

**MINUTES**  
**TOMS RIVER FIRE COMMISSIONERS DISTRICT NO. 1**  
**EAST DOVER FIRE COMPANY**  
**October 7, 2020**

Commissioner Convery called a regular meeting to order at 6:37 p.m. with a Salute to the Flag. A moment of silence was observed. The following statement was made:

Adequate notice of this meeting has been provided in accordance with the Provisions of the Open Public Meetings Act by notice 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 Star Ledger and to all persons who have requested copies in accordance with statute.

**ROLL CALL**

Autenrieth – present                      Latshaw –present  
Tutela – present                              Minkler-present  
Convery – present

Administrator Kubiell and Attorney Appleby were present.  
Halliwell present to take minutes

**BIDS - None**

**APPROVING THE MINUTES**

Motion Autenrieth second Minkler to approve the September 19, 2020 minutes providing a copy is made available for inspection by the public during this meeting.

Ayes-5    Abstain-0    **CARRIED**

**REPORTS OF COMMITTEES**

**COMMUNICATION** – Minkler stated liaisons were contacted by Sahatjian re: purchasing a plaque for retiring P/T dispatcher Paul Daley.

**FIRE PREVENTION BUREAU** - contracts to be discussed in closed session

**FIRE ACADEMY** - Latshaw updated public on various projects and repairs that have been completed and upcoming class schedules. Roof replacement to begin soon.

**INSURANCE**-Tutela stated bureau vehicle #157 totaled, minor incident with #2801.

**POLICE/EMERGENCY MANAGEMENT**- Tutela stated active shooting training has started.

**LEGISLATION** - No report

**TOWNSHIP COUNCIL AND MAYOR** - No report

**VEHICLE REPAIR/NEW APPARATUS** - Tutela requested date for new boat, board in discussions for new purchases in 2021 and 2022.

**FIRE OFFICERS ASSOCIATION**- No report

**ADMINISTRATOR KUBIELL REPORT** - Kubiell stated:

1. Truck repair report in the folders for review
2. Ocean Beach boat in engineering process.

**ATTORNEY REPORT** – No report

## **REPORTS OF FIRE OFFICERS**

**DISTRICT CHIEF SEAMAN** - (See inserted report) Extrication cross training started. Had meeting with Co. #1, Co. #2 and Island Heights to review run policy changes.

**CO. 1 ASST. CHIEF SIMONE** - Simone stated out of town training requested.

**CO. 2 CHIEF CIRZ** - progress

**CO. 3 CHIEF CALVO** - Ocean of Love billboard event 10/22, asked all for support.

**CO. 4 CHIEF GORESH** - Goresch stated very busy year. Reported a sick girl in South Toms River collects fire company patches. Asked permission for trucks to participate in parade on 10-10 to deliver patches. Thanks board for permission given for Lanoka Harbor parade.

**ISLAND HEIGHTS** - No representation

**SEASIDE HEIGHTS** - Assistant Chief Roberts stated progress.

**FIRE OFFICERS ASSOCIATION** - radio upgrades complete.

**REMOVALS FROM THE ROLLS** - None

**APPLICATIONS FOR MEMBERSHIP** - None

**UNFINISHED BUSINESS** - None

## **NEW BUSINESS**

**RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION** - A resolution was presented, Motion Tutela second Autenrieth authorizing settlement of litigation in the amount of \$18,500 (See inserted resolution)

### **ROLL CALL VOTE**

Latshaw-Yes Tutela- Yes

Autenrieth-Yes Minkler-Yes

Convery-Yes

**CARRIED**

Motion Autenrieth second Latshaw to change location of remaining 2020 District No. 1 meetings to East Dover Fire Company.

Ayes - 5 Nays - 0

**CARRIED**

Motion Autenrieth second Latshaw to authorizing trucks to attend parade in South Toms River on 10/10/20.

Ayes - 5 Nays - 0

**CARRIED**

Motion Tutela second Autenrieth to authorizing Co. #1 truck to attend training out of town.

Ayes - 5 Nays - 0

**CARRIED**

Chief Cirz reported Opticom issues at several intersections. Kubieli requested he send in locations with problems so they can be inspected and repaired if necessary.

## **BILLS**

Motion Tutela second Autenrieth to approve the bill list for October 7, 2020 (SEE INSERTED LIST)

Ayes - 5 Nays - 0

**CARRIED**

## **PARTICIPATION BY THE PUBLIC**

Gary Simone Sr. questioned resolution passed for litigation. Attorney Appleby explained it was for OPRA release lawsuit. Mike Muttie thanked board for continuing cancer study. Gary Simone Sr. questioned if board discussed asst. chief vehicles during budget workshop. This will be addressed on ballot question.

**PRIVATE EXECUTIVE SESSION-** *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege and legal advice:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

**Motion Autenrieth second Latshaw to go into closed session @ 6:55 p.m.**

**Ayes - 5    Nays -0**

**CARRIED**

**Motion Autenrieth second Minkler to go into open session @ 7:10 p.m.**

**Ayes - 5    Nays -0**

**CARRIED**

**Motion Autenrieth second Tutela to approve request from Joanne Stiles to have her longevity included in her bi-weekly pay.**

**Ayes - 5    Nays -0**

**CARRIED**

**There being no further business, motion Autenrieth second Minkler to close the meeting @ 7:11 p.m.**

**Ayes - 5    Nays -0**

**CARRIED**

Respectfully submitted

*Leonard Minkler, Clerk*

# Toms River Township Fire District #1

Everett H. Seaman, District Chief

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## Monthly Report October 1, 2020

### Emergency Responses

- 9/8 – Stations 25 & 26 – Extrication
- 9/8 – Stations 26, 27, 44, 45 & 69 – Structure Fire
- 9/10 – Stations 25, 26 & 30 - Extrication
- 9/10 – Stations 25 & 26 – Structure Fire
- 9/13 – Stations 16, 25 & 26 – Extrication
- 9/23 – Station 15 (Beach Haven) Mutual Aid Tech Team Stations 25, 26 & 29
- 9/24 – Stations 25, 26, 28 & 53 – Possible Structure Fire CMC
- 9/30 – Station 45, 26, 27 & 28 Mutual Aid – Structure Fire

### Meetings Attendee

- 9/2 – District 1 Commissioner's Meeting
- 9/2– Graduation - Firefighters
- 9/9 – Joint Board Meeting
- 9/16 – District 1 Commissioner's Meeting
- 9/23 – Fire Officer's Meeting

### Training

- 9/8 – Active Shooter Training
- 9/15 – Stations 25 & 26 Joint Extraction Drill
- 9/22 – Drill Stations 25, 26 & 28
- 9/29 – Drill Stations 25, 26 & 28

Respectfully submitted.

Everett H. Seaman  
District Chief

**RESOLUTION OF THE TOMS RIVER TOWNSHIP FIRE  
COMMISSIONERS, DISTRICT NO.1, COUNTY OF OCEAN, STATE  
OF NEW JERSEY, AUTHORIZING SETTLEMENT OF LITIGATION  
FILED AGAINST TOMS RIVER BOARD OF FIRE COMMISSIONERS,  
FIRE DISTRICT NO. 1, DOCKET NO. OCN-L-1441-19**

**WHEREAS**, Plaintiff, Brian Kubiak, filed an action in lieu of prerogative writ by Verified Complaint and Order to Show Cause, Docket No. OCN-L-1441-19, seeking common law access of public records, and the Toms River Board of Fire Commissioners, Fire District No. 1 (hereinafter, "District No. 1" or "Board") filed opposition; and

**WHEREAS**, by Judgment/Protective Order dated January 6, 2020, the Honorable Robert E. Brenner, J.S.C., ordered release of the documents requested to Plaintiff and further ordered that plaintiff was entitled to an award of attorney's fees; and

**WHEREAS**, the Board authorized the District No. 1 attorney to negotiate a settlement of the attorneys' fees submitted by Plaintiff in the amount of \$26,971.03; and

**WHEREAS**, the parties agreed to a settlement as to the attorneys' fees in the amount of \$18,500; and

**WHEREAS**, District No. 1 Attorney is authorized to prepare the necessary Stipulation of Settlement and Stipulation of Dismissal; and

**WHEREAS**, it is the desire of Fire District No. 1 to authorize the settlement of litigation and of the attorneys' fees in the matter of Docket No. OCN-L-1441-19 in the amount of \$18,500.

**NOW, THEREFORE, BE IT RESOLVED**, by the Toms River Township Fire Commissioners, District No. 1, County of Ocean, State of New Jersey, as follows:

1. That District No. 1 does hereby authorize the settlement of the attorneys' fees ordered by Judge Brenner on January 6, 2020, Docket No. OCN-L-1441-19, Kubiel v. Toms River Bord of Fire Commissioners, Fire District No. 1, in the amount of \$18,500.
2. That the District No. 1 Attorney is authorized to execute any and all documentation to effectuate said settlement, including but not limited to a Stipulation of Dismissal.
3. That the District No. 1 Chairman is hereby authorized to execute and the Fire District No. 1 Clerk to attest to, respectively, any other documents necessary to effectuate the settlement of the above-referenced litigation in accordance with the terms of this resolution.
4. That a Certificate of Availability of Funds executed by the Treasurer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Professional Services: Legal.
5. That a certified copy of this resolution shall be forwarded to District No. 1 Chairman, District No. 1 Clerk, District No. 1 Treasurer, and Attorney for Plaintiff, Plosia Cohen, LLC.

#### CERTIFICATION

I, Leonard Minkler, Clerk of the Toms River Township Fire Commissioners District No. 1, 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 October 7, 2020.

  
\_\_\_\_\_  
Leonard Minkler  
Clerk, Fire District No.1

10/7/20  
\_\_\_\_\_  
Date:

October 7, 2020  
12:36 PM

TOMS RIVER TOWNSHIP FIRE DISTRICT #1  
2020 Purchase Order Listing By Expenditure Account

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P.O. Type: Contract	Print Perpetual, Revenue, & G/L Accounts: N	Open: N	Void: N	Paid: N
Format: Condensed		Held: N	Aprv: N	Rcvd: Y
Range: 01- -111-000-000	to 01- -135-01 -809	Bid: Y	State: Y	Other: Y Exempt: Y
Rcvd Batch Id Range: First to Last	Encumbrance Date Range: First to 12/31/20	Include Non-Budgeted: Y		
Prior Year Only: N				
Department Page Break: No	Subtotal CAFR: No	Subtotal Department: No	Subtotal Extd: No	

Expend Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
01- -112-05 -024	HEALTH BENEFITS/DISABILITY					
U0046	UNITED HEALTHCARE INS. CO.	20-00944	09/20 INS. CUSTOMER #04P2972	137.02	0.00	
H0110	HORIZON BLUE CROSS/BLUE SHIELD	20-00951	10/20 HEALTH	17,640.46	0.00	
H0033	HARTFORD INSURANCE COMPANY	20-00968	10/20 INSURANCE GROUP #680338	532.70	0.00	
U0047	UNITED HEALTHCARE INSURANCE CO	20-00986	10/20 INS. EMPLOYER #25283	326.87	0.00	
				18,637.05		
01- -113-01 -064	TOOLS & EQUIPMENT					
G0052	GEAR GRID	20-00769	EQUIP. CO#1	171.00	0.00	
A0099	ALL HANDS FIRE EQUIPMENT	20-00856	EQUIP. CO#1	1,075.58	0.00	
W0134	WITMER ASSOCIATES, INC.	20-00858	EQUIP. CO#1	687.00	0.00	
H0100	HOME DEPOT	20-00952	SUPPLIES DIST#1 & JOINT	1,252.47	0.00	
				3,186.05		
01- -113-01 -065	TOOLS & EQUIP. - BIG					
G0052	GEAR GRID	20-00853	LOCKERS CO#1	10,890.88	0.00	
01- -113-02 -064	TOOLS & EQUIPMENT					
G0155	GRAINGER	20-00940	EQUIP. CO#2	514.24	0.00	
B0012	BANK OF AMERICA	20-00981	PROCUREMENT PURCHASES	703.95	0.00	
				1,218.19		
01- -113-02 -068	WATER RESCUE					
W0095	WEST MARINE PRO	20-00929	EQUIP. CO#2	952.20	0.00	
01- -113-03 -064	TOOLS & EQUIPMENT					
W0095	WEST MARINE PRO	20-00928	EQUIP. CO#3	281.96	0.00	
H0100	HOME DEPOT	20-00952	SUPPLIES DIST#1 & JOINT	89.80	0.00	
C0172	CONTINENTAL FIRE & SAFETY	20-00964	EQUIP. CO#3	486.94	0.00	
B0012	BANK OF AMERICA	20-00981	PROCUREMENT PURCHASES	92.40	0.00	
				951.10		
01- -113-07 -064	TOOLS & EQUIPMENT					
B0012	BANK OF AMERICA	20-00981	PROCUREMENT PURCHASES	440.28	0.00	
01- -113-08 -064	TOOLS & EQUIPMENT					
H0100	HOME DEPOT	20-00952	SUPPLIES DIST#1 & JOINT	607.64	0.00	
01- -114-05 -101	HYDRANT RENTAL					
N0007	N.J. AMERICAN WATER CO.	20-00896	08/20 HYDRANTS	7,663.60	0.00	
S0337	SUEZ WATER T.R.	20-00980	09/20 ACCT#04402764900000	19,594.36	0.00	
				27,257.96		
01- -115-01 -136	RENT/LEASE					
T0135	TOMS RIVER FIRE CO. #1	20-00227	3RD QTR. LEASE 2020	13,397.57	0.00	

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TOMS RIVER TOWNSHIP FIRE DISTRICT #1  
2020 Purchase Order Listing By Expenditure Account

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Expend Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
01- -115-02 -136 T0136	RENT/LEASE TOMS RIVER FIRE CO. #2	20-00231	3RD QTR. LEASE 2020	16,555.64	0.00	
01- -115-03 -136 00010	RENT/LEASE OCEAN BEACH FIRE CO. #3	20-00235	3RD QTR. LEASE 2020	11,172.88	0.00	
01- -115-04 -136 E0024	RENT/LEASE EAST DOVER FIRE CO. #4	20-00239	3RD QTR. LEASE 2020	10,664.66	0.00	
01- -115-05 -136 T0120 P0130	RENT/LEASE TOMS RIVER BD. OF EDUCATION PITNEY BOWES INC.	20-00216 20-00910	RENT OCT-DEC 2020 SUITE 306 POSTAGE/RENTAL DIST#1	5,620.62 69.00 <u>5,689.62</u>	0.00 0.00	
01- -118-05 -241 S0070	FIRE PROTECTION CONTRACTS - S.S. SEASIDE HEIGHTS FIRE CO.	20-00219	3RD QTR 2020 CONTRACT	8,500.00	0.00	
01- -118-05 -242 I0170	FIRE PROTECTION CONTRACT - I.H. ISLAND HEIGHTS FIRE CO.	20-00223	3RD QTR 2020 CONTRACT	8,500.00	0.00	
01- -124-01 -446 S0146	TRAINING SIMSUSHARE	20-00957	SIMSUSHARE SUBSCRIPTION	297.00	0.00	
01- -125-01 -487 W0134 C0172 M0090	TURNOUT GEAR WITMER ASSOCIATES, INC. CONTINENTAL FIRE & SAFETY MES INC.	20-00858 20-00859 20-00939	EQUIP. CO#1 BOOTS CO#1 GLOVES DIST#1	750.00 1,237.50 130.00 <u>2,117.50</u>	0.00 0.00 0.00	
01- -125-05 -487 F0019	CLOTHING FARRO'S FAR OUT TEES, INC.	20-00949	CLOTHING DIST#1	376.00	0.00	
01- -126-01 -529 P0110	FUEL PETROLEUM TRADERS CORPORATION	20-00978	FUEL DIST#1 ACCT#991249/1	931.99	0.00	
01- -126-01 -531 W0095 G0155 H0100 B0012	SUPPLIES WEST MARINE PRO GRAINGER HOME DEPOT BANK OF AMERICA	20-00929 20-00940 20-00952 20-00981	EQUIP. CO#2 EQUIP. CO#2 SUPPLIES DIST#1 & JOINT PROCUREMENT PURCHASES	20.26 99.58 415.32 406.80 <u>941.96</u>	0.00 0.00 0.00 0.00	
01- -126-01 -533 A0099 C0172 A0068	BATTERIES ALL HANDS FIRE EQUIPMENT CONTINENTAL FIRE & SAFETY AGT BATTERY SUPPLY	20-00856 20-00857 20-00923	EQUIP. CO#1 BATTERY CO#1 BATTERIES DIST#1	729.98 146.95 319.20 <u>1,196.13</u>	0.00 0.00 0.00	
01- -126-05 -529 P0110	FUEL PETROLEUM TRADERS CORPORATION	20-00978	FUEL DIST#1 ACCT#991249/1	195.60	0.00	
01- -126-05 -531 G0155	SUPPLIES GRAINGER	20-00763	SUPPLIES DIST#1	124.40	0.00	



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TOMS RIVER TOWNSHIP FIRE DISTRICT #1  
2020 Purchase Order Listing By Expenditure Account

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Expend Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
01- -126-08 -529	FUEL					
P0110	PETROLEUM TRADERS CORPORATION	20-00978	FUEL DIST#1 ACCT#991249/1	206.10	0.00	
01- -126-08 -533	BATTERIES					
T0002	TACTICAL PUBLIC SAFETY	20-00865	BATTERIES	142.50	0.00	
01- -127-01 -567	COMMUNICATIONS					
O0207	OPTIMUM	20-00984	09/20 ACCT#07867-114249-01-2	156.66	0.00	
V0010	VERIZON WIRELESS	20-00985	ACCT#320580493-00001	760.50	0.00	
V0010	VERIZON WIRELESS	20-01006	ACCT#920642692-00001	165.28	0.00	
R0012	RACKSPACE US, INC.	20-01010	EMAIL SEP ACCT#030-34971557175	796.80	0.00	
				1,879.24		
01- -127-05 -567	COMMUNICATIONS/UTILITIES					
C0149	COMCAST CABLE	20-00983	ACCT#8499 05 194 0622198	279.80	0.00	
V0010	VERIZON WIRELESS	20-01006	ACCT#920642692-00001	289.16	0.00	
R0012	RACKSPACE US, INC.	20-01010	EMAIL SEP ACCT#030-34971557175	253.25	0.00	
				822.21		
01- -128-01 -606	OFFICE SUPPLIES/SHIPPING					
G0052	GEAR GRID	20-00769	EQUIP. CO#1	54.00	0.00	
G0052	GEAR GRID	20-00853	LOCKERS CO#1	1,109.12	0.00	
A0099	ALL HANDS FIRE EQUIPMENT	20-00856	EQUIP. CO#1	65.19	0.00	
C0172	CONTINENTAL FIRE & SAFETY	20-00857	BATTERY CO#1	35.00	0.00	
W0134	WITMER ASSOCIATES, INC.	20-00858	EQUIP. CO#1	37.00	0.00	
A0068	AGT BATTERY SUPPLY	20-00923	BATTERIES DIST#1	26.38	0.00	
B0012	BANK OF AMERICA	20-00981	PROCUREMENT PURCHASES	235.09	0.00	
U0065	UPS	20-01017	SHIPPING ACCT#E5400F	253.80	0.00	
				1,815.58		
01- -128-05 -607	OFFICE SUPPLIES/SHIPPING					
M0029	MARCO TECHNOLOGIES, LLC	20-00826	COPIES & MAINT. DIST#1	63.66	0.00	
W0004	W.B. MASON CO., INC.	20-00907	SUPPLIES DIST#1	202.25	0.00	
				265.91		
01- -128-08 -606	SHIPPING					
U0065	UPS	20-01017	SHIPPING ACCT#E5400F	108.92	0.00	
01- -129-01 -648	VEHICLE REPAIR					
S0093	SERVICE TIRE TRUCK CENTERS INC	20-00948	2500 TIRE	430.00	0.00	
B0012	BANK OF AMERICA	20-00981	PROCUREMENT PURCHASES	652.00	0.00	
J0014	J & R PRO AUTOMOTIVE	20-00982	2500,2726,2800,913	312.67	0.00	
E0004	E.R.S. FLEET REPAIR, INC.	20-00990	2500,01,11,2624,71,2721,2806	16,562.61	0.00	
				17,957.28		
01- -129-01 -652	SCOTTS REFILL/REPAIR					
M0090	MES INC.	20-00902	REPAIRS CO#2,CO#4 & CO#1	1,006.03	0.00	
01- -129-01 -653	EXTINGUISHER REFILL/REPAIR					
A0085	AISH FIRE PROTECTION CO.	20-00894	EXTINGUISHER CO#1	59.50	0.00	
01- -129-01 -654	CASCADE MAINTENANCE					
A0076	AIR & GAS TECHNOLOGIES, INC.	20-00901	REPAIR CO#1 & CO#4	1,718.95	0.00	

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TOMS RIVER TOWNSHIP FIRE DISTRICT #1  
2020 Purchase Order Listing By Expenditure Account

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Expend Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
01- -129-01 -659 G0072 GENSERVE, INC.	GENERATOR MAINTENANCE	20-00970	GENTRACKER DIST#1 & REPAIRS	4,170.00	0.00	
01- -129-05 -655	MAINTENANCE SERVICES					
M0029 MARCO TECHNOLOGIES, LLC		20-00826	COPIES & MAINT. DIST#1	569.25	0.00	
S0300 STEWART BUSINESS SYSTEMS		20-00945	PRINTER & COPIER MAINT.	848.86	0.00	
				1,418.11		
01- -129-08 -648	VEHICLE REPAIR					
J0014 J & R PRO AUTOMOTIVE		20-00982	2500,2726,2800,913	34.95	0.00	
01- -129-08 -650	RADIO REPAIR PARTS					
P0140 PMC ASSOCIATES		20-00674	RADIO EQUIP.	88.68	0.00	
01- -130-05 -290	PAYROLL SERVICES					
P0070 PAYCHEX INC.		20-00998	09/20 PAYROLL	505.00	0.00	
	Fund Total:			177,001.26		
Total Charged Lines: 128 Total List Amount: 177,001.26 Total Void Amount: 0.00						

**FUNDS RECEIVED AND DEPOSITED**

<b><u>FROM:</u></b>	<b><u>CK#:</u></b>	<b><u>FOR:</u></b>	<b><u>AMOUNT:</u></b>
Toms River Fire Dist#2	31063	Joint bills 8/20	72,333.71
Bureau of Fire Prevention	237	Revenue 8/20	64,049.70
Toms River Joint Board	31976	Postage fire academy	10.25
Selective Ins.	11105904	Insurance claim Bureau veh#157	500.00
Brick Fire Dist#2	7315	Fire Academy fees	400.00
Springfield Twp.	27243	Fire Academy fees	150.00
Mystic Island	47194495	Fire Academy fees	1,200.00
Brick Fire Dist#1	22764	Fire Academy fees	150.00
Toms River Fire Dist#2	31084	Joint bills 9/20	101,306.46
Jackson Dist#2	22288	Fire Academy fees	400.00
Toms River Twp.	108648	Taxes 3rd qtr. 2020	1,397,367.34
Lakewood Dist#1	20887	Fire Academy fees	1,750.00
Kieran Flynn	609	Health benefits 4th qtr. 2020	618.84