

**MINUTES  
BOARD OF FIRE COMMISSIONERS  
NEPTUNE FIRE DISTRICT NO. 1  
REORGANIZATION MEETING  
MAY 4, 2021**

Comm. Sutphin calls May 4, 2021, re-organization meeting to order and calls for a flag salute and moment of silence.

Comm. Sutphin announces Comm. Fritz Sr. and Comm. Sutphin were given the Oath of Office on May 4, 2021

Comm. Sutphin asks the Clerk to Call the Roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
Comm. Annunziata	absent
Comm. Fritz Sr.	PRESENT
Comm. Manning	PRESENT
Comm. Sutphin	PRESENT
Comm. Puryear	PRESENT

Comm. Sutphin 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.

Comm. Sutphin points to the exits to be used in case of an emergency.

Comm. Sutphin announces that two seats on the Board Fire Commissioners were to be filled. The candidates receiving the highest number of votes and therefore elected/re-elected to the Board of Fire Commissioners for a three-year term were Albert Fritz Sr & Frank Sutphin. The following is a tabulation of the votes:

<u>CANDIDATE</u>	<u>PAPER BALLOT</u>	<u>ABSENTEE</u>	<u>LATE ABSENTEE</u>	<u>PROVISIONAL</u>	<u>WRITE-IN PERSONAL CHOICE</u>	<u>TOTAL</u>
Albert Fritz Sr	157	228	7	2		<b>394</b>
Frank Sutphin	144	225	8	2		<b>379</b>
Narciso					1	
Burke					2	
Lyons					1	
Dykeman					1	
Breeden					3	
Ciccione					1	
Morrison					1	
Manning					2	
Puryear					2	
Unresolved					6	

Sutphin announces that the **2021** Budget **WAS** approved; **298** Yes - **132** No

Nominations were taken for President

James Manning was nominated.

James Manning nominated by Comm. Puryear                      Seconded by Comm. Sutphin

Comm. Sutphin asks for any other nominations -none

Motion to close nominations by Comm. Puryear                      Seconded by Comm. Sutphin

**RESOLUTION #2021-R-5-1**  
**A RESOLUTION TO ELECT BOARD PRESIDENT**

Offered By: Comm. Puryear

Seconded By: Comm. Sutphin

**BE IT RESOLVED**, that James Manning be elected to serve as Board President.

**VOTE:**    Comm. Annunziata: absent;    Comm. Fritz Sr.: AYE;    Comm. Manning: AYE                      ;  
                  Comm. Puryear: AYE; Comm. Sutphin: AYE.

Comm. Sutphin    congratulates Pres. James Manning

**President elect takes over meeting.**

**RESOLUTION #2021-R-5-2**  
**A RESOLUTION TO ELECT BOARD VICE PRESIDENT,**  
**CLERK, TREASURER, DEPUTY CLERK AND ASSIGN DEPARTMENTS**

Vice President: Sutphin	Offered By: Comm. Fritz Sr	Seconded By: Comm. Puryear	nominations closed
Clerk: Fritz Sr	Offered By: Comm. Sutphin	Seconded By: Comm. Puryear	nominations closed
Treasurer: Sutphin	Offered By: Comm. Manning	Seconded By: Comm. Fritz Sr	nominations closed
Deputy Clerk: Puryear	Offered By: Comm. Sutphin	Seconded By: Comm. Fritz Sr	nominations closed

**BE IT RESOLVED**, that the above officers of the Fire District are hereby elected:

**BE IT FURTHER RESOLVED**, the following departments are hereby assigned:

Shark River Hills Fire Company	Commissioner:	Fritz
Cadets/Probationary members	Commissioner:	Sutphin
Vehicle maintenance	Commissioner:	Fritz/Sutphin
Liaison to OEM/EMS/PD	Commissioner:	Manning
Unexcelled Fire Company	Commissioner:	Sutphin
Communications	Commissioner:	Manning
Hydrants	Commissioner:	Manning
Comm outreach/recruitment/Grants	Commissioner:	Manning
Personnel	Commissioner:	Puryear
Deputy Personnel	Commissioner:	Fritz
Standby	Commissioner:	Puryear
Warehouse	Commissioner:	Puryear
Hamilton Fire Company	Commissioner:	Annunziata
Building & Grounds	Commissioner:	Sutphin/Fritz
Safety	Commissioner:	Manning/Sutphin
Liberty Fire Company	Commissioner:	Puryear
Training	Commissioner:	Sutphin/Puryear
LOSAP	Commissioner:	Fritz

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Manning: AYE ;  
Comm. Puryear: AYE; Comm. Sutphin: AYE.

**RESOLUTION #2021 R-5-3**  
**A RESOLUTION TO DESIGNATE OFFICIAL NEWSPAPERS**

Offered By: Comm. Sutphin

Seconded By: Comm. Puryear

**BE IT RESOLVED**, that the Coaster and the Asbury Park Press be designated as the official newspapers for the intention of legal notices for the Board of Fire Commissioners, Neptune Township Fire District No. 1.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**RESOLUTION #2021 R-5-4**  
**A RESOLUTION TO DESIGNATE DEPOSITORIES**  
**FOR DISTRICT FUNDS**

Offered By: Comm. Puryear

Seconded By: Comm. Sutphin

**BE IT RESOLVED**, that Wells Fargo be and are hereby authorized to make payment from the funds on deposit in said bank to the credit of Neptune Township Fire District No.1 in the following accounts: General, Payroll, Dedicated and Unemployment Reserve, upon and according to the checks drawn bearing two signatures as follows:

Any two (2) for payroll and three (3) MEMBERS for all other accounts of the Board of Fire Commissioners, Neptune Township Fire District No. 1

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**RESOLUTION #2021 R-5-5**  
**A RESOLUTION TO RESERVE UNEXPENDED CAPITAL**

Offered By: Comm. Sutphin

Seconded By: Comm. Puryear

**WHEREAS**, the Board of Fire Commissioners shall reserve any unexpended 2021 Capital,

**WHEREAS**, these monies shall be placed in the 2022 Capital Improvement Fund, and:

**WHEREAS**, these monies shall be used for the purpose of previously specified:

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Fire Commissioners do hereby authorize the 2021 Capital reserve to be placed in the 2022 Capital Improvement Fund as so stated above.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**RESOLUTION # 2021 R-5-6**  
**A RESOLUTION TO APPOINT PROFESSIONALS**

Offered By: Comm. Sutphin

Seconded By: Comm. Puryear

**WHEREAS**, there exists a need for certain professionals: and,

**WHEREAS**, funds for this purpose shall be provided for the in the 2021 Budget, and the Board Treasurer has so certified: and,

**WHEREAS**, these appointments are being made without competitive bidding because the appointments involve members of recognized professions, licensed and regulated by law, pursuant to NJSA 40A:11-5;

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Fire Commissioners, Fire District #1, Township of Neptune, the President and Board Clerk by and they are authorized and directed to engage the services of the following professional:

Board Attorney:	The Beekman Law Firm, LLC
Board Auditor:	Fallon & Larsen LLP
Board Accountant:	Suplee, Clooney & Company
Board Labor Attorney:	Grace Marmero & Associates, LLP
Board Special Council	Joseph Youssouf, Plosia Cohen Law Firm
Board Physician:	Dr. Jared Schulman Representing Meridian Occupational
Engineer:	Peter Avakian Leon S. Avakian, Inc.

for a term commencing May 4, 2021 through and including March 1 2022 and

**BE IT FURTHER RESOLVED**, these appointments are contingent upon approval of professional contracts from each appointee: and,

**BE IT FURTHER RESOLVED**, the Board Clerk be and he is authorized and directed to publish this resolution in accordance with NJSA 40A: 11-1.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**RESOLUTION #2021-R 5-7**  
**RESOLUTION PERMITTING PRE-PAYMENT OF CERTAIN ITEMS**

Offered By: Comm. Sutphin

Seconded By: Comm. Puryear

**WHEREAS**, the governing body of the Board of Fire Commissioners, Neptune Fire District #1 budgets funds for payment of such items as utilities, payroll, contractual agreements previously approved and authorized by the governing body, debt service, governmental fees and other statutory payments, insurance, employer paid employee benefits, and for the advertising, printing and mailing costs of the district; and

**WHEREAS**, the payment of these items frequently arrives out of time for placement on the next available bill list, and the Board of Fire Commissioners regularly meet once a month, thereby inadvertently placing these bills and mailings in arrears because of the schedule of meetings; and

**WHEREAS**, the governing body wishes to designate one person who may approve claims between meetings of the Board of Fire Commissioners. The Board of Fire Commissioners, Neptune Fire District #1 wishes to provide for the pre-payment of certain items, so that they may be paid in a timely manner;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Fire Commissioners of the Neptune Fire District #1 that the Financial Clerk be and is hereby authorized to make pre-payment of the following fixed items prior to the same appearing on the meeting bill list, such funds to be taken from the pre-budgeted amount for each such expense:

1. Utilities (electric, gas, water, sewer, telephone, cellular telephone, gasoline, diesel fuel, internet providers, etc.). The Financial Clerk is hereby authorized, if desirable, to establish an electronic payment plan (sometimes referred to as zip check) with the various utilities. This resolution would authorize said utilities to debit the appropriate district bank accounts as required.
2. Payroll and various payroll agencies.
3. Contractual agreements previously authorized and approved by the Board of Fire Commissioners.
4. Debt service.
5. Governmental fees and other statutory payments
6. Insurance.
7. Employer paid employee and retired employee benefits.
8. Bills pertaining to the advertising, printing and mailing costs of the District.
9. Bills where vendor discounts are granted for timely payments. Ex. 2% discount for payments made within 10 days.
10. Payment of any other item deemed necessary by the Financial Clerk that does not exceed \$10,000.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**PUBLIC COMMENT ON AGENDA ITEMS - none**

**RESOLUTION 2021 1-5-8  
A RESOLUTION TO APPROVE THE PAYMENT OF BILLS AND PAYROLL**

Offered By: Comm. Puryear

Seconded By: Comm. Sutphin

**BE IT RESOLVED**, the bills total of \$191,269.55 are hereby approved for payment: and,

**BE IT RESOLVED** that the total of \$29,167.14 be approved for the 3/31/21 payroll, the total of \$30,961.33 be approved for the 4/15/21 payroll and the total of \$31,509.18 be approved for the 4/30/21 payroll:

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

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**RESOLUTION # 2021-1-5-9  
A RESOLUTION APPROVING CASH MANAGEMENT PLAN**

Offered By: Comm. Sutphin

Seconded By: Comm. Manning

**BE IT RESOLVED**, by the Board of Fire Commissioners, Neptune Township, Fire District #1 that the Cash Management Plan of the Neptune Fire District #1, in the County of Monmouth, New Jersey is hereby approved as per the attached plan.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.



**RESOLUTION #2021-1-5-10**  
**A RESOLUTION TO WAIVE TENT PERMIT FEE**  
**FOR OUTDOOR DINING FOR 2021**

Offered By: Comm. Sutphin

Seconded By: Comm. Puryear

**WHEREAS**, per NJ UNIFORM FIRE CODE: TENTS/CANOPIES N.J.A.C. 5:70-2.7(a); All vendors with tents/canopies shall be required to apply for a Type 1 Fire Safety Permit .

**WHEREAS**, RESOLUTION # 2018-1-8-5 adopted Ordinance 18-30 which in part establishes the following Permit fees:

- |                  |          |
|------------------|----------|
| 1. Type 1 permit | \$ 54.00 |
| 2. Type 2 permit | \$214.00 |
| 3. Type 3 permit | \$427.00 |
| 4. Type 4 permit | \$641.00 |

**WHEREAS**, due to the continued pandemic, in an effort to help certain businesses required to put up tents for outdoor dining, the Board of Fire Commissioners do hereby waive the tent permits fees for the year 2021.

**WHEREAS**, the Application for Permit form will still be required to be submitted to the Fire Bureau so an inspection can be made to ensure safety.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Fire Commissioners do hereby waive the tent permit fees as stated above for the year 2021.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**RESOLUTION #2021-1-5-11**

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF DISTRICT NO. 1 OF NEPTUNE TOWNSHIP, NEW JERSEY TO RESTATE AND ADD ROTH PROVISION FOR AN EXISTING DEFFERED COMPENSATION PLAN 20-PD-EQUITABLE-091720**

Offered By: Comm. Puryear

Seconded By: Comm. Sutphin

**WHEREAS**, on April 4, 2000 the Board of Fire Commissioners of District No. 1, Township of Neptune (hereinafter referred to as “Employer”) adopted by **Resolution No. 2000-4-1** a Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

**WHEREAS**, the Employer has determined that in order to attract and retain qualified employees there exists a need to expand the options available under the Plan; and

**WHEREAS**, the Small Business Jobs Act of 2010 amended Section 402A(e)(1) of the Internal Revenue Code (the “Code”); and

**WHEREAS**, the Employer desires its Plan to add Roth provisions brought about by the Small Business Jobs Act of 2010; and

**WHEREAS**, the Employer desires to adopt a restated Plan that is substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service including provisions of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Taxpayer Relief Act of 1997 (United States Public Law No. 105-34), the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), Section 401(a)(9) of the Internal Revenue Code, the Small Business Jobs Act of 2010, and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Code Section 457 including pertinent applicable Treasury Regulations. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent; and

**WHEREAS**, such revised Plan shall supersede the previously adopted Plan; and

**WHEREAS**, there is no direct financial cost to the Employer to adopt and implement an amended Deferred Compensation Plan;

**NOW, THEREFORE BE IT RESOLVED**, that the Employer hereby adopts the attached revised Plan **20-PD-EQUITABLE-091720**.

The Board of Fire Commissioners of District No. 1 of Neptune Township, New Jersey have resolved the remain with Equitable under the current services agreement because of Equitable’s conformance with all terms of the service agreement including Equitable’s ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity, (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

The Local Plan Administrator for the administration of the Plan remains unchanged by this resolution.

**VOTE:** Comm. Annunziata: absent; Comm. Fritz Sr.: AYE; Comm. Puryear: AYE;  
Comm. Sutphin: AYE; Comm. Manning: AYE.

**PUBLIC COMMENT**

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.

Don Wilkins asks if the Pd Div issue going out of Town has been resolved. Comm. Puryear states still in hands of the attorney and personal.

**MOTION TO ADJOURN**

Offered by Comm. Sutphin

Seconded by: Comm. Puryear

**MOTION ADJOURNED**