

WORKSHOP-MINUTES
BOARD OF FIRE COMMISSIONERS
NEPTUNE FIRE DISTRICT NO. 1
August 21, 2018

President Daly calls the workshop portion of the August 21st, 2018, meeting to order and calls for a flag salute and moment of silence.

President Daly asks the Clerk to Call the Roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
PRES. DALY	PRESENT
COMM. ANNUNZIATA	PRESENT
COMM. MANNING	PRESENT
COMM. PURYEAR	PRESENT
COMM. SUTPHIN	PRESENT

President Daly announces that the notice requirements of R.S. 10:4-18 have been satisfied by delivering the required notice to the Coaster and the Asbury Park Press, posting the notice on the board in the Neptune Municipal Complex and filing a copy of said notice with the Board Clerk.

President Daly points to the exits to be used in case of an emergency.

ITEMS FOR DISCUSSION IN OPEN SESSION

Firefighter Position – Discussed deadline for application submission. Decided on 9/14/18 by 3 pm as deadline.

Volunteer Signs

MOTION TO PURCHASE Lawn Signs from McClain’s out of Asbury Park for \$1,260.00. All in Favor.

MOTION TO ADJOURN

Offered By: Comm. Annunziata

Seconded By: Comm. Puryear

MEETING ADJOURNED

MINUTES
BOARD OF FIRE COMMISSIONERS
NEPTUNE FIRE DISTRICT NO. 1
August 21, 2018

President Daly calls August 21, 2018 regular meeting to order.

President Daly asks the Clerk to Call the Roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
PRES. DALY	PRESENT
COMM. ANNUNZIATA	PRESENT
COMM. MANNING	PRESENT
COMM. PURYEAR	PRESENT
COMM. SUTPHIN	PRESENT

President Daly announces that the notice requirements of R.S. 10:4-18 have been satisfied by delivering the required notice to the Coaster and the Asbury Park Press, posting the notice on the board in the Neptune Municipal Complex and filing a copy of said notice with the Board Clerk.

President Daly points to the exits to be used in case of an emergency.

PUBLIC COMMENT-ON AGENDA ITEMS ONLY

The public will be permitted one visit to the microphone with a limit of five minutes. No time can be transferred to another party.

RESOLUTION 2018-1-8-1
A RESOLUTION TO APPROVE THE PAYMENT OF BILLS AND PAYROLL

Offered By: Comm. Annunziata

Seconded By: Comm. Puryear

BE IT RESOLVED, the bills total of \$95,770.22 are hereby approved for payment: and,

BE IT RESOLVED, that the total of \$24,382.86 be approved for the 7/31/18 payroll and the total of \$27,189.33 be approved for the 8/15/18 payroll and the total of \$26,257.86 be approved for the 8/31/18 payroll::

BE IT FURTHER RESOLVED, that the total bills be attached to this resolution and be made part of.

VOTE: Comm. Annunziata: AYE; Comm. Manning: AYE;
Comm. Puryear: AYE; Comm. Sutphin: AYE; Pres. Daly: AYE.

RESOLUTION # 2018-1-8-2
A RESOLUTION DISPENSING WITH THE READING OF MINUTES
OF THE July 17, 2018 MEETING

Offered By: Comm. Sutphin

Seconded By: Comm. Annunziata

BE IT RESOLVED, that the Clerk dispense with the reading of the minutes of the July 17, 2018 meeting.

VOTE: Comm. Annunziata: AYE; Comm. Manning: AYE;
Comm. Puryear: AYE; Comm. Sutphin: AYE; Pres. Daly: AYE.

RESOLUTION # 2018-1-8-3
A RESOLUTION TO RATIFY AND APPROVE MINUTES
OF THE July 17, 2018 MEETING

Offered By: Comm. Annunziata

Seconded By: Comm. Sutphin

BE IT RESOLVED, that the minutes of the Meeting of the July 17, 2018 be ratified and approved.

VOTE: Comm. Annunziata: AYE; Comm. Manning: AYE;
Comm. Puryear: AYE; Comm. Sutphin: AYE; Pres. Daly: AYE.

RESOLUTION # 2018-1-8-4
A RESOLUTION AUTHORIZING ADVERTISEMENT
FOR FIREFIGHTER

Offered By: Comm. Annunziata

Seconded By: Comm. Puryear

WHEREAS, the Clerk is hereby authorized and directed to advertise for the position of Firefighter, with the deadline for applications to be 9/14/18.

VOTE: Comm. Annunziata: AYE; Comm. Manning: AYE;
Comm. Puryear: AYE; Comm. Sutphin: AYE; Pres. Daly: AYE.

RESOLUTION # 2018-1-8-5
A RESOLUTION TO ADOPT AMENDED
“UNIFORM FIRE SAFETY ACT ENFORCING AGENCY” ORDINANCE

Offered By: Comm. Annunziata

Seconded By: Comm. Puryear

WHEREAS, there has been found the need to amend and update the Twp Ordinance referring to the Uniform Fire Safety Act, and

WHEREAS, the attached proposed amended/update has been reviewed and approved by the Board of Fire Commissioners and the Neptune Fire Official.

NOW, THEREFORE, BE IT RESOLVED, that the Neptune Board of Fire Commissioners and the Neptune Fire Official do hereby recommend that the Township of Neptune approve and adopt said Ordinance to Amend Volume 1, Chapter XV of the Code of the Township of Neptune entitled “Uniform Fire Safety Act Enforcing Agency”.

VOTE: Comm. Annunziata: AYE; Comm. Manning: AYE;
Comm. Puryear: AYE; Comm. Sutphin: AYE; Pres. Daly: AYE.

Let the record show Ordinance 18-30 is attached to the resolution

ORDINANCE NO. 18-30

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XV, OF THE
CODE OF THE TOWNSHIP OF NEPTUNE ENTITLED "UNIFORM
FIRE SAFETY ACT ENFORCING AGENCY"

WHEREAS, the Board of Fire Commissioners of Neptune Township Fire District #1 and Fire District #2 each have recommended that the ordinance setting forth the provisions of the Uniform Fire Safety Act Enforcing Agency be amended to comply with the requirements of the Uniform Fire Safety Act,

THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, as follows:

SECTION 1

Chapter XV – Uniform Fire Safety Act Enforcing Agency, be and is hereby amended in its entirety to read as follows:

15-1 UNIFORM FIRE SAFETY ACT ENFORCING AGENCY.

15-1.1 Purpose; Statutory Authorization.

The Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq. (P.L. 1983, c. 383) was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey.

The Uniform Fire Safety Act authorizes municipalities to provide for local enforcement and to establish local enforcement agencies for that purpose.

It is in the best interest of the Township to have the Uniform Fire Safety Act enforced locally.

The Board of Fire Commissioners of Fire District No. 1 and 2 have agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code, N.J.A.C. 5:70 et seq. as amended.

15-1.2 Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c. 383), the New Jersey Uniform Fire Code and all standards adopted herein shall be enforced locally within the established limits of Fire District No. 1 and 2 in the Township of Neptune.

15-1.3 Agency Designation.

The Local Enforcing Agency shall be the Bureau of Fire Prevention specific to Fire District lines as defined below:

- a. Neptune Fire District No. 1, which will enforce the Code (each) within the limits of the fire district which are all that portion of the Township which lies to the west of the center line of Main Street (Route 71).
- b. Neptune Fire District No. 2, within the limits of the Fire District which is known as Ocean Grove and is bordered on the west by the center line of State Highway Route 71, on the

south by the Borough of Bradley Beach, on the north by Wesley Lake, and on the east by the Atlantic Ocean.

15-1.4 Duties.

The Local Enforcement Agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it and herein adopted in all buildings, structures and premises within the established boundaries of Fire District No. 1 and 2 other than owner-occupied one- and two-family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

15-1.5 Life Hazard Uses.

The Local Enforcing Agencies established by Section 15-1.3 shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

15-1.6 Organization

- a. The Local Enforcing Agencies established by Section 15-1.3 shall establish a Bureau of Fire Prevention, which shall be staffed by a Fire Official and such other permanent, temporary, full-time and/or part-time inspectors and staff as the Local Enforcing Agency deems appropriate.
- b. The Local Enforcing Agencies shall provide such supplies, equipment, machinery, and vehicles as it deems appropriate to carry out the requirements of this section.

15-1.7 Appointments; Supervision; Duties; Removal.

- a. *Appointment and Supervision.*
 1. The Fire Official of Fire Prevention shall be appointed by and shall answer directly to the Board of Fire Commissioners of the local enforcing agency.
 2. Inspectors and staff shall be appointed by the Board of Fire Commissioners of the local enforcing agency and shall be under the supervision of the Fire Official.
- b. *Duties.*
 1. The Fire Official's duties shall be those adopted by N.J.A.C. 5:71-3.3(a) and shall include supervision of the Bureau of Fire Prevention including inspectors and staff, making inspections required by this section, reporting to the Board of Fire Commissioners of Fire District No. 1 on a regular basis or as more often required by the Board of Fire Commissioners, keeping records and making such written reports as may be required by law or the Board of Fire Commissioners, and such other duties as may be assigned by the Board of Fire Commissioners.
 2. Inspectors' duties shall be in accordance with N.J.A.C. 5:71-3.3(c) and shall include to make inspections and reports and to perform such other duties as may be assigned by the Fire Official of Fire Prevention.
 3. Staff duties shall include such clerical, administrative, and office duties and such other duties as may be assigned by the Fire Official of Fire Prevention.
- c. *Term of Office and Removal.*

1. Temporary or Part-Time Position. All temporary or part-time employees shall serve at the pleasure of the Board of Fire Commissioners. Either hiring for less than an eight (8) hour work day or employment which does not exceed three hundred sixty-four (364) consecutive days shall be considered temporary or part-time.
2. Permanent Position.
 - (a) Appointment to any permanent position shall for an initial probationary period of one (1) year during which period the employee may be discharged without cause. The Board may in writing waive a probationary period.
 - (b) After completion of probationary period, or after waiver by the Board of the same, an employee of a permanent position may only be disciplined or discharged for cause including but not limited to: failure to perform and/or adequately perform the duties of the position; failure to cooperate with co-employees; failure to maintain a clean, neat and orderly appearance; failure to act in a civil and respectful manner; failure to obey directives of the Board or a superior; failure to report for duty on time; consumption of alcoholic beverage during working hours; being on duty with breath smelling of alcoholic beverage; being under the influence of any intoxicant or mind-altering illegal substance; any violation of any criminal or disorderly persons law; any conduct which may bring embarrassment or disrepute to the Board or which in any manner adversely affects the employee in carrying out the duties of the position; solicitation of or receipt of any gifts, services, gratuities, or payment from any member of the public for any act, omission or forbearance in performance of the duties of the position; any employment not authorized by the Board; such other causes as allowed by law.
 - (c) Discipline may be loss of sick leave and/or vacation time, suspension from employment without pay, termination of employment and such other discipline as allowed by law.
- d. *Salaries; Benefits; Conditions of Employment.* The salaries, benefits and conditions of employment for all positions created under this section shall be determined by the Board of Fire Commissioners of the local enforcing agency as it deems appropriate.

15-1.8 Board of Appeals.

Pursuant to N.J.A.C. 5:70-2.19 of the Uniform Fire Code, any person aggrieved by any order of the Local Enforcement Agency (or agencies) shall have the right to appeal to the Construction Board of Appeals of Monmouth County.

15-1.9 Additional Required Inspections Schedule and Fees.

In addition to the inspection schedule and fee required pursuant to the Act and the regulations of the Department of Community Affairs, the following additional inspections schedule and fees shall be required. All non-life hazard uses shall register and be inspected annually, as follows:

- a. All structures, businesses and activities required to secure a mercantile license in accordance with Chapter IV of the Code of the Township of Neptune and all structures or part thereof occupied by any professional activity or use license or for which a permit is issued by any department, branch, division or agency of the State of New Jersey shall be inspected pursuant to this section prior to issuance of a mercantile license or in the case of a non-mercantile licensed structure, business or activity as aforesaid, there shall be an annual inspection. The owners and occupants of all structures shall register and be inspected annually and shall within two (2) weeks of a written request supply such

information as may be required by the Fire Official of Fire Prevention for the enforcement of this section.

- b. Registration fees under this section shall be fifty-five (\$55.00) dollars for up to two thousand five hundred (2,500) square feet and twenty-five (\$25.00) dollars for each additional two thousand (2,000) square feet or fraction thereof to be inspected. Notwithstanding the aforesaid, a not-for-profit organization shall not be charged an inspection fee greater than fifty-five (\$55.00) dollars for a building which does not have a life hazard use required to be registered under the Uniform Fire Code of the State of New Jersey. The registration fee shall be paid by the occupant of the structure or area to be inspected.
- c. For inspections requested or required to be made during non-regular business hours, in addition to the regular permit and/or application fee, the following fee schedule shall apply:
 - 1. A minimum fee of one hundred (\$100.00) dollars.
 - 2. For each man hour more than two (2) man hours, an additional fifty (\$50.00) dollars per man hour.

"Regular business hours" shall mean the hours the Bureau of Fire Prevention is normally open. A "man hour" shall mean the time up to one (1) hour for one (1) inspector. Any fraction of a man hour shall be considered one (1) man hour.

- d. Permit fees and fire code status fees shall be charged according to the following fee schedule.

1. Type 1 permit	\$ 54.00
2. Type 2 permit	\$214.00
3. Type 3 permit	\$427.00
4. Type 4 permit	\$641.00
5. Fire code status fee	\$ 25.00
- e. The enforcement and penalty provisions which govern life hazard uses (N.J.A.C. 5:70-2.12 Penalties, and N.J.A.C. 5:70-2.12A - Dedicated Penalties), are hereby incorporated herein and any party failing to obtain any inspection required, failing to furnish requested registration information, failing to pay registration fee or failing to comply with any orders issued as a result of such inspection shall be subject to the enforcement and penalty provisions.
- f. False Fire Alarm. A "false fire alarm" shall be defined as either a signal, message or warning transmitted to the Township's Fire Communications central dispatch indicated a fire condition, or the emission of an audible, visual or electronic transmission of any signal, message or warning intended to summon the services of the Township Fire Fighting personnel or apparatus, which signal, message, or warning is activated by a cause other than one for which the transmitting system is specifically designed to respond, at a time when no fire exists. The alarm shall not be considered false if caused by a power or telephone line interruption.

The Fire Official may assess penalties for violations herein as follows:

- 1. Three false fire alarms within a thirty (30) day period: \$100.00
- 2. Fourth and subsequent false fire alarms within one (1) calendar year \$200.00 per occurrence, in addition to remedies available within the NJUFC and the UCC.

15-1.10 Adoption of Additional Standards.

- a. In addition to the Uniform Fire Safety Act (P.L. 1983, c. 383), the National Fire Protection Association Code and all amendments and supplements thereto are hereby adopted wherein a higher or more restrictive standard is set forth than in the Uniform Fire Safety Act or where the same supplements the Uniform Fire Safety Act.
- b. In addition, the following are hereby adopted, violation of which shall be subject to the enforcement and penalty provisions of the Uniform Fire Safety Act (P.L. 1983, c. 383) as the same may be amended from time to time.
 1. Candles - Open flame burning candle or candles shall not be used, permitted or suffered at any meeting or gathering in any place of assembly or gathering without first obtaining approval of the Bureau of Fire Prevention which shall base such approval or non-approval on whether the proposed open flame burning of candle or candles is to be done in a safe manner and with provision for safety in the event of a mishap.
 2. Fire Lanes - All fire lanes shall have a minimum width of twenty-five (25') feet.
 3. Open-flame cooking devices and outdoor fireplaces- Any portable device designed to cook, using charcoal, wood, ignitable liquid, liquefied-petroleum, and/or natural gas or any portable device designed or used to cook, that produces an open flame upon ignition or under cooking conditions and outdoor fireplaces shall not be stored or used:
 - a) On any porch, balcony or any other portion of a building;
 - b) Within any room or space of a building;
 - c) Within five (5) feet of any combustible construction;
 - d) Within five (5) feet vertically or horizontally, of an opening in any wall; or
 - e) Under any building overhangWhen the device is in use, it must always be attended to. One and two-family dwellings shall be included in the enforcement of this provision.
 4. Opening Burning, recreational fires and portable outdoor fireplaces - A person shall not kindle or maintain or authorize to be kindled or maintained any *open burning* unless conducted and approved in accordance with the provisions of the Uniform Fire Code and/or the State Forest Fire Service.
 - (a) Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.
 - (b) Opening burning shall be allowed without prior notification to the fire official for recreational fires provided the following requirements are met:
 1. Must be in an approved container with an ember-suppressing lid
 2. Use of only clean dry wood: no brush, leaves, trash, treated or wet wood.
 3. Do not use any flammable liquids to ignite the fire.
 4. Approved containers must be a minimum of 15 feet away from any combustibles: not on decks or near structures
 5. Must always be attended to
 6. Must have a means to extinguish the fire. Garden hose stretched and/or a working portable fire extinguisher

7. If complaints are received, and the above conditions are not meet, the Local Enforcing Agency will require that the fire be extinguished immediately.
 8. If multiple calls to an address are received and the above is not abided by, a citation with possible fines will be issued.
5. Secured Key Access - Neptune Township Emergency Services utilize the Knox Rapid Access System.
- (a) Key Box Access System Required - All buildings except one and two family homes which have a Fire Alarm System or a fire suppression system or when access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes are required to have a key box access system (Knox Box) at an entry location to be approved by the Fire Code Official.
 - (b) Key Box Contents - The key box shall contain: 1) Keys to locked points of egress whether on the interior or exterior of the building. 2) Keys to locked mechanical rooms, fire alarm/sprinkler control rooms, electrical rooms and elevator controls. 3) Keys to other secured areas as required by the Fire Code Official.
 - (c) The operator of the building shall immediately notify the Fire Code Official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the Knox Box.

All standards adopted in paragraphs a. and b. above shall be enforced and carry the same penalties as set forth in the Uniform Fire Safety Act (P.L. 1983, c. 383).

SECTION 2.

That all ordinances or parts of ordinances of the Township of Neptune, in conflict or inconsistent with this ordinance, are hereby repealed, but only, however, to the extent of such conflict or inconsistency; it being the legislative intent that all other ordinances, or parts of ordinances, now existing and in effect, unless the same be in conflict or inconsistent with any of the provisions of this ordinance, shall remain in full force and effect.

SECTION 3.

This ordinance shall become effective immediately upon its adoption and publication according to law.

RESOLUTION # 2018-1-8-6
A RESOLUTION AUTHORIZING EXECUTIVE SESSION

Offered By: Comm. Annunziata

Seconded By: Comm. Puryear

WHEREAS, State law permits the exclusion of the public in certain circumstances; and,

WHEREAS, The Board of Fire Commissioners of Neptune Fire District, No. 1 finds that such circumstances currently exist and are as follows:

- Personnel Matter – Firefighter recent incident

WHEREAS, The Board of Fire Commissioners will make public, minutes of the closed session when confidentiality no longer exists;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners that they are hereby authorized to enter into closed session to discuss legal and personnel matters which are exempt from the public meeting under the Sunshine Law.

VOTE: Comm. Annunziata: AYE; Comm. Manning: AYE;
Comm. Puryear: AYE; Comm. Sutphin: AYE; Pres. Daly: AYE.

REPORTS

CHIEF- Not Present

ASSISTANT CHIEF- Not Present

CAPTAINS- Unexcelled: Mauro -Nothing to report.

Pd Lt: Light Tower 2-86 Issues being addressed. Thanks for Job Posting.

ADMINISTRATOR – Updated on various projects.

Washer/Dryers for Stations 1 & 4

Extrication Equipment for 34-74

Access Control

Security Cameras for firehouses

Hamilton lease increase to take effect 2019

Air & Gas maintenance quote for Bauer system and 2-86

COMMISSIONERS REPORTS:

Commissioner Annunziata: Issue with 2-86 light tower cradle not sitting right-discussed. Driveway issue.

Commissioner Manning: Waiting on SRH project to start – delayed by rain.

Commissioner Sutphin: Nothing to report. Will follow up with Engineer's Office re: Liberty quote to fix leak issues from brick work in front of the building.

Commissioner Puryear: A/C unit in Kitchen not working – after discussion – Board will not replace – Liberty can replace themselves. Water Line from HW heater issue? Administrator to follow up.

Commissioner Daly: working on budget projects –
Nov transfers to possibly include Key Fob Software and Security Cameras.

PUBLIC COMMENT - none

Members of the public may address any concern relating to the Fire District. The public will be permitted one visit to the microphone with a limit of five minutes. No time can be transferred to another party.

MOTION TO GO INTO EXECUTIVE SESSION

Offered By: Comm. Annunziata

Seconded By: Comm. Sutphin

MEETING GOES INTO EXECUTIVE SESSION

RESOLUTION # 2018-1-8-7

A RESOLUTION TO COME BACK TO REGULAR MEETING SESSION

Offered By: Comm. Annunziata

Seconded By: Comm. Sutphin

VOTE: Comm. Annunziata: Comm. Manning: ;
 Comm. Puryear: ; Comm. Sutphin: Pres. Daly:

MOTION TO ADJOURN

Offered By: Comm. Annunziata

Seconded By: Comm. Sutphin

MEETING ADJOURNED