

BOARD OF FIRE COMMISSIONERS TOWNSHIP OF OCEAN FIRE DISTRICT NO. 1

July 2, 2012

Items for discussion prior to the Work Session:

- Firehouse Enterprise Software had some problems today installing. Will be back Thursday to finish.
- Update on EMS
- Go over the SHBP. Like to finalize so contracts can be signed.
- Review the Capital Radio Project. Tom had questions.
- Review the Drug & Alcohol rough draft policy.
- Response to the Pat Burke Letter from the officers?
- Baltimore Fire Expo- OK to buy show specials? Traveling?
- Mixalia release Performance Bond. Still have 2-year Maintenance Bond.

WORK SESSION July 2, 2012

CALL TO ORDER:

The Work Session meeting of the Board of Fire Commissioners was called to order at 7:32 pm.

This meeting is being held in compliance with the "Open Public Meetings Act". Public Notice of this meeting was hand delivered to the Clerk of the Township of Ocean and posted at the Oakhurst Firehouse on March 2, 2012, and advertised in The Coaster and in the Atlanticville on March 8, 2012.

ATTENDANCE:

The following Board members were present: Thomas Reu, and Scott Nelson, and Russell Williams. Fire District Administrator David Hiers, Fire Marshal Chris Pujat, District Mechanic Michael Fiorentino, and the Fire Department and First Aid Squad Officers were also present.

BUSINESS:

Nelson – There are a few minor things that need to be wrapped up on the floor project. The FDA will see that they are done soon. We received a letter from Mixaila requesting that we release the Performance Bond since the majority of the work is completed. There

is still a 2 year Maintenance Bond existing. Got a call in for the attorney to give us his recommendation. If the attorney is ok to release the Performance Bond we will do so. If Mixalia does not finish up on the few items on the punch list, the balance of their money will be withheld till completed except for the floor payment. We will pay that because the floor is complete. We now want to proceed on our next project and that is the parking lot. The FDA will contact Nelson Engineering to start up this project. Looks like we might have to do it in 2 phases, one phase this year and finish next year.

Williams - We have in our 2012 Budget under Capital Appropriations, \$60,000 set aside for the upgrade of the FOC and additional radio equipment. The Fire Marshal has gotten price quotes from WPCS International Inc., Motorola, & A.R. Communications to totally complete this project which came to \$54,425.15. The balance, \$5,574.85 will be used for additional items that might be needed during installation. I offer the following Resolution to proceed with this project that has been approved by the voters of our District at our annual election. It was second by Reu. There were no questions. Roll call vote of Williams, Reu and Nelson were unanimous in favor of the Resolution.

Reu – At the April 2nd work session, the Board passed a Resolution establishing a policy of administrative leave for fire fighters charged with serious criminal offenses. Our attorney is advising to pass another Resolution in conjunction with this previous passed Resolution. This Resolution would establish 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. Reu will read the following Resolution.

RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS FIRE DISTRICT NO. 1 TOWNSHIP OF OCEAN 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 the Township of Ocean Fire District No. 1; and

Whereas; In order to fulfill its statutory obligations, the Board contracts with the Oakhurst Independent Hose Company No. 1 and provides firefighting 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 fire fighters have a responsibility to the public to behave responsibly and act professionally while performing firematic duties; and

Whereas; It is 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 fire fighters prior to their operation of fire equipment and apparatus is inimical to the public safety, dangerous to coworkers and inappropriate; and

Whereas; By the virtue of the provisions of N.J.S.A. 40A:14-70.1 et. seq. the members of a Fire Company, which contracts with a 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 Township of Ocean as follows:

- A. It is the desire of the Board of Fire Commissioners of Fire District No. 1 Township of Ocean 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 either on an annual basis and/or by reason of suspicion of unusual behavior and as a condition of continued service as a volunteer firefighter.
- C. No member or employee of the Township of Ocean Fire District No. 1 shall operate or use any equipment or apparatus owned by the Board while under the influence of alcohol or 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 the 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 substance, alcohol or drugs.
 - 4) Fights, assaults, or flagrant disregard or violations of established safety, security or operating procedures.

District Mechanic: **Fiorentino** reported that 4 new tires were put on 37-1-99. The booster pump is up and running at Station 2. New guages for the cascade system are on 37-1-85's pannel.

Questions or comments: The FDA stated that he received an e-mail from Deal Golf & CC saying how helpful Fire Marshal Pujat and his staff (Craig & Maurita) were in helping with the success of the fire works at the CC. Mr. Pollack said the process went smooth with their assistance. President Nelson thanked the FM and thru him to his staff for doing a great job. Helping in the community is always a nice thing to do.

The meeting adjourned at 7:57 pm.

Respectfully Submitted,

J. David Hiers

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