

**MINUTES
BOARD OF FIRE COMMISSIONERS
NEPTUNE FIRE DISTRICT NO. 1
REORGANIZATION MEETING
MARCH 1, 2022**

Pres. Manning calls March 1, 2022 meeting to order and calls for a flag salute and moment of silence.

Pres. Manning Congratulates Frank Martuscelli and states he was sworn in early today.

Pres. Manning asks the Clerk to Call the Roll:

<u>ROLL CALL</u>	<u>PRESENT/ABSENT</u>
PRES. MANNING	PRESENT
COMM. FRITZ	PRESENT
COMM. MARTUSCELLI	PRESENT
COMM. PURYEAR	PRESENT
COMM. SUTPHIN	absent

Pres. Manning 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.

Pres. Manning points to the exits to be used in case of an emergency.

Pres. Manning announces that one seat on the Board Fire Commissioners were to be filled. The candidate receiving the highest number of votes and therefore elected to the Board of Fire Commissioners for a three-year term was Frank Martuscelli. The following is a tabulation of the votes:

<u>CANDIDATE</u>	<u>PAPER BALLOT</u>	<u>ABSENTEE</u>	<u>48 HOUR ABSENTEE</u>	<u>PROVISIONAL</u>	<u>WRITE-IN PERSONAL CHOICE</u>	<u>TOTAL</u>
Paul Annunziata	21	156	20			197
Frank Martuscelli	151	168	14	1		334

Pres. Manning announces that the **2022 Budget WAS** approved; **308** Yes - **238** No

Congratulates Paul Annunziata for his 6 year term on the Board.

Nominations taken for President

James Manning was nominated by Comm. Fritz Seconded by Comm. Martuscelli

Pres. Manning asks for any other nominations none

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

**RESOLUTION #2022-R-3-1
A RESOLUTION TO ELECT BOARD PRESIDENT**

Offered By: Comm. Fritz

Seconded By: Comm. Puryear

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

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
 Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

Comm. Fritz congratulates Pres. Manning

President elect takes over meeting.

RESOLUTION #2022-R-3-2
A RESOLUTION TO ELECT BOARD VICE PRESIDENT,
CLERK, TREASURER, DEPUTY CLERK AND ASSIGN DEPARTMENTS

Nominations

Vice President: Frank Sutphin	Offered By: Comm. Martuscelli	Seconded By: Pres. Manning
Clerk: Albert Fritz Sr	Offered By: Comm. Martuscelli	Seconded By: Pres. Manning
Treasurer: Frank Martuscelli	Offered By: Comm. Fritz	Seconded By: Comm. Puryear
Deputy Clerk: Todd Puryear	Offered By: Comm. Fritz	Seconded By: Comm. Martuscelli

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	Commissioner:	Sutphin
Vehicle maintenance	Commissioner:	Fritz/Sutphin
Liaison to OEM/EMS/PD	Commissioner:	Manning
Unexcelled Fire Company	Commissioner:	Sutphin
Community Outreach & Recruitment	Commissioner:	Martuscelli
Communications	Commissioner:	Manning
Hydrants	Commissioner:	Manning
Grants	Commissioner:	Martuscelli
Personnel	Commissioner:	Puryear
Deputy Personnel	Commissioner:	Fritz
Standby	Commissioner:	Puryear
Warehouse	Commissioner:	Martuscelli
Hamilton Fire Company	Commissioner:	Martuscelli
Building & Grounds	Commissioner:	Sutphin/Fritz
Safety	Commissioner:	Martuscelli/Sutphin
Liberty Fire Company	Commissioner:	Puryear
Training	Commissioner:	Sutphin
LOSAP	Commissioner:	Martuscelli

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION #2022-R-3-3
A RESOLUTION TO ESTABLISH SCHEDULE OF MEETINGS

Offered By: Comm. Manning

Seconded By: Comm. Martuscelli

BE IT RESOLVED; that pursuant to the Open Public Meetings Act, the Board of Fire Commissioners of Neptune Township Fire District No. 1 adopts the following schedule of meetings for 2022 and 2023. All meetings shall be held at the Shark River Firehouse, 200 Brighton Avenue, at 7:00pm for the Workshop Meeting and the Regular Meeting to follow, unless otherwise indicated.

2022 MEETING SCHEDULE

March 1 (Tues.) Regular & re-organization	August 16 (Tues.)
March 15 (Tues.)	September 20 (Tues.)
April 19 (Tues.)	October 18 (Tues.)
May 17 (Tues.)	November 15 (Tues.)
June 21 (Tues.)	December 13 (Tues.)
July 19 (Tues.)	

2023

January 1 (Fri.) – Swearing in 12 noon Fire House)
January 17 (Tues.)

February 21 (Tues.)

March 7 Re-organization (Tues)

March 21 (Tues.)

BE IT FURTHER RESOLVED, that the Board Clerk be and he is hereby authorized to publish this resolution in accordance with the Open Public Meetings Act.

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION #2022 R-3-4
A RESOLUTION TO DESIGNATE OFFICIAL NEWSPAPERS

Offered By: Comm. Martuscelli

Seconded By: Comm. Manning

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. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION #2022 R-3-5
A RESOLUTION TO DESIGNATE DEPOSITORIES
FOR DISTRICT FUNDS

Offered By: Comm. Fritz

Seconded By: Comm. Puryear

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. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION #2022 R-3-6
A RESOLUTION TO RESERVE UNEXPENDED CAPITAL

Offered By: Comm. Fritz

Seconded By: Comm. Martuscelli

WHEREAS, the Board of Fire Commissioners shall reserve any unexpended 2022 Capital,

WHEREAS, these monies shall be placed in the 2023 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 2022 Capital reserve to be placed in the 2023 Capital Improvement Fund as so stated above.

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION # 2022 R-3-7
A RESOLUTION TO APPOINT PROFESSIONALS

Offered By: Comm. Puryear

Seconded By: Comm. Martuscelli

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

WHEREAS, funds for this purpose shall be provided for the in the 2022 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 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 March 1, 2022 through and including March 7, 2023 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. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION #2022-R-3-8
RESOLUTION PERMITTING PRE-PAYMENT OF CERTAIN ITEMS

Offered By: Comm. Fritz

Seconded By: Comm. Martuscelli

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. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION # 2022-R-3-9
A RESOLUTION APPROVING CASH MANAGEMENT PLAN

Offered By: Comm. Martuscelli

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. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

TOWNSHIP OF NEPTUNE FIRE DISTRICT #1

RESOLUTION 2022-R-3-10

A RESOLUTION TO APPROVE AUDIT

Offered By: Comm. Fritz

Seconded By: Comm. Martuscelli

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended December 31, 2020 has been completed and filed with the Director of Local Government Services pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "**General Comments**," "**Recommendations**," and "**Schedule of Findings and Questioned Costs**," and has evidenced that review by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "**General Comments**," "**Recommendations**," and "**Schedule of Findings and Questioned Costs**," in accordance with N.J.S.A. 40A:5A-17.

NOW, THEREFORE BE IT RESOLVED, that the Board of Fire Commissioners of the Township of Neptune Fire District #1 hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31, 2020, and specifically has reviewed the sections of the audit report entitled "**General Comments**," "**Recommendations**," and "**Schedule of Findings and Questioned Costs**," and has evidenced that review by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON March 1, 2022

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

Albert Fritz

Clerk

3/1/22

Date

LOCAL AUTHORITIES GROUP AFFIDAVIT FORM

PRESCRIBED BY THE NEW JERSEY LOCAL FINANCE BOARD

AUDIT REVIEW CERTIFICATE

We, the members of the governing body of the Board of Fire Commissioners, Neptune Fire District 1, being of full age and being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Board of Fire Commissioner, Neptune Fire District 1.
2. We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each reviewed the annual audit report for the fiscal year ended December 31, 2020, and specifically the sections of the audit report entitled "General Comments," "Schedule of Findings and Questioned Costs," and "Recommendations."

(PRINT NAME)

(SIGNATURE)

Frank Martuscelli



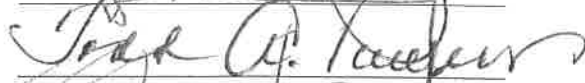
Albert Fritz, Sr.



James Manning



Todd Puryear



Frank Sutphin



Sworn to and subscribed before me this 1st day of March, 2022



Notary Public of New Jersey

Frances S Ciccone
Notary Public of New Jersey
My Commission Expires 9/21/2022

PUBLIC COMMENT ON AGENDA ITEMS ONLY

**RESOLUTION 2022 R-3-11
A RESOLUTION TO APPROVE THE PAYMENT OF BILLS AND PAYROLL**

Offered By: Comm. Fritz

Seconded By: Comm. Martuscelli

BE IT RESOLVED, the bill lists totaling \$50,332.55 are hereby approved for payment: and,

BE IT RESOLVED, that the total of \$28,636.17 be approved for the 2/28/22 payroll:

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

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

RESOLUTION # 2022 R-3-12
A RESOLUTION TO AMEND RESOLUTION # 2022-1-2-5
INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

Offered By: Comm. Martuscelli

Seconded By: Puryear

THIS INDEMNIFICATION AND HOLD HARMLESS AGREEMENT ("Agreement") is dated this 15th day of February, 2022 by and among:

Don Colarusso (hereinafter referred to as "Colarusso"),
AND
Neptune Township Board of Fire Commissioners Fire District #1 (hereinafter referred to as "Board"),

RECITALS:

- A.** The Board has certain rules and regulations in its Standard Operating Guidelines that require new gear to be issue to its members on a periodic basis.
- B.** Colarusso has advised the Board of his intention to become inactive for Neptune Fire District #1 and the Board has accepted his inactive status with the understanding, he remains a NJ State Exempt Fireman;
- C.** Colarusso has requested the Board permit him to transfer his current gear and convert it to The Township of Neptune OEM so that he may use the gear accordingly with that organization.
- D.** Colarusso has been advised and is fully aware that this gear cannot be used for any form of firefighting operations as he is inactive of Neptune Fire District #1.

NOW, THEREFORE, in consideration of the terms, covenants and agreements contained herein, and for other good and valuable consideration, the sufficiency of which the parties hereby acknowledge, the parties agree as follows:

1. The Recitals set forth above are incorporated into and made a part of this Agreement.

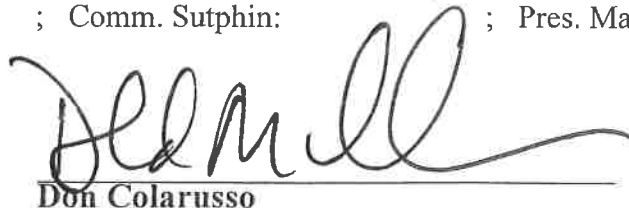
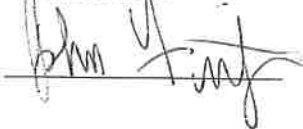
2. Colarusso, the Township of Neptune, and any other body/entity/organization that oversees Colarusso while wearing the gear subject to this Resolution shall indemnify and hold harmless the Board against all causes of action, claims, demands, liability, loss and expense, including reasonable attorney's and expert's fees, incurred by the Board that may arise from any and all uses of the gear being converted to the Township of Neptune OEM. Any damages caused to Colarusso or by Colarusso in any manner while in use of the gear shall bear with it no liability to the Board.

3. This Agreement shall be binding upon and inure to the benefit of the parties, and their legal representatives, beneficiaries, heirs, successors and assigns.

IN WITNESS WHEREOF, the parties have signed this Agreement the date and year first set forth above.

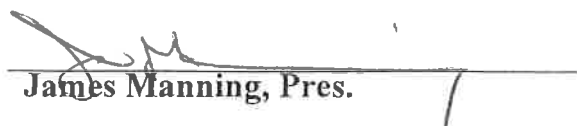
VOTE: Comm. Fritz Sr: ; Comm. Martuscelli.: ;
Comm. Puryear: ; Comm. Sutphin: ; Pres. Manning:

WITNESS:



Don Colarusso

Neptune Twp Board of Fire Commissioners,
Fire District #1



James Manning, Pres.

RESOLUTION # 2022-R-3-13
A RESOLUTION TO INCREASE AID PAYMENTS TO THE
HAMILTON, LIBERTY, SHARK RIVER & UNEXCELLED FIRE COMPANIES

Offered By: Comm. Fritz

Seconded By: Comm. Puryear

WHEREAS, the Board of Fire Commissioners, Neptune Fire District #1 do hereby wish to increase the annual Aid payment made to the Hamilton, Liberty, Shark River and Unexcelled Fire Companies

WHEREAS, the increase shall be in the amount of \$4,000.00 to each of the four Fire Companies for an annual amount totaling \$20,000.00 each, and

WHEREAS, the annual Aid payment total to include all four fire companies shall be \$80,000.00, and

WHEREAS, the funds are made available in the 2022 budget and shall be available in the account known as Aid to Fire Companies.

NOW, THEREFORE BE IT RESOLVED, that the Board of Fire Commissioners do hereby approve the said increase as stated above.

VOTE: Comm. Fritz Sr: AYE; Comm. Martuscelli.: AYE;
Comm. Puryear: AYE; Comm. Sutphin: absent; Pres. Manning: AYE.

ITEMS FOR DISCUSSION IN OPEN SESSION - none

MOTION TO ADJOURN

Offered by Comm Martuscelli

Seconded by: Comm. Puryear

MEETING ADJOURNED