

## **Toms River Fire Commissioners, District No. 2**

### **Minutes**

**DATE December 4, 2024**

A regular meeting of the Toms River Fire Commissioners, District No. 2 was called to order at 19:30 hrs. at the, Pleasant Plains Firehouse, 40 Clayton Avenue, New Jersey. Chairman Britton 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. Heroy, Mr. Seiders, Mr. Willson

Absent:

**Minutes of the previous meeting:** were approved on a motion offered by Mr Heroy, seconded by Mr. Willson 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. Britton, Mr. Duff, Mr. Heroy, Mr. Seiders, Mr. Willson

Nay:

### **Cash Receipts:**

Received check #90282 dated November 25, 2024 in the amount of \$8,465.34 from VFIS for Fire Insurance Payment on 3065 Tire Accident.

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

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

Nay:

4x Technologies	495.32	Genserve	1,958.18
AT&T Mobility	887.26	Dunham, N	320.00
Atlantic IT Solutions	555.00	NJFE	795.00
Bank of America	343.43	NJNG	183.00
Braslow, R	525.00	Nottingham Insurance	1,113.54
Comcast	314.41	Primepoint	211.25
Continental Fire	172.00	Service Tire	2,003.95
ERS	4,263.95	Star Ledger	124.94
Suplee & Clooney	19,000.00	TASC	4,448.04
The Stress Center	171.00	Toms River Fire Dist # 1	1,424.25
Wireless	890.40	NJ State Healthcare	4,719.42

Total \$44,919.34

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**Correspondence:** Correspondence has been provided to all commissioners

**Communication/IT:** Administrator Carson reported they are in the final stages of getting ready to officially switch over to the new system.

**Apparatus:** Mr. Seiders reported unit 3000 tire was repaired. Mr. Willson reported 2900 and 2931 had tires replaced.

**Purchasing:** Administrator Carson reported the following:

Request for Officer Shields and Coat Labels from Station 30, K970 Saw and MS251 Chain Saw with blades, Chain set for hurst spreader

Request from Station 29 for 10 Carabiner hooks for Large Area Search Bags.

A motion was made by Mr. Willson, seconded by Mr. Heroy to make the purchases.

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

Nay:

**Fire Officers' Association:** Chief Janora advised the board that the board is invited to the end of year meeting at East Dover next Wednesday night following the joint board meeting.

**Silverton Report:** Chief Keating advised waiting on last minute items from the budget.

**Pleasant Plains report:** Chief Janora advised the county building on Rt 9 is being used as a warming center. He also advised the Chief County Coordinator has been removed by the state. Elections to follow at next meeting.

**Business Administrator's report:** Administrator Carson reported the following:

1. **Radio System-** Room is progressing. Final equipment being installed. All radios being programmed along with pagers. Will need to finalize mutual aid companies. New cables came in for Tango Tango and radios installed
2. **Milwaukee Rep-** setting up a demo with rep on December 12 at 4:30 to go over issues.

**New Business:**

**Public Hearing on 2024 Budget** – Commissioner Britton asked members of the public if they have any questions or comments. There were none.

**Resolution to Adopt the 2024 Budget** was introduced by Mr. Heroy, seconded by Mr. Seiders (attached).

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Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Heroy, Mr. Seiders  
Nay: None.

**Resolution Hold Harmless Aqua Blue** A motion was made to enter into the hold harmless agreement with District 1 and Aqua Blue Catering for Fire Watch protection by Mr. Willson, seconded by Mr. Heroy.

Roll call vote; Aye: Mr. Britton, Mr. Duff, Mr. Willson, Mr. Heroy, Mr. Seiders  
Nay: None.

**2024 Budget Transfers** A motion was made by Mr. Heroy, seconded by Mr. Duff to approve the transfers.

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

**Resolution Commissioner Salaries** A motion was made by Mr. Heroy, seconded by Mr. Willson to accept the resolution keeping the Fire Commissioner salaries the same.

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

**Stipend Program SOG** Mr. Britton asked the question about the line in the SOG for the Stipend program in regards to members being suspended during the year not getting their stipend. A discussion was held and the board advised the administrator to contact the attorney and see if we can remove the suspension language.

**Closed Session:** A resolution was introduced by Mr. Duff, seconded by Mr. Willson to go into closed session at 19:48 hrs.

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

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

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 these matters 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.

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**Resume Regular Session:** A motion was offered by Mr. Willson, seconded by Mr. Seiders to resume regular session at 20:16 hrs.

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

Nay:

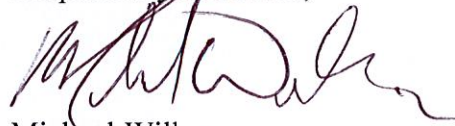
A motion was made to sell the current 2016 Tahoe used by Silverton once the new vehicle is ready for service through Signal 5 apparatus.

A motion to adjourn the meeting was made by Mr. Heroy, seconded by Mr. Willson at 20:20 hours.

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

Nay:

Respectfully submitted,



Michael Willson  
Clerk

# 2025 FIRE DISTRICT BUDGET RESOLUTION

Toms River FD No. 2

**FISCAL YEAR: January 1, 2025 to December 31, 2025**

WHEREAS, the Annual Budget for Toms River FD No. 2 (the 'Fire District') for the fiscal year beginning January 1, 2025 and ending December 31, 2025 has been presented before the Board of Commissioners of the Fire District at its open public meeting of December 4, 2024; 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.); and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$4,376,029.56 which includes an amount to be raised by taxation of \$3,915,122.69 and Total Appropriations of \$4,376,029.56; 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, 2024 that the Annual Budget, including all related schedules, of the Fire District for the fiscal year beginning January 1, 2025 and ending December 31, 2025 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 8, 2025.

mwilson@trfire.org  
(Secretary's Signature)

December 4, 2024  
(Date)

Board of Commissioners Recorded Vote

Member	Aye	Nay	Abstain	Absent
Kevin W. Britton				
Michael Willson				
Joseph Duff				
Richard Heroy				
David H. Seiders				

**RESOLUTION OF THE TOMS RIVER TOWNSHIP BOARD OF FIRE  
COMMISSIONERS, FIRE DISTRICT NO.2, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A  
HOLD HARMLESS AGREEMENT WITH VCLC PROPERTIES, LLC  
D/B/A AQUA BLU KITCHEN AND COCKTAILS**

**WHEREAS**, VCLC Properties, LLC d/b/a AQUA BLU KITCHEN AND COCKTAILS (hereinafter "Aqua Blu") operates a restaurant named Aqua Blu Kitchen and Cocktails at 3410 Rt. 37 East, Toms River, New Jersey and is required to provide an operating fire sprinkler system; and

**WHEREAS**, due to the lack of municipal water availability to the restaurant, it has provided a temporary water tank system connected to the interior sprinkler system; and

**WHEREAS**, as a result of freezing temperatures, the temporary water tank system must be discontinued; and

**WHEREAS**, because of the inactive sprinkler system, Aqua Blu has agreed to close off certain areas of the first level of the restaurant and not occupy any of the second-floor attic so that occupancy shall not exceed 275 people in the restaurant until such time that the sprinkler system can be activated; and

**WHEREAS**, in order to make the sprinkler system active, Aqua Blu is contracting to install a well dedicated to the sprinkler system which will provide a "reliable source of water" which will then be connected to the sprinkler system; and

**WHEREAS**, IT is anticipated this work will be done within ninety (90) days; and

**WHEREAS**, during the period in which the sprinkler system is not operative, Aqua Blu has agreed to hire Fire Watch personnel, approved by Toms River Fire District #1 and #2, to be present on premises during all operating hours; and

**WHEREAS**, Toms River Fire District #2, in conjunction with Toms River Fire District #1, has offered to be of assistance in recruiting Fire District #1 and #2 fire personnel to discharge the responsibility of a Fire Watchman; and

**WHEREAS**, Aqua Blu shall hire, pay and schedule all such personnel at its sole cost and expense; and

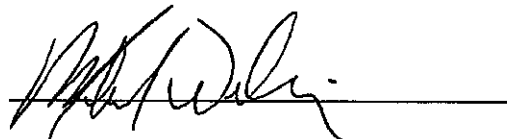
**WHEREAS**, Aqua Blu has agreed to hold harmless and indemnify Toms River Fire District #2, as well as Toms River Fire District #1 from any liability arising from the employment of Fire Watchmen.

**NOW, THEREFORE, BE IT RESOLVED**, by the Toms River Township Board of Fire Commissioners, District No. 2, County of Ocean, State of New Jersey, as follows:

1. That the Board authorizes the execution of a Hold Harmless Agreement on behalf of Toms River Fire District #2 with Aqua Blu and Toms River Fire District #1, in a form acceptable to the Fire District Attorney.
2. That the Board does hereby authorize the Chairman to execute and the Clerk to attest to said Hold Harmless Agreement with Aqua Blu.
3. That a certified copy of this resolution, together with a copy of Hold Harmless Agreement, shall be forwarded to Toms River Fire District #1 Board Chairman, Board Clerk and Board Treasurer, Toms River Fire District #2 Clerk, and Aqua Blu.

**CERTIFICATION**

I, Michael C. Willson, Clerk of the Toms River Township Board of Fire Commissioners, District No. 2, in the County of Ocean, State of New Jersey, do hereby certify the above to be a true copy of a resolution duly adopted at its meeting held on December 4, 2024.

  
\_\_\_\_\_  
Clerk, Fire District No.2

—Date:

## **Resolution**

December 4, 2024

### **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 Administration, Office Staff Health Benefit	(\$21,200.00)
To Administration, Audit Fee	\$14,200.00
To Operations, Tires	\$5,000.00
To Operations Inside Maintenance	\$2,000.00

#### **CERTIFICATION**

I Michael Willson, 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 4, 2024.

  
Michael Willson, Clerk

**Resolution**

**Establishing the Compensation for  
Members of the Toms River Board of Fire Commissioners District #2  
December 4, 2024**

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WHEREAS, *N.J.S.A.* 40A:14-88 provides that each member of the Board of Fire Commissioners shall receive as compensation such amounts as the Board shall fix; and

WHEREAS, *N.J.S.A.* 40A:14-88 further provides that the compensation so fixed shall be subject to review by the governing body wherein the Fire District is located; and

WHEREAS, the compensation for members of the Board is set forth in Schedule A to the resolution.

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 Commissioners shall receive the compensation set forth on the attached schedule subject to review by the governing body of the municipality.
- (2) A copy of this resolution shall be forwarded to the governing body of the municipality upon adoption.

  
\_\_\_\_\_  
Michael C. Willson  
Clerk

SCHEDULE A

	<u>Annual Salary</u>	<u>Annual Health Benefits</u>
Joseph Duff	\$7,200.00	none offered
Richard Heroy	\$7,200.00	none offered
Kevin W. Britton	\$7,200.00	none offered
David Seiders	\$7,200.00	none offered
Michael Willson	\$7,200.00	none offered