

Toms River Fire Commissioners, District No. 2

Minutes

DATE April 19, 2023

A regular meeting of the Toms River Fire Commissioners, District No. 2 was called to order at 17:00 hrs. at the, Silverton Firehouse, 15 Kettle Creek Road Toms River, New Jersey. Acting Chairman Heroy 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. Duff, Mr. Heroy, Mr. Seiders, Mr. Willson

Absent: Mr. Britton

Nay: None.

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 was taken; Aye: Mr. Duff, Mr. Heroy, Mr. Seiders, Mr. Willson

Nay:

Cash Receipts :

Received check #119018 from Toms River Township in the amount of \$883,824.35 for 2023 1st quarter assessment.

Received check #000313 from the Toms River Fire Commissioners District #1 in the amount of \$38,498.85 for March 2023 Bureau Revenue.

Bills: were presented for payment by Mr. Duff and were approved to be paid on a motion offered by Mr. Duff, seconded by Mr. Willson. Each commissioner abstains to his voucher, if any.

Roll call was taken; Aye: Mr. Duff, Mr. Heroy, Mr. Seiders, Mr. Willson

Nay:

1 st Choice Safety	6,583.46	NJ Fire Equipment	1,063.00
Asbury Park Press	251.08	OC Clerk	361.89
Bank of America	407.60	Riggins	1,967.29
Crunch Gym	102.00	T-Mobile	387.42
Elite Vehicles	1,700.00	The Stress Center	38.00
ERS	529.37	Tranz Connection	1,157.48
Hackensack Meridian	195.00	TR Fire Dist #1	123,421.92
JCP&L	259.15	TR Fitness	230.00
NJEMPERPA	250.00	NJ State Healthcare	4,470.35
PPFD	27,619.75	SVFC	30,493.75
Total	\$201,488.51		

Correspondence: Correspondence has been provided to all commissioners

Apparatus: Mr. Seiders advised that 3041 waiting for foam, 3033 air compressor was replaced. Mr. Willson advised that repairs are complete on 2910.

Insurance: Mr. Duff advised there is legislation pending with the state for volunteer firefighters to have property tax abated. Mr. Willson stated that members should call their legislators to help move this forward.

Fire Academy: Mr. Willson advised that a vote was made for Rich Gorman to be hired as the director of the academy.

Awards Program: Mr. Duff advised the program was sent to the state and signed off and requesting date from chiefs from station 29 & 30 to get together to review.

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Substation: Received estimate to have office painted. Mr. Heroy will await additional estimate and move forward next meeting.

Chief Officers' Association: Chief Keating advised they met on Monday, working on a second alarm within the township, radios, SOG committee, tech rescue moving forward.

Silverton Report: Chief Keating advised they have been mutual aid out of town for fires recently, making a list of needs for water rescue equipment, changed the run assignment to college as Station 30 for a full response, mentioned getting the air compressors out of the firehouse. Clerk Mulholland will work with Admin Carson to have the compressors picked up.

New Business:

Resolution Authorizing the Award of a Contract to Lincoln Financial was introduced by Mr. Willson seconded by Mr. Duff appointing Lincoln Financial as the program administrator (attached).

Roll call vote; Aye: Mr. Willson, Mr. Duff, Mr. Seiders, Mr. Heroy

Nay: None.

A motion was introduced by Mr. Duff seconded by Mr. Willson to adjourn.

Roll call vote; Aye: Mr. Willson, Mr. Duff, Mr. Seiders, Mr. Heroy

Nay: None.

The meeting was adjourned at 17:09 hrs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael Willson', written over a horizontal line.

Michael Willson
Clerk

**THE COMMISSIONERS OF FIRE DISTRICT NO. 2
IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN**

Resolution

**Authorizing Lincoln Financial as the provider for the Defined Contribution Length
of Service Award Program**

WHEREAS the Toms River Fire Commissioners District #2 has agreed to the establishment of a Length of Service Award Program (LOSAP) Deferred Compensation Plan. This plan is to be made available to all bona fide eligible volunteers who are performing qualified services which is defined as fire fighting and prevention services, emergency medical services and ambulance services pursuant to of the Internal Revenue Code of 1986, as amended, except for provisions added in Section 457(11) by reason of the Length of Service Award Program as enacted into federal law in 1997. The establishment of this Length of Service Award Program will also comply with New Jersey Public Law 1997, Chapter 388 and the Length of Service Award Plan Document; and

WHEREAS, the Toms River Fire Commissioners District #2 deems it appropriate to act to ensure retention of existing members and to provide incentives for recruiting new volunteer firefighters/first aid organization members; and

WHEREAS, the Toms River Fire Commissioners District #2 has a Length of Service Award Plan Document that implements the Programs objectives; and

WHEREAS, certain tax benefits could accrue to eligible volunteer firefighters' organization members;

NOW THEREFORE BE IT RESOLVED that the Toms River Fire Commissioners District #2 is adopting a Length of Service Award Program Deferred Plan which is substantially similar to a Plan that has been submitted to the Internal Revenue Service for a Private Letter Ruling. The use of the Ruling is for guidance only and the Toms River Fire Commissioners District #2 acknowledges that for Internal Revenue Service purposes, the Ruling of another sponsoring agency is not to be considered precedent; and

BE IT FURTHER RESOLVED by the Board of Fire Commissioners of the Toms River Fire Commissioners District #2 hereby adopts a Length of Service Award Program Deferred Plan provided by the Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, Plan Identifier: 01-LOSAP-LINCOLN-101700; and

BE IT FURTHER RESOLVED that The Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, has agreed to be the provider for the Toms River Fire Commissioners District #2 Length of Service Award Deferred Program and its eligible volunteers as provided for in it's Length of Service Award Plan Document, Plan Identifier: 01-LOSAP-LINCOLN-101700; and

BE IT FURTHER RESOLVED that the Lincoln National Life Insurance Company and Lincoln Financial Group its agent, will provide, for the benefit of the participants, a Multi-Fund Variable Annuity contract as its funding vehicle; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:30-14.37 the Toms River Fire Commissioners District #2 in the past received competitive proposals and VFIS was selected as the provider for its Defined Benefit Length of Service Award Program (LOSAP). Due to poor servicing and dissatisfaction with the investment offering by VFIS, the Toms River Fire Commissioners District #2 solicited competitive bids from Lincoln, VFIS and AIG. AIG did not respond and VFIS remained an unsatisfactory provider. Lincoln National Life Insurance Company and Lincoln Financial Group its agent was selected as its new LOSAP provider. Lincoln offered a self-directed account while VFIS did not. In addition, there were lower costs to the taxpayer and with the new plan being a Defined Contribution Plan any long-term liability was eliminated; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, in the selection of a provider pursuant to N.J.A.C. 5:30-14.29.

BE IT FURTHER RESOLVED that Joseph Duff, Treasurer is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, Plan Identifier: 01-LOSAP-LINCOLN-101700, and such other agreements as are necessary to implement the LOSAP Deferred Program. It is implicitly understood that there is to be no cost other than the Service Award by the Toms River Fire Commissioners District #2 to the program; and

BE IT FURTHER RESOLVED that Kevin W. Britton, Chairman is authorized to serve as the "Local Plan Administrator" of the plan, represent the Toms River Fire Commissioners District #2 and execute individual Participation Agreements between Lincoln National Life Insurance Company and Lincoln Financial Group, its agent and bona fide eligible volunteers; and

BE IT FURTHER RESOLVED by the Toms River Fire Commissioners District #2 that the

Michael C. Willson, Secretary forwards a certified true copy of this resolution to Joseph Duff, Treasurer; and

BE IT FURTHER RESOLVED that Joseph Duff, Treasurer will submit all necessary documents to the Director of the Division of Local Government Services in the State Department of Community Affairs for approval.




Chairman, Board of Fire Commissioners

Attest:


Secretary

CERTIFICATION

I Michael C. Willson, Clerk do solemnly swear that this is a true copy of a resolution duly passed by the Board of Fire Commissioners at a meeting held on 4/19/2023.


Secretary