

MINUTES
TOMS RIVER FIRE COMMISSIONERS DISTRICT NO. 1
1144 Hooper Ave, Conference Room "A"
June 5, 2024

Commissioner Golden called the regular meeting to order at 6:30 p.m. 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

Tutela – present Roman –present
Krohn – present Minkler-present
Golden – present

Administrator Kubiel and Attorney Appleby were present. Bisceglie present to take minutes.

APPROVING THE MINUTES

Motion Minkler second Roman to approve the May 15th 2024 minutes providing a copy is made available for inspection by the public during this meeting. Ayes – 4 Nays – 0 **CARRIED**
Krohn Abstain

REPORTS OF COMMITTEES

COMMUNICATION-No report

FIRE PREVENTION BUREAU – No report

FIRE ACADEMY – Minkler asked Director Gorman if the daytime class will move forward. Gorman responded they have a total of 12, 8 of them being Toms River and 4 being under 18 years of age. Will request authorization at the Joint Board meeting. Krohn stated Ocean County Fire EMS posted EMT refresher classes.

INSURANCE –Progress

POLICE/EMERGENCY MANAGEMENT- Roman stated he spoke with Coordinator Roncskevitz today and OEM 5 still out of service. June 10th a meeting with OEM where hurricane preparedness will be discussed.

TOWNSHIP COUNCIL AND MAYOR – No report

VEHICLE REPAIR/NEW APPARATUS – No report

FIRE CHIEFS ASSOCIATION- Meeting June 17th, location has not be set yet.

ADMINISTRATOR KUBIEL REPORT – Kubiel stated:

1. Truck report is in the folders for review
2. Reminder that no second meeting of the month for June, July and August.
3. Requesting permission to purchase cellular enhancements from First Net
4. Generator maintenance is scheduled for next week

ATTORNEY REPORT – Attorney Appleby stated the Governor signed the OPRA Law revision. Takes effect in 90 days.

REPORTS OF FIRE OFFICERS

DISTRICT CHIEF J. CIRZ – Cirz stated he has submitted a report for all to review. Working on specifications for gear.

CO. 1 ASST CHIEF WIENGROFF – Asst. Chief Weingroff stated a letter was submitted to the board affirming they are no longer interested in pursuing a combined building .

CO.2 ASST. CHIEF RICE—Rice stated joint response is working well.

CO. 3 CHIEF CALVO – Calvo stated:

1. Past Chief of Seaside Heights James Samerelli passed away.
2. Requesting use of apparatus June 22nd for Seaside park dedication
3. Have attended several local beach association meetings. Building good relationships with them.
4. OEM will be discussing hurricane awareness.
5. Will be on vacation the week of June 21st.

CO.4 ASST CHIEF GORESH – No report

ISLAND HEIGHTS –Progress

SEASIDE HEIGHTS – No representation

FIRE CHIEFS ASSOCIATION –No report

REMOVALS FROM THE ROLLS- Raymond Latshaw Fire Police and Gary Simone Sr. Co.1

Motion Minkler second Krohn to remove Raymond Latshaw Fire Police and Gary Simone Sr Co.1 from the rolls. Ayes – 5 Nays – 0 **CARRIED**

APPLICATIONS FOR MEMBERSHIP – None

UNFINISHED BUSINESS

Tutela asked Administrator the status of the request from Lavallette, Tri-Boro and Island Heights First Aid to utilize the Opticom. Kubiell responded he sent a letter stating they can utilize but pay for the installation and programing the system.

NEW BUSINESS

CO.1 REQUEST- Chief Uffer Co.1 submitted a letter to the board to possibly reallocate station 28's boat to them. Their primary water rescue equipment (Jet Ski) and rescue board they feel has reached its life span. After a discussion it was determined that the board will deny this request and move forward with the sale of the boat along with the two other pieces of apparatus.

Motion Tutela second Minkler to move forward with listing of 2705, 2510 and 28's boat for sale with broker. Ayes – 5 Nays – 0 **CARRIED**

Motion Tutela second Krohn authorizing the use of apparatus for the Seaside Park dedication on June 22nd. Ayes – 5 Nays – 0 **CARRIED**

BILLS

Motion Minkler second Roman to approve the bill list for June 4, 2024 First Net, Fire & safety & Kinsley Group added. (SEE INSERTED LIST)

Ayes – 5 Nays – 0 **CARRIED**

PARTICIPATION BY THE PUBLIC- Andy Goresch stated:

1. Status of the radio project? Kubiell responded the project was initially supposed to be completed by December 31st 2023 but all entities involved still have not received all equipment needed to proceed.
2. 2756 fire pump exterior is rusted is it still okay to utilize the pump? Kubiell answered yes.
3. Stated for the record the proposed state tax credit for volunteers requiring 60 percent is the same the board requires for the incentive.

Joe Catapano suggested to have one firefighter from each fire company attend the FDIC next year. He stated it is amazing training and not just for instructors. He feels the firefighter would benefit immensely. He said with the attorney fees going up 86% the board could afford to spend \$4,000 each for (4) firefighters to attend.

The board stated they are not opposed to adding this to the budget for 2025.

John Gonzalez, former Chief of Fire Company No.1, stated again how disappointed he is that the 60 day pilot joint response program ended and was extended without review.

Assistant Chief Dan Goresh asked about the mobile radios. Kubiell responded when they are received they will be programmed.

Assistant Chief Dave Rice stated Brian O'Neill was nominated as the Chief at last night's meeting and asked if he is going to be sworn in tonight.

Roman stated this is to be discussed in closed session and asked Chief O'Neill to hang around.

Motion Roman second Minkler to go into Private Executive Session @ 6:55 p.m.

Ayes – 5 Nays – 0 CARRIED

PRIVATE EXECUTIVE – Attorney Appleby read aloud the private executive statement. A resolution of Toms River Board Fire Commissioners District No.1, County of Ocean, State of New Jersey authorizing the convening of private executive session according to the open public meetings act to discuss personnel issues. *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 was made to go back into open session by Commissioner Roman, seconded by Commissioner Minkler. All voted in favor.

Resolution authorizing the award of a contract to Bruce Padula, Esq. For investigations relating to allegations of workplace discrimination.

Motion Roman Seconded by Krohn

Roll call:

Golden: yes Tutela: yes Minkler: yes Krohn: yes Roman: yes

Motion to close was made by Commissioner Tutela, seconded by Commissioner Krohn. All voted in favor.

Meeting adjourned at 8:18 p.m.

Respectfully submitted

Robert Krohn

Robert Krohn, Clerk

RESOLUTION OF THE TOMS RIVER TOWNSHIP BOARD OF FIRE COMMISSIONERS, DISTRICT NO.1, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT TO BRUCE PADULA, ESQ. FOR INVESTIGATIONS RELATING TO ALLEGATIONS OF WORKPLACE DISCRIMINATION

WHEREAS, the law firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A. (the "Firm") serves as General Counsel for the Township of Toms River Board of Commissioners, Fire District No. 1 (the "Board" or "Fire District"); and

WHEREAS, the Board has received a complaint that potential discrimination is occurring; and

WHEREAS, the Board authorizing the Firm to secure quotes from third-party law firms to conduct the investigation; and

WHEREAS, upon soliciting proposals, General Counsel recommended Bruce Padula, Esq.; and

WHEREAS, the Board desires to award a contract in an amount not to exceed \$17,500 to Bruce Padula, Esq., for workplace investigations relating to alleged discrimination, specifically as to the Administrator, in accordance with the attached proposal and agreement.

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

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

1. That the Board authorizes the award of a contract to Bruce Padula, Esq. as legal counsel for workplace investigations for the Board in accordance with the proposal dated May 31, 2024, in an amount not to exceed \$17,500.
2. That the Board does hereby authorize the Chairman to execute and the Clerk to attest to an Agreement with Bruce Padula, Esq. in accordance with the May 31, 2024 proposal.
3. That this contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
4. That once awarded, a notice of this action shall be printed once in the official newspaper of the Board.

5. The term of any contract will be for one (1) year and shall commence as of the date of final execution of the contract by all parties.
6. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to Board Chairman, Board Clerk, Board Treasurer, Board Attorney and Bruce Padula, Esq..

CERTIFICATION

I, Robert Krohn, Clerk of the Toms River Township Board of 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 June 5, 2024.


Robert Krohn
Clerk, Fire District No.1

June 5, 2024
Date: _____

Expend Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
01- -119-05 -273	CONSULTANT					
K0102 KROLL, LLC		23-00944	ANNUAL AUDIT UPDATE	2,000.00	0.00	
V0101 VFIS		24-00492	GASB REPORTING	800.00	0.00	
				<u>2,800.00</u>		
01- -119-05 -275	TEMP. PROFESSIONAL SERVICE					
F0098 FIREHOUSE GRANTS, LLC.		24-00519	SAFER GRANT MANAGEMENT SERVICE	5,000.00	0.00	
01- -123-05 -416	DUES/SUBSCRIPTIONS					
I0001 I.A.F.C. MEMBERSHIP		24-00431	KUBIEL DUES	270.00	0.00	
01- -125-01 -487	TURNOUT GEAR					
S0170 SKYLANDS AREA FIRE EQUIPMENT		24-00367	CO#4 NAME PLATE	127.00	0.00	
S0170 SKYLANDS AREA FIRE EQUIPMENT		24-00368	DIST CHIEF NAME PLATE	100.00	0.00	
				<u>227.00</u>		
01- -126-01 -529	FUEL					
O0059 OCEAN GATE YACHT BASIN		24-00500	FUEL CO#4	85.17	0.00	
S0116 SHORE POINT MARINA &		24-00510	FUEL CO#2	33.30	0.00	
				<u>118.47</u>		
01- -126-01 -531	SUPPLIES					
B0012 BANK OF AMERICA		24-00503	PROCUREMENT PURCHASES	25.00	0.00	
H0100 HOME DEPOT		24-00515	EQUIP. DIST#1 & F.A.	55.66	0.00	
				<u>80.66</u>		
01- -126-01 -533	BATTERIES					
W0134 WITMER ASSOCIATES, INC.		24-00476	CO#3 BATTERIES	25.00	0.00	
01- -126-05 -529	FUEL					
K0150 KUBIEL, BRIAN		24-00513	REIMBURSE FUEL	84.95	0.00	
01- -127-01 -567	COMMUNICATIONS					
F0171 4X TECHNOLOGIES, LLC		24-00481	05/24 SERVICES DIST#1	439.70	0.00	
B0012 BANK OF AMERICA		24-00503	PROCUREMENT PURCHASES	978.00	0.00	
				<u>1,417.70</u>		
01- -127-05 -567	COMMUNICATIONS/UTILITIES					
F0171 4X TECHNOLOGIES, LLC		24-00481	05/24 SERVICES DIST#1	234.99	0.00	
B0012 BANK OF AMERICA		24-00503	PROCUREMENT PURCHASES	69.00	0.00	
C0149 COMCAST CABLE		24-00516	ACCT#8499 05 194 0622198	309.94	0.00	
				<u>613.93</u>		
01- -128-01 -606	OFFICE SUPPLIES/SHIPPING					
W0134 WITMER ASSOCIATES, INC.		24-00422	CO#2 RESCUE BAG	17.00	0.00	
W0134 WITMER ASSOCIATES, INC.		24-00476	CO#3 BATTERIES	13.00	0.00	
W0134 WITMER ASSOCIATES, INC.		24-00486	CO#3 GEMTOR BELT	14.00	0.00	
W0134 WITMER ASSOCIATES, INC.		24-00487	CO#1 JYD CRASH BAG KIT	42.00	0.00	
U0065 UPS		24-00511	SHIPPING ACCT#E5400F	19.22	0.00	
				<u>105.22</u>		

Expend Account Vendor	Description	P.O. Id	P.O. Description	Amount	Void Amount	PO Type
01- -128-05 -607	OFFICE SUPPLIES/SHIPPING					
M0029	MARCO TECHNOLOGIES, LLC	24-00488	COPIES DIST#1	2.36	0.00	
S0348	SUPERIOR OFFICE SOLUTIONS	24-00495	COPIES DIST#1	119.53	0.00	
B0012	BANK OF AMERICA	24-00503	PROCUREMENT PURCHASES	14.98	0.00	
				<u>136.87</u>		
01- -129-01 -647	REFURBISHING					
E0194	ESI EQUIPMENT, INC.	24-00493	RE-INSTALL EQUIPMENT	1,394.00	0.00	
01- -129-01 -648	VEHICLE REPAIR					
B0051	BAYWOOD MARINA	24-00494	#2756 REPAIR & PARTS	3,735.52	0.00	
S0093	SERVICE TIRE TRUCK CENTERS INC	24-00501	2624 TIRE REPAIR	246.45	0.00	
M0044	MAVIS DSCOUNT TIRE	24-00518	2610 TIRES	24.99	0.00	
				<u>4,006.96</u>		
01- -129-01 -652	SCOTTS & EXTINGUISHERS REFILL/REPAIR					
M0090	MES INC.	24-00448	REPAIRS	1,302.66	0.00	
01- -129-01 -654	CASCADE MAINTENANCE					
A0076	AIR & GAS TECHNOLOGIES, INC.	24-00483	2024 MAINTENANCE CONTRACT	8,529.27	0.00	
01- -129-05 -657	DIST#2 CHARGES TO BE REIMBURSED					
A0234	ATLANTIC IT SOLUTIONS	24-00498	06/24 CYBER SECURITY	628.50	0.00	
B0012	BANK OF AMERICA	24-00503	PROCUREMENT PURCHASES	771.00	0.00	
				<u>1,399.50</u>		
01- -129-08 -650	RADIO REPAIR					
W0131	WIRELESS ELECTRONICS INC.	24-00512	RADIO REPAIRS	2,550.00	0.00	
01- -129-10 -655	I/T MAINTENANCE					
A0234	ATLANTIC IT SOLUTIONS	24-00496	05/24 I/T SERVICES DIST#1	864.00	0.00	
A0234	ATLANTIC IT SOLUTIONS	24-00498	06/24 CYBER SECURITY	1,106.07	0.00	
				<u>1,970.07</u>		
01- -130-05 -290	PAYROLL SERVICES					
P0070	PAYCHEX INC.	24-00499	05/24 PAYROLL	1,091.55	0.00	
01- -134-01 -753	CHIEF'S VEHICLES 2023					
P0088	PELLEGRINO CHEVROLET	23-00646	2024 CHEVROLET SILVERADO	67,025.00	0.00	
H0064	HERTRICH FLEET SERVICES	23-01302	2024 CHEVROLET TAHOE	50,387.45	0.00	
				<u>117,412.45</u>		
01- -134-02 -744	GENERATORS 2023					
K0073	KINSLEY GROUP, INC.	23-01328	CO.#2 MAIN STATION GENERATOR	23,007.66	0.00	
K0073	KINSLEY GROUP, INC.	23-01329	CO.#2 SUB STATION GENERATOR	25,544.06	0.00	
				<u>48,551.72</u>		
01- -135-02 -818	SAFER GRANT YEAR TWO					
H0004	HACKENSACK MERIDIAN WORKS	24-00480	DRAG,HLUCHY,HUFF	1,422.00	0.00	
	Fund Total:			264,401.94		

Total Charged Lines: 72 Total List Amount: 264,401.94 Total Void Amount: 0.00

