iamResponding.com (KGF)

Please return by facsimile to: (315) 314-7748

Or mail to: Emergency Services Marketing Corp., Inc. P.O. Box 93, Dewitt, NY 13214-0093

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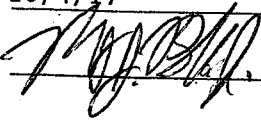
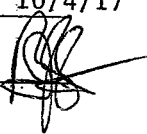
9. If Subscriber has a website for its department or agency on which it is able to place links to other websites, Subscriber shall add a link on its site to www.iamresponding.com.
10. Subscriber warrants that its subscription to IaR was not procured through the efforts of any sales person other than none (insert "none" if no sales person was involved in procuring this subscription).
11. Subscriber understands that the subscription fee that is being paid for each year of a multi-year subscription is a discounted fee made available to Subscriber only because of Subscriber having entered into a multi-year Subscription Agreement. Subscriber further understands that ESMC has or may enter into certain financial obligations based upon projections which rely upon Subscriber honoring its multi-year agreement. If Subscriber terminates a multi-year Subscription Agreement for any reason whatsoever, Subscriber agrees to pay, as liquidated damages for such termination, a sum equal to 1.25 times the average annual subscription fee set forth in Section 2(a) for each full and partial year of the subscription between the Commencement Date and the termination date (any subscription fee payments already paid to ESMC for that time period will be credited against this charge). For paid up-front subscriptions, the average annual fee shall be the total fee set forth in Section 2(a), divided by the number of years paid for.
12. ESMC shall provide Subscriber with 24x7x365 email technical support. Support requests shall be addressed to support@emergencysmc.com. Subscriber understands that ESMC will use its best efforts to classify the level of urgency of each support request, that such classifications shall be made in the sole discretion of ESMC, and that the response time for each support request will be dependent upon such classification.
13. Subscriber understands that there may be periodic service interruptions to IaR as the result of events or circumstances beyond the control of ESMC. ESMC has taken, and will continue to exercise, commercially reasonable efforts to mitigate such interruptions.
14. If all or part of any provision of this Subscription Agreement or of the Terms of Use shall be held by a court of competent jurisdiction to be illegal, invalid or unenforceable, such portion(s) of the provision(s) as are held to be illegal, invalid or unenforceable shall be construed to reflect the parties' original intent, and the remaining portions and provisions shall remain in full force and effect.
15. This Subscription Agreement may be signed in counterparts, each of which, when combined, shall constitute the whole agreement.
16. This Subscription Agreement and the Terms of Use constitute the entire agreement between Subscriber and ESMC and govern Subscriber's use of IaR, superseding any prior agreements between Subscriber and ESMC. In the event of a specific conflict between the terms and conditions of this Subscription Agreement and the Terms of Use of IaR, the terms and conditions of this Subscription Agreement shall control.
17. Subscriber certifies that Subscriber (check one box below):
  - IS a tax-exempt organization, exempt from state and local sales and use taxes on its purchases, and its tax exemption (and/or exempt organization) number is:  
\_\_\_\_\_ (Please attach tax exemption certificate).
  - IS NOT a tax-exempt organization, and is NOT exempt from state and local sales and use taxes on its purchases.

18. Subscriber warrants that the individual signing this Agreement possesses all authority and consents necessary to enter into this Subscription Agreement on behalf of Subscriber.

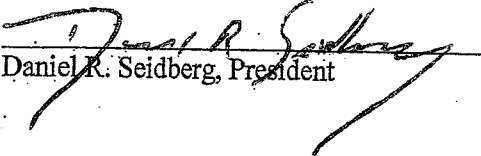
Subscribing Entity's Name: Toms River Fire Commissioners, District #2

Printed Name of Authorized Signor: Robert J. Blank, Jr. Brian J. Geoghegan  
Chairman Clerk

Date: 10/4/17 10/4/17

Signature:  

Emergency Services Marketing Corp., Inc.

By:   
Daniel R. Seidberg, President

Date: 10/20/17

*Please return this ENTIRE agreement to us; not just the signature page!*

*All checks should be made payable to: Emergency Services Marketing Corp., Inc.  
Tax Identification No.: 20-5787005*