

BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO 1
FREEHOLD TOWNSHIP, NJ

Regular Meeting

November 16, 2010

The regular meeting of the Board of Fire Commissioners was called to order at 7:30pm by Vice Chairman Robert Buscaglia.

Notice was read, the flag salute was lead by the Chief and roll call was taken; Mr. Story, R. Buscaglia, Mr. Keim, and C. Buscaglia, were all present. Mr. Caruso was absent. Also in attendance was Joseph Youssouf, Chief Luongo, Donna Pujat and other members of the Fire Company.

A motion was made by Mr. Story and seconded by Mr. Keim to approve the minutes of the October meeting as prepared. A roll call vote was taken, all present voted in the affirmative.

Correspondence: A letter was received from the newly appointed Fire Official – Shaun Reilly asking the Board if they will enter into the three way agreement for Fire Prevention Education employees for 2011.

A notice was received for the non-payment of a toll violation in Delaware. Mr. Buscaglia reminded the Officers, vouchers are needed with all bills and certification is required if a new vendor is used.

Correspondence was received regarding a mishap with the rescue at a call on November 2nd, in which Millhurst Chief Car hit the rescue. This is being handled.

Treasurers Report: Mr. C. Buscaglia read the report into record. A motion was made by Mr. Keim and seconded by Mr. Story, to approve the report as presented. All present, voted in the affirmative to approve.

A motion was made by Mr. C. Buscaglia to pay the bills in the total of \$18,535.20 and to transfer \$19,000 from Money Market into checking. Mr. C. Buscaglia reported that two large items on this list were P&L \$4,600 and Avon Doors for \$3,600 The motion was seconded by Mr. Story. A roll call vote was taken, all present voted in the affirmative.

Insurance: Mr. C. Buscaglia reported that the Board will hold off on contacting the insurance company regarding the mishap with the rescue until the truck has been checked. All else seems to be in order, with no claims pending.

Building: Mr. R. Buscaglia reported that as result of the OSHA inspection, the doors needed to be upgraded. Some needed safety blades, and some electric eye-stops. All has been done and working except one, which will need a new door control at an estimated cost of \$1,400.

He timers on the lights for District and Georgia Road station have been changed.

Norman Electric will be contacted for work at Georgia Road, specifically a new plug for the soda machine.

Discussion was held regarding purchasing a fire proof cabinet for storage of hazardous materials. Discussion followed. A motion was made by R. Buscaglia and seconded by Mr. Story to purchase two more cabinets. A roll call vote was taken, all present voted in the affirmative. All forms and paperwork for the compliance of the OSHA inspection was completed and displayed as required. Discussion followed and it was requested that the members be instructed to leave all documents alone and posted.

Asst Chief Prochnow reported that there is an alarm going off on the salt system at Georgia Road. Discussion followed.

Legal: Mr. Youssef reported that the scheduling for the 2011 budget is as follows: Introduction and approval – December 21st

Advertising and public approval January 25th

Elections February 19th

Discussion followed regarding revisions of the alcohol and drug testing policy.

Chiefs Report: Chief Luongo read into record the Chiefs reports from October.

The Chief commented that the company broke 1,000 calls for 2010

Chief Luongo reported that a quote was received from P&L for the work on 16-1-85 console and the price is \$875 The Board approved the Chief to have the work done.

The Chief requested to purchase air masks in the total of \$11,217.96 under State Contract. This will be for all members. Discussion followed – A motion was made by R. Buscaglia and seconded by Mr. Keim to authorize the purchase as requested by the Chief. A roll call vote was taken, all present voted in the affirmative.

Siren box for 16-1-68 was replaced.

Testing is scheduled as follows: pump testing = November 22 & 23rd, Hose testing = November 26th.

16-1-66 Needs new tires. The Board advised the Chief to make the purchase. The parts are in for the ladder and should be done within the week.

Computer Committee: Prices were received for the “Tough Book Computers”. Discussion followed. It was decided to order the units in December and payment will be made in January. Discussion followed.

President’s Report: President AJ Story reported that the hall renovations should be completed by weeks end. He had no idea yet of when public rentals will resume. Mike Fogarty is taking over that committee, and more info will follow when available.

Old Business: Discussion was held regarding the OSHA inspection. It was further reported that the inspector never showed up again to recheck.

New Business: A motion was made by Mr. R. Buscaglia and seconded by Mr. Story to purchase a TV and have cable installed in the Board's offices. Discussion followed. A roll call vote was taken, results as follows:

Mr. Story	yes
Mr. Keim	yes
Mr. C. Buscaglia	abstain
Mr. Caruso	absent
Mr. R. Buscaglia	yes

Audience participation: None

At 8:20pm a motion was made by Mr. Story and seconded by Mr. Keim to enter into executive session for discussion on personnel. A roll call vote was taken, all votes in the affirmative. Chief Luongo and President Story were requested to attend.

At 8:52pm regular session was resumed.

Being no further business, a motion was made by Mr. Keim and seconded by Mr. Story to close the regular meeting at 8:53pm. A roll call vote was taken, all votes in the affirmative.

Respectfully submitted:

Larry Story, Secretary

11/16/10

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.1 FREEHOLD TOWNSHIP AMENDING AND
SUPPLEMENTING A RESOLUTION ESTABLISHING A POLICY OF
MANDATORY DRUG AND ALCOHOL TESTING AND PROHIBITING THE
USE AND OPERATION OF DISTRICT VEHICLES AND EQUIPMENT BY
ANY FIREFIGHTER WHILE UNDER THE INFLUENCE OF ALCOHOL
AND/OR *DRUGS**

Whereas; The Board of Fire Commissioners is charged with the statutory responsibility of providing fire protection/fire suppression services to the residents of Freehold Township Fire District No.1; and

Whereas; In order to fulfill its statutory obligations, the Board contracts with the Freehold Township Independent Fire Company and provides fire fighting equipment, apparatus and all required training to all personnel; and

Whereas; The equipment and apparatus provided by the Board to its firefighters is of the highest quality, costly and often complex to operate, requiring extensive training and specialized skills to operate effectively in emergency situations; and

Whereas; The Board believes that all firefighters have a responsibility to the public to behave responsibly and act professionally while performing firematic duties; and

Whereas; It is a well established and commonly known fact that the consumption of alcoholic beverages and/or controlled dangerous substances and drugs impairs the judgment, motor skills, coordination and cognitive abilities of individuals who consume them; and

Whereas; It is the considered opinion of the Board of Fire Commissioners that the consumption of alcoholic beverages and/or the use of drugs and/or controlled dangerous substances by firefighters prior to their operation of fire equipment and apparatus is inimical to the public safety, dangerous to coworkers and inappropriate; and

Whereas; By virtue of the provisions of N.J.S.A. 40A:14-70.1 et. seq. the members of the Freehold Independent Fire Company, which contracts with the Board of Fire Commissioners, operate "...under the supervision and control..." of the Board; and

Whereas; N.J.S.A. 40A:14-70.1 vests the Board of Fire Commissioners with supervisory authority of its volunteer firefighters and permits the Board to adopt such rules

and regulations as it deems necessary and appropriate to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.1 Freehold Township as follows:

A. It is the desire of the Board of Fire Commissioners of Fire District No.1 Freehold Township to provide a healthy and safe, alcohol and drug-free workplace for all volunteer firefighters. To promote this goal, all volunteer firefighters are required to report for duty in appropriate mental and physical condition to perform their duty in a satisfactory manner.

B. All fire personnel shall submit to drug and alcohol tests on an annual basis and as a condition of continued service as a volunteer firefighter.

C. No member of the Freehold Township Independent Fire Company shall operate or use any equipment or apparatus owned by the Board while under the influence of alcohol or after having consumed any controlled dangerous substance or drug of any nature which impairs their cognitive abilities, motor skills, judgment or perception or which is proscribed by the provisions of N.J.S.A. 2C:35-1 et. seq. the "Comprehensive Drug Reform Act of 1987" as amended and supplemented.

D. If, during the operation of any motor vehicle or apparatus owned by the Board of Fire Commissioners that vehicle or apparatus is involved in an accident of any kind or nature whatsoever, the driver or operator of said vehicle shall submit to a blood alcohol test and a drug test by urinalysis to determine if said operator was operating said equipment while under the influence of alcohol and/or drugs. The required tests must be administered within twenty four (24) hours of the incident.

E. All firefighters are subject to a fitness for duty evaluation when there is reason to believe that alcohol or drug use is or will be adversely affecting the firefighter's job performance. A reasonable cause referral for testing will be made on the basis of documented, objective facts and circumstances which are consistent with the long and short term effects of substance abuse. Examples of reasonable suspicion include, but are not limited to the following:

- 1.) Adequate documentation of unsatisfactory duty performance or on-the-job behavior.
- 2.) Physical signs and symptoms consistent with alcohol or drug abuse.
- 3.) Evidence of the possession, dispensing or use of controlled substances, alcohol or drugs.

11/16/10

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.1 FREEHOLD TOWNSHIP AMENDING AND
SUPPLEMENTING A RESOLUTION ESTABLISHING A POLICY OF
MANDATORY DRUG AND ALCOHOL TESTING AND PROHIBITING THE
USE AND OPERATION OF DISTRICT VEHICLES AND EQUIPMENT BY
ANY FIREFIGHTER WHILE UNDER THE INFLUENCE OF ALCOHOL
AND/OR *DRUGS**

Whereas; The Board of Fire Commissioners is charged with the statutory responsibility of providing fire protection/fire suppression services to the residents of Freehold Township Fire District No.1; and

Whereas; In order to fulfill its statutory obligations, the Board contracts with the Freehold Township Independent Fire Company and provides fire fighting equipment, apparatus and all required training to all personnel; and

Whereas; The equipment and apparatus provided by the Board to its firefighters is of the highest quality, costly and often complex to operate, requiring extensive training and specialized skills to operate effectively in emergency situations; and

Whereas; The Board believes that all firefighters have a responsibility to the public to behave responsibly and act professionally while performing firematic duties; and

Whereas; It is a well established and commonly known fact that the consumption of alcoholic beverages and/or controlled dangerous substances and drugs impairs the judgment, motor skills, coordination and cognitive abilities of individuals who consume them; and

Whereas; It is the considered opinion of the Board of Fire Commissioners that the consumption of alcoholic beverages and/or the use of drugs and/or controlled dangerous substances by firefighters prior to their operation of fire equipment and apparatus is inimical to the public safety, dangerous to coworkers and inappropriate; and

Whereas; By virtue of the provisions of N.J.S.A. 40A:14-70.1 et. seq. the members of the Freehold Independent Fire Company, which contracts with the Board of Fire Commissioners, operate "...under the supervision and control..." of the Board; and

Whereas; N.J.S.A. 40A:14-70.1 vests the Board of Fire Commissioners with supervisory authority of its volunteer firefighters and permits the Board to adopt such rules

and regulations as it deems necessary and appropriate to protect the public health, safety and welfare.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.1 Freehold Township as follows:

A. It is the desire of the Board of Fire Commissioners of Fire District No.1 Freehold Township to provide a healthy and safe, alcohol and drug-free workplace for all volunteer firefighters. To promote this goal, all volunteer firefighters are required to report for duty in appropriate mental and physical condition to perform their duty in a satisfactory manner.

B. All fire personnel shall submit to drug and alcohol tests on an annual basis and as a condition of continued service as a volunteer firefighter.

C. No member of the Freehold Township Independent Fire Company shall operate or use any equipment or apparatus owned by the Board while under the influence of alcohol or after having consumed any controlled dangerous substance or drug of any nature which impairs their cognitive abilities, motor skills, judgment or perception or which is proscribed by the provisions of N.J.S.A. 2C:35-1 et. seq. the "Comprehensive Drug Reform Act of 1987" as amended and supplemented.

D. If, during the operation of any motor vehicle or apparatus owned by the Board of Fire Commissioners that vehicle or apparatus is involved in an accident of any kind or nature whatsoever, the driver or operator of said vehicle shall submit to a blood alcohol test and a drug test by urinalysis to determine if said operator was operating said equipment while under the influence of alcohol and/or drugs.

E. All firefighters are subject to a fitness for duty evaluation when there is reason to believe that alcohol or drug use is or will be adversely affecting the firefighter's job performance. A reasonable cause referral for testing will be made on the basis of documented, objective facts and circumstances which are consistent with the long and short term effects of substance abuse. Examples of reasonable suspicion include, but are not limited to the following:

- 1.) Adequate documentation of unsatisfactory duty performance or on-the-job behavior.
- 2.) Physical signs and symptoms consistent with alcohol or drug abuse.
- 3.) Evidence of the possession, dispensing or use of controlled substances, alcohol or drugs.
- 4.) Fights, assaults, or flagrant disregard or violations of established safety,

security or operating procedures.

Reasonable cause testing determination will be made by a Superior Officer. Firefighters who are deemed to require a fitness for duty evaluation based on reasonable cause will be sent to a health facility of the Board's choice.

F. Any refusal to submit to alcohol testing or urinalysis drug testing as contained in this policy will be considered a refusal-to-test and will be subject to dismissal from the Fire District's fire service.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be posted on the official bulletin board of the Board of Fire Commissioners and distributed to the membership of the Freehold Township Independent Fire Company.

Moved by: Mr. Story

Seconded by: Mr. C. Buscaglia

Roll call vote:

Ayes: 4 Nays: 0 Absent: 1 Abstention: 0

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners Fire District No.1 Freehold Township on the 16th day of November, 2010

Roger Klein, Clerk