

**Toms River Fire Commissioners, District No. 2**  
**Minutes**  
**Wednesday, December 4, 2019**

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 Geoghegan 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. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.

Chairman Geoghegan announced that Business Administrator Gargano is retiring, and he introduced Timothy Carson who will be replacing her.

Application for Membership was received from Jonathan Swift, and he was accepted as an active firefighter to Silverton Vol. Fire Company. Jonathan Swift was sworn in by Chairman Geoghegan.

Minutes of the previous meeting were approved on a motion offered by Mr. Willson, seconded by Mr. Duff 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. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

Cash Receipts – Received check #104957 dated November 26, 2019 in the amount of \$9,898.35 from the Township of Toms River for the Supplemental Fire Services Grant for 2019.

Bills were presented for payment by Treasurer Duff and were approved to be paid 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. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

Asbury Park Press	357.53	The Hartford	20.24
Blaze Emergency Equipment	415.51	New Jersey Natural Gas	215.56
Kevin W. Britton	509.02	Pleasant Plains Fire Dept.	3,992.00
Burlington County Fire Academy	128.00	Riggins	2,044.30
Comcast	323.34	Silverton Vol. Fire Company	4,825.00
Dynamic Testing	220.00	Verizon Wireless	532.18
		Verizon	38.20
Total	\$13,620.88		

Apparatus – Commissioner Willson reported the following:

- There is a water leak in 2911 that has to be repaired.
- The rear tires on 2905 are wearing out and need to be replaced.
- The opti-com on 2910 needs to be taken care of.

Purchasing – Purchasing Agent Gargano reported that the Fire Police vehicle is being built this week, and delivery should be sometime at the beginning of January 2020.

Substation:

- Commissioner Britton reported that the LED lights were completed in the truck bay.
- Commissioner Britton reported that he is seeking a second quote for the renovation of the day room.
- Commissioner Bierbaum reported that he is waiting for a contractor to get back to him for the day room, as well.

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Pleasant Plains report:

- Chief Roman reported that 3010 will go to ERS on Friday.
- Engineer McCann reported that 3041 will, also, go to ERS on Friday for the generator.

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

- 3 SCBA for repair
- 9 Months reimbursement of cell phone May 2019 through December 2019
- 1 Reimbursement for expenses incurred at Chief's conference

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

Business Administrator's report – Business Administrator Gargano reported the following:

- Sale of Vehicle – 3061 will be re-listed for sale on govdeals for \$8,500 since the person who bid the highest on govdeals is no longer interested.
- EZPass Transponders in 2913 and 2931 – She asked if there was any progress on getting transponders for these vehicles; Commissioner Willson said he is still working on it.

**New Business:**

Resolution to Introduce the 2020 Budget was introduced by Mr. Duff, seconded by Mr. Britton (attached).

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

Fire Police Vehicle – Commissioner Bierbaum stated that the new vehicle is coming in with a plow and asked that a snow plowing plan be adopted to include qualifications to drive the vehicle with the plow on it, as well as, procedure on where the snow is to be plowed to. Commissioner Geoghegan reported that there are many members within the fire company who have a great deal of experience driving vehicles with snow plows on them. Commissioner Bierbaum suggested that the Chief determine who is eligible to drive the plow.

NFIRS – Commissioner Bierbaum stated that he received information from DCA that when reports are used for litigation, information is severely lacking; anyone filling out the NFIRS reports should fill in the narrative. Chief Roman stated that the Fire Prevention Bureau fills out the NFIRS reports. Commissioner Bierbaum asked that the reports that the Chiefs fill out be more descriptive.

Closed Session – A resolution was introduced by Mr. Willson, seconded by Mr. Duff to go into closed session at 5:55 p.m..

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

WHEREAS, PL-1975 Chapter 231 allows for meetings in closed session on matters of personnel; and

WHEREAS, the commissioners have matters to discuss concerning filling the position of Business Administrator; and

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WHEREAS, the commissioners have matters to discuss concerning the joint administration of the joint board operations and employees; and

WHEREAS, the commissioners have matters to discuss concerning a salary increase for office staff;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF FIRE DISTRICT NO. 2 IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN go into closed session to discuss this matter as permitted by the open public act and that the results of this closed session be available to the general public upon the completion of the acceptance of the minutes at the next regular meeting and at such time as this matter in closed session is resolved.

Resume Regular Session – A motion was offered by Mr. Willson, seconded by Mr. Bierbaum to resume regular session at 8:08 p.m..

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

A motion was made by Mr. Duff, seconded by Mr. Britton to give Business Administrator Gargano a 2% increase retroactive to January 1, 2019.

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: Mr. Bierbaum.

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

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Bierbaum, Mr. Geoghegan.  
Nay: None.

The meeting was adjourned at 8:10 p.m..

Respectfully submitted,



Craig Bierbaum  
Clerk

**2020 FIRE DISTRICT BUDGET RESOLUTION**  
**TOMS RIVER FIRE COMMISSIONERS DISTRICT NO. 2**  
 (Fire District Name and Number)

**FISCAL YEAR: January 1, 2020 to December 31, 2020**

WHEREAS, the Annual Budget for the Toms River Fire Commissioners District No. 2 (the "Fire District") for the fiscal year beginning January 1, 2020 and ending December 31, 2020 has been presented before the Board of Commissioners of the Fire District at its open public meeting of December 4, 2019; and

WHEREAS, the budget as introduced is in compliance with the Property Tax Levy Cap Law (N.J.S.A. 40A:4-45.44 et. seq.) [Include the following as appropriate: [includes a proposed public referendum in the amount of \$ \_\_\_\_\_ in excess of the allowable amount to be raised by taxation][includes a proposed public referendum in the amount of \$ \_\_\_\_\_ as an appropriation from restricted fund balance to be used as budget revenue]]; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$3,419,207.00, which includes an amount to be raised by taxation of \$2,834,415.00, and Total Appropriations of \$3,419,207.00; and

WHEREAS, the amount to be raised by taxation to support the district budget shall be the amount to be certified to the assessor of the municipality to be assessed against the taxable property in the district, pursuant to N.J.S.A. 40A:14-79. Such amount shall be equal to the amount of the total appropriations set forth in the budget minus the total amount surplus and miscellaneous revenues set forth in the budget; and

WHEREAS, in calculating the amount to be raised by taxation, the Fire District has taken into account the assessed valuation of taxable property in the Fire District;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Fire District, at an open public meeting held on December 4, 2019 that the Annual Budget, including all related schedules, of the Fire District for the fiscal year beginning January 1, 2020 and ending December 31, 2020 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the Fire District's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Fire District will consider the Annual Budget for adoption on January 15, 2020.

Craig Bierbaum  
 (Secretary's Signature)

December 4, 2019  
 (Date)

Board of Commissioners Recorded Vote

Member	Aye	Nay	Abstain	Absent
Brian J. Geoghegan	✓			
Joseph G. Duff	✓			
Craig Bierbaum	✓			
Kevin W. Britton	✓			
Michael Willson	✓			

Resolution Appointing Public Agency Compliance Officer

December 18, 2019

WHEREAS, the Affirmative Action laws of the State of New Jersey, codified at N.J.S.A. 10:5-31 et seq., and the regulations promulgated by authority of those laws, N.J.A.C. 17:27, provide contract language and reporting procedures for entering into procurement, service, and construction contracts; and

WHEREAS, the regulations further provide for the annual designation of an officer or employee of every public agency to serve as a Public Agency Compliance Officer (PACO) who will be responsible for coordinating the reporting procedure from contractors and to generally supervise the compliance procedures regarding the Affirmative Action laws and regulations; and

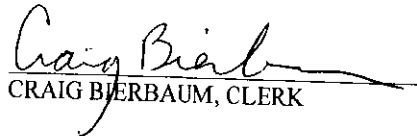
WHEREAS, the regulations further require the Board, on or before January 10<sup>th</sup> of each year, to notify the Division of Public Contracts Equal Employment Opportunity Compliance within the New Jersey Department of the Treasury, on the Division's official designation form (attached), of the officer or employee who has been designated as the District's PACO, even if the designation from the previous year has not changed.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Fire District No. 2 in the Township of Toms River, County of Ocean as follows:

1. Business Administrator Timothy J. Carson be and is hereby appointed Public Agency Compliance Officer of Toms River Fire Commissioners, District No. 2 through December 31, 2020.
2. The Board Clerk shall, beginning at the December 2020 Board meeting, and at every second meeting in December thereafter, bring forward a resolution to formally designate the District's PACO for the next calendar year.
3. The Board Clerk shall, immediately upon approval of this resolution, and prior to January 10<sup>th</sup> of each year, notify the Department of the Treasury, Division of Public Contracts Equal Employment Opportunity Compliance, by use of the attached form, of the identity of the District's most recently designated PACO.

CERTIFICATION

I, Craig Bierbaum, 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 December 18, 2019.

  
CRAIG BIERBAUM, CLERK

**Resolution**

December 18, 2019

**Authorization of Budget Transfers and Encumbrances**

WHEREAS, it has become necessary for the Commissioners of Fire District No. 2 in the Township of Toms River, County of Ocean to undertake certain transfers and encumbrances relative to the current Commissioners' budget in order to reflect monies expended or encumbered to date by the Commissioners; and

WHEREAS, this resolution shall serve as authorization for said budget transfers and encumbrances as noted herein.

NOW, THEREFORE, be it RESOLVED by the Commissioners of Fire District No. 2 in the Township of Toms River, County of Ocean as follows:

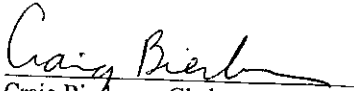
(1) The following budget transfers and encumbrances are approved by the Commissioners within the Operating Appropriations portion of the budget:

**Monies transferred between the following line items:**

From Operation, Insurance	\$4,000.00
From Operation, Conference	<u>\$4,000.00</u>
Total	8,000.00
To Administration, Advertising	\$1,000.00
To Operation, Communications	\$5,000.00
To Operation, Physicals	<u>\$2,000.00</u>
Total	8,000.00

CERTIFICATION

I, Craig Bierbaum, 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 December 18, 2019.

  
Craig Bierbaum, Clerk