

MARCH 6, 2013

The regular scheduled meeting was called to order by Chairman Hogan at 8:00pm & Capt. Cuccia of the Man- Eng. First Aid led all present with the salute to the Flag. Chairman Hogan read the Sunshine Statement – Notice of the time, date, location & agenda of this meeting known was duly published at least 48 hrs. in advance of this meeting held by posting in official newspaper of this District. Mr. Spevak was asked to take Roll Call- Flannery, Warshany, Hogan & Spevak were present. Kirkland was excused. Youssof & Hall were excused. Sign in sheet was on table for attendance. Others in attendance were: Petrics, Larson, Marini, Perrone, Tom Kirkland, Sorscher, & Bob Soden.

Chairman Hogan handled the swearing in of Patrick Flannery & Charles Warshany, that got re-elected to a 3 yr. term for each, on Feb. 16 th. The oath of Office forms were filled by both Flannery & Warshany. Everyone congratulated them both. Chairman Hogan stated we will now have election of Officers for 2013. Mr. Spevak made a motion that all Officers keep there same positions for the year 2013 & 2nd by Mr. Flannery, approved by all.

ChairmanRichard Hogan
Vice ChairmanCharles Warshany
Treasurer..... Timothy Kirkland
Secretary..... Joseph Spevak
Vice Secretary..... Patrick Flannery

Chairman Hogan read off the following Resolutions:

1. Resolution - Scheduling meeting dates for the Year 2013.

April 3rd, May 1st, June 5th, July 3rd, Aug. 7th, Sept. 4th, Oct. 2nd, Nov.6th, Dec.4th, Jan.8th, Feb.5th & Mar.5th,2014. Motion made by Mr. Flannery & 2nd by Mr. Warshany. Roll Call- Flannery, Warshany, Hogan & Spevak voted YES. Kirkland was Absent.

2. Resolution – Designating Official Depository of Fire District Funds for the Year 2013.

The Board determined that Brunswick Bank & Trust is a Qualified Depository. Motion made by Mr. Flannery & 2nd by Mr. Warshany. Roll Call-Flannery, Warshany, Hogan & Spevak voted Yes. Kirkland was absent.

3. Resolution- Designating Official Newspapers for the Year 2013.

The Newark Star Ledger & the News Transcript are legally recognized newspapers. Motion made by Mr. Warshany & 2nd by Mr. Flannery. Roll Call- Warshany, Flannery, Hogan & Spevak voted YES. Kirkland was absent

4. Resolution – Appointing John Marini to the position of Fire District Administrator for a period of one year 3/1/13 & terminating unless renewed & extended 2/28/14, fixed \$15,480.00 per annum.

Motion made by Mr. Flannery & 2nd by Mr. Warshany. Roll Call- Flannery, Warshany, Hogan & Spevak voted YES. Kirkland was absent.

5. Resolution – Appointing Officers for the Year 2013 & fixing Compensation

<u>NAME</u>	<u>POSITION</u>	<u>ANNUAL SALARY</u>
Richard Primiano	Engineer	\$ 4,896.00
Stanley Sorscher	Asst. Engineer	\$ 4,896.00
Adam Keaney	Training Officer	\$ 2,664.00
Peter Hall	IT Officer	\$ 10,165.10

Motion made by Mr. Flannery & 2nd by Mr. Warshany. Roll Call- Flannery, Warshany, Hogan & Spevak voted YES. Kirkland was absent.

6. Resolution- Appointing Katherine Larson Board Bookkeeper for the Year 2013. at the rate of \$18,240.00 per annum. Motion made by Mr. Flannery & 2nd mr. Warshany. Roll Call- Flannery, Warshany, Hogan & Spevak voted YES. Kirkland was absent.

7. Resolution- Appointing Ronald Petrics CPA District Auditor for 2013.

Motion made by Mr. Spevak & 2nd by Mr. Flannery. Roll Call- Spevak, Flannery, Warshany & Hogan voted YES. Kirkland was absent.

8. Resolution- Appointing Joseph D. Youssouf, ESQ. Board Attorney for the Year 2013. To provide such Legal Services that may be required, public advertising for bids. Attendance at meetings at \$500.00 per meeting /agenda, regular or special. All other services: research, litigation, telephone conversation & preparations of Resolutions at \$ 150.00 per hour. Motion made by Mr. Spevak & 2nd by Mr. Flannery. Roll Call- Spevak, Flannery, Hogan & Warshany voted YES. Kirkland was absent.

9. Protection Agreement for Sta26-2 / Manalapan Twp. Fire Co.#1 for March 2013 to Feb. 2014, to be given to Pres. Sacks to be reviewed & signed if ok & returned.

Chairman Hogan asked if all Fire Comm had enough time to review minutes from Feb. 6, 2013 meeting. Yes Mr. Warshany made a motion to accept as read & 2nd by Mr. Flannery, approved by all.

TREASURER'S REPORT- Kirkland/ Larson

Ms. Larson read the amount to be paid, \$35,492.01. Mr. Spevak made a motion to pay all bills & 2nd by Mr. Flannery, approved by all.

BOOKKEEPER- Larson

1. Census of Local area for 2011, was filled out. Given to her by Mr. Marini.
2. DLGS. Disclosure forms, will be needed to be filled soon. Chairman Hogan asked how to be filled out. Regular old way or on computer, unknown yet.
3. Brunswick Bank paperwork
4. Payment schedule 2013 Fire District Budget / copy attached to minutes

AUDITOR – Petrics

1. Paperwork for the year 2012, needs to be received from Treasurer & Secretary. Between now & next meeting, when they get completed, for Petrics to check out.

Chairman stated he would like to change around regular order of business at this time.

First Aid- Cuccia

1. Chairman Hogan stated that the Board dedicated again this year \$12,000.00 to be given to the Man.-Eng First Aid for expenses.
2. Mr. Cuccia stated that the State of NJ exhausted monies for recertification of the EMT program. Some NEW member program might still be funded yet. Also, the money will go towards coats & uniforms at this time.
3. Chairman Hogan stated instead of getting prices for each item & for us to pay each individual item, you can do that. A Purchase Order will be designated to the First Aid squad, for the full amount of \$12,000.00.
4. Hogan asked Cuccia if he was available for next meeting, to discuss First Responder/First Aid

INSURANCE- Marini/ Soden

1. Mr. Soden stated he spoke to the Life Insurance Group regarding the Timofeev claim. Soden said he received a copy of signed check & Spevak stated he spoke to the Timofeev family & thanked us for the money.
2. Discussed numerous Insurance plans through the Oliver Soden Agency.

Group Life , Accident Death & Dismembered & Accident / sickness program with VFIS Group

Accident & Sick ... PLUS ... Accidental Death & Dismemberment # 41009 plan
3 year premium /annual installmentscost of \$7,194.00
Mr. Spevak asked Mr. Soden , that's only for Active Firepeople. YES

Life Insurance claim at this time is \$10,000.00
Mr. Soden will be submitting price quotes for \$ 10 – 15 & 25,000.00 Death Benefits

Mr. Flannery made a motion to purchase Accident / Sick – Accidental Death & Dismemberment Insurance.....Plan #41009 Premium 3 year/Annual Installments \$7,194.00 X 3 = \$21,582.00 & 2nd by Mr. Warshany. Roll Call – Flannery, Warshany, Hogan & Spevak voted YES . Kirkland was excused.

CHIEF'S REPORT

Sta. 26-2Chief Perrone thanked the Board for the additional Insurance for membership
Chief Perrone reported responding to 41 fire calls with 474.90 manhrs.

Upcoming Events: Reported by Chief Keaney

1. March 11thFire Co. mtg at 8pm
2. March 18thTWO Minute Drill
3. March 25thExtrication
4. April 1stWork Detail
5. April 3rdFire Comm mtg at 8pm
6. April 8thFire Co. mtg. at 8pm

Following items reported by Chief Perrone & his Line Officers

1. Capt. Auletta / Equip.- Chief Keaney has items to purchase
2. Perrone stated Lt. Belote resigned as Lieut / moved from area
3. Keaney discussed the following items ;
 - Purchase of TRU FUEL at \$144.00 for 4 cases
 - Qt. cans of pre-mix /gas & oil for 2 cycle engines . Also , gas in sealed cans
 - Purchase (2) batteries/ thermal image cameras
 - Purchase (1) folding backboard & (1) folding stokes basket
 - Total cost of \$ 800.00. Vote in New Business
4. Capt. Auletta stated that he & Lt. Freuh went to Belmar on March 2nd help out With parade with ATV #1. Everything worked out Well.
5. Status of Trailer & Rhino liner installation ? There building is to small , trailer must Be worked on outside, needs dry weather for 5 days. Discussed bringing to firehouse Primiano stated it would be better done at his own shop.
6. Mr.Marini asked Chief Perrone what type of software package he has for Insurance purposes . Perrone stated Firehouse software.

Sta. 12-1.....Chief T. Kirkland reported responding to 8 fire calls with 31.95 manhrs. In 26-2 Primary area & 8 fire calls with 38.07 manhrs. 26-2 area. All trucks are up & Running. Chairman Hogan asked Chief Kirkland since Mr. Warshany resigned as Fire Police in Englishtown Fire Co. & the vehicle belongs to the Board ,do you have Use for the vehicle. Kirkland stated since there Asst Chief vehicle has died, it could

Fill in for the being, until new vehicle is purchased & becoming a vehicle to Transport firemen. Hogan asked Perrone if we need it, Perrone said No. Spevak Stated we should give it to Sta. 12-1 they painted it & we're not repainting, white. Mr. Spevak made a motion to give the 1997 GMC Suburban /RED to the Englishtown Fire Co. / Bill of Sales signed over to them / they do all Maintenance On It from now on & 2nd by Mr. Flannery. Roll Call- Spevak, Flannery, Warshany, & Hogan. Kirkland was excused. Resolution needs typed up by Youssouf.

TRUCK REPORT- Sorscher

1. 26-2-77.....Repair L/side wheel chock bracket..... In House
Annual Chassis ,pump & generator..... First Priority
2. 26-2-78.....New electric window switch in drivers door.....Fire & Safety
Reset computer for excessive exhaust smoke..... " " "
3. 26-2-90.....Replace all compartment doors w/New struts..... In House
4. 26-2-96.....Install 2 new struts in lower rear compartment door..... In House
5. Work table.....In stall New bench grinder..... In House

Mr. Sorscher asked to have overhead lights & outlets ,at the work bench area. Marini told Sorscher to call Rich Sause / Electrician.

1.Also, problems with headsets on 26-2-90.....Rec'd cost Estimate from AllComm Technologies to repair existing system \$ 9,038.00. The Motorola Spectra Radio in 26-2-90 now is not capable of FCC 2013 Narrowband Mandate Operation. Cost to replace radio with Narrowband Compliant Equip. is \$ 2,387.00 . copy attached

2. Discussed replacement of Drivers head set in 26-2-78. To a David Clark Wireless Headset one position. Cost of \$ 3,817.50. copy attached

3. Mr. Flannery made a motion to purchase the headset for 26-2-78 at cost \$3,817.50 & 2nd by Mr. Warshany, approved by all.

ADMINISTRATOR'S REPORT- Marini

1. Cellphones- No Problems
2. LoSap 2012 List
3. Paiinting renovation of Engine Bay floor /Springtime . Setup mtgs with Chief Perrone ,regarding Trucks & Equip to be removed .

BUILDING COMMITTEE- Marini

1. Discussed renovate mtg. room / Tv area,etc.
2. Addition to North side of existing structure
3. Flannery stated the cost of Temporary Tent would be approx.. \$60,000.00 or installation of Morton type building

OLD BUSINESS- NONE

NEW BUSINESS-

1. Repairs to upstairs & Radio room copy machine, waiting for Pete Hall 's solution.
2. Equipment to be purchased for Chief Keaney:

(4) cases of Tru Fuel..... \$ 144.00 (2) Batteries for Thermal camera

(1) Folding backboard & (1) folding stokes basket

Total cost \$800.00 Mr. Flannery made a motion to purchase equip. & 2nd by Mr. Warshany, Approved by all.

3. Chief Keaney asked about having a meeting regarding the New Rescue Truck

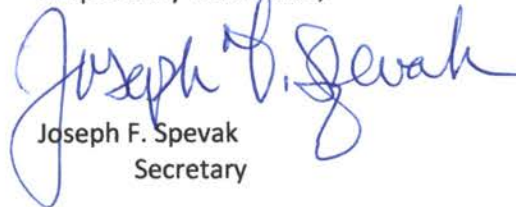
Mr. Warshany made a motion to OPEN PUBLIC PORTION at 9:28pm & 2nd by Mr. Flannery, approved by all. NO BUSINESS Mr. Warshany made a motion to CLOSE PUBLIC PORTION at 9:29pm & 2nd by Mr. Flannery, approved by all.

GOOD & WELFARE

1. Sympathy card was sent to Marini family
2. NJ State Fire Districts Assoc. held there Quarterly meeting on Dec. 1,2012 at the Monmouth Junction Fire Dept. Next Quarterly mtg will be held on March 9,2013 at New Market Fire Co.in Piscataway.

Since there was no further business Mr. Flannery made a motion for adjournment at 9:45 pm & 2nd by Mr. Warshany, approved by all.

Respectfully submitted,



Joseph F. Spevak
Secretary

3/6/13

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP SCHEDULING
MEETING DATES FOR THE YEAR 2013**

WHEREAS; The Board of Fire Commissioners, as a political subdivision of the State of New Jersey, is required by N.J.S.A. 10:4-18 to annually publish and post a schedule of its meetings to be held during the succeeding year specifying therein the location of each meeting, its date and time; and

WHEREAS; The Board is also required to mail a schedule of its meeting dates to the official newspapers designated by the Board and to provide a copy of the meeting dates to the municipal clerk for posting on the official bulletin board of the municipality.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.2 Manalapan Township that regularly scheduled meetings of the Board will be held on the first Wednesday of each month commencing at 8:00 p.m. at the Manalapan Volunteer Fire Company No.1 Firehouse, Sweetmans Lane Manalapan Township, New Jersey.

BE IT FURTHER RESOLVED that the regular monthly meetings of the Board are hereby scheduled for the following dates: April 3, May 1, June 5, July 3, August 7, September 4, October 2, November 6, December 4, January 8, February 5, and March 5, 2014, which meeting shall serve as the annual reorganization meeting of the Board.

BE IT FURTHER RESOLVED that certified true copies of this Resolution be posted on the official bulletin board of the Fire District, forwarded to the official newspapers designated by the Board and forwarded to the municipal clerk for posting as required by law.

Moved by: **FLANNERY**

Seconded by: **WARSHANY**

Roll Call Vote:

Ayes: **4**


Nays: **0**

Absent: **1**

Abstain: **0**

**4 YES - FLANNERY, HOGAN, WARSHANY, SPEVAK
1 ABSENT - KIRKLAND**

Certified to be a true copy of a Resolution adopted the 6th day of March, 2013 by the Board of Fire Commissioners Fire District No.2 Manalapan Township.

 Clerk

3/6/13

RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP DESIGNATING OFFICIAL DEPOSITORY OF FIRE DISTRICT FUNDS FOR THE YEAR 2013

WHEREAS; the Fire District is a "Governmental Unit" as that term is defined in N.J.S.A. 17:9-41 which receives and has custody of public funds raised through taxation for the purposes set forth in N.J.S.A. 40A:14-70 et. seq. ; and

WHEREAS; N.J.S.A. 40A: 5-14. (1) requires local governmental units to annually designate a public depository or depositories, which are defined in N.J.S.A. 17:9-41 as: " a State or federally chartered bank, savings bank or an association located in this State or a state or federally chartered bank, savings bank or an association located in another state with a branch office in the State, the deposits of which are insured by the Federal Deposit Insurance Corporation and which receives or holds public funds on deposit; " and

WHEREAS; the Board has determined that Brunswick Bank and Trust is a qualified depository that is eligible to receive and hold public funds on deposit as permitted by the above referenced statutes; and

WHEREAS; it is the opinion of the Board that designating the above identified financial institution as the official depository of fire district funds is convenient, necessary and desirable for the business purposes of the Board.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.2 Manalapan Township that Brunswick Bank and Trust be and the same is hereby designated as the official depository of District funds for the year 2013.

BE IT FURTHER RESOLVED that the Chairman, Clerk and Treasurer of the Board be and the same are hereby authorized to execute any and all documents necessary to effectuate the purposes of this Resolution and to make deposits into, transfer, open and close such accounts as may be necessary for the orderly conduct of the Board's financial affairs.

BE IT FURTHER RESOLVED that any and all checks or drafts issued on an account held by or in the name of the Board of Fire Commissioners of this Fire District shall require execution by at least three (3) of the duly elected and serving Fire Commissioners.

Moved by: **FLANNERY**

Seconded by: **WARSHANY**

Roll Call Vote: **4 YES - FLANNERY, WARSHANY, HOGAN, SPEVAK**

Ayes: **4**

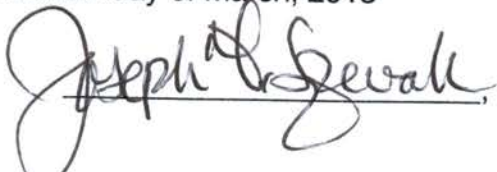
Nays: **0**

Absent: **1**

Abstain: **0**

1 - ABSENT / KIRKLAND

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners of Fire District No.2 Manalapan Township on the 6th day of March, 2013

 Clerk

3/6/13

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP DESIGNATING
OFFICIAL NEWSPAPERS FOR THE YEAR 2013**

WHEREAS; N.J.S.A. 10:4-8 requires political subdivisions of the State of New Jersey to annually designate at least two legally recognized newspapers to receive notice of its schedule of meetings; and

WHEREAS; N.J.S.A. 40A:14-70 requires Boards of Fire Commissioners to publish notices of the annual election, budget referendum and bond referendums as well as public hearings and other periodic events; and

WHEREAS; To be eligible for such designation, the newspaper must have general circulation within the municipality and must have the greatest likelihood of informing the public within the area of the public agencies jurisdiction of its meetings; and

WHEREAS; The Newark Star Ledger and the News Transcript are legally recognized newspapers having general circulation within Manalapan Township and are the two publications most likely to inform the citizens of pending Board meetings and actions.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.2 Manalapan Township that the Newark Star Ledger and the News Transcript be and the same are hereby designated the official newspapers of the Board of Fire Commissioners for the year 2013.

BE IT FURTHER RESOLVED that the Clerk of the Board be and the same is hereby directed to publish all required notices in the newspapers specified herein for the year 2013.

Moved by: WARSHANY

Seconded by: FLANNERY

Roll Call Vote: 4 yea/WARSHANY, FLANNERY, HOGAN, SPEVAK

Ayes: 4

Nays: 0

Absent: 1

Abstain: 0

1 ABSENT / KIRKLAND

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners Fire District No.2 Manalapan Township on the 6th day of March, 2013.

Joseph J. Spevak Clerk

3/6/13

RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 2 MANALAPAN TOWNSHIP APPOINTING JOHN MARINI FIRE DISTRICT ADMINISTRATOR FOR THE YEAR 2013

WHEREAS, The Board of Fire Commissioners of Fire District No.2 Manalapan Township is statutorily authorized to appoint professional staff to insure the orderly and proper functioning of the fire district; and

WHEREAS, The Board of Fire Commissioners believe that it is necessary and desirable to appoint an administrator to be primarily responsible for the day to day business operations and administration of the fire district; and

WHEREAS, John Marini has the requisite knowledge and experience to deal with the complex problems associated with the delivery of fire prevention/fire suppression services including the purchasing of supplies, and equipment, personnel administration and the maintenance and repairs of apparatus and equipment; and

WHEREAS, adequate funds have heretofore been appropriated in the fire district budget to fund said position

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Fire Commissioners of Fire District No. 2, Township of Manalapan that John Marini is hereby appointed to the position of Fire District Administrator for a period of one year, commencing on March 1, 2013 and terminating, unless otherwise renewed and extended February 28, 2014.

BE IT FURTHER RESOLVED, That the compensation to be paid to John Marini for services rendered to the Board of Fire Commissioners on a part time basis is hereby fixed at \$15,480.00 per annum.

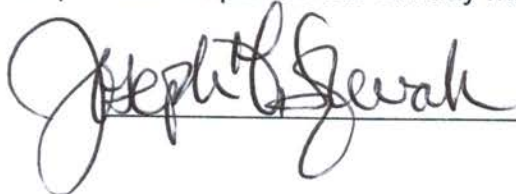
Moved By: **FLANNERY** Seconded By: **WARSHAWY**

Roll Call Vote: **4 yes / FLANNERY, WARSHAWY, HOGAN, SPEVAK**

Ayes: **4** Nays: **0** Abstain: **0** Absent: **1**

1 ABSENT - KIRKLAND

Certified to be a true copy of a Resolution duly adopted by the Board of Fire Commissioners of Fire District No. 2, Township of Manalapan on the 6th day March 2013.

 Clerk

3/6/13

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP APPOINTING
OFFICERS FOR THE YEAR 2013 AND FIXING COMPENSATION.**

WHEREAS; The Board of Fire Commissioners is authorized by statute to appoint and employ such staff and personnel as it deems necessary for the orderly conduct of fire district business; and

WHEREAS; Funds adequate to pay the compensation established hereby for the various positions established hereby have been appropriated in the current or previously approved budgets of the fire district.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the following identified individuals be, and the same are hereby appointed to the following positions within the fire district for the year 2013:

NAME	POSITION	ANNUAL SALARY
Richard Primiano	Engineer	\$ 4,896.00
Stanley Sorcher	Asst. Engineer	\$ 4,896.00
Adam Keany	Training Officer	\$ 2,664.00
Peter Hall	I.T. Officer	\$ 10,165.00

* 10,165.10

BE IT FURTHER RESOLVED that certified true copies of this resolution be forwarded to each of the above identified individuals by the Clerk of the Board.

Moved by: **FLANNERY**

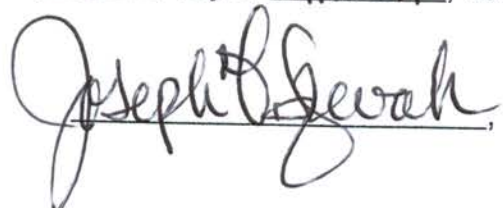
Seconded by: **WARSHAWY**

Roll Call Vote: **4 yes / FLANNERY, WARSHAWY, HOGAN, SPEVAK**

Ayes: **4** Nays: **0** Absent: **1** Abstain: **0**

1 ABSENT - KIRKLAND

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners Fire District No.2 Manalapan Township on the 6 day of MARCH, 2013.

 Clerk

3/6/13

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP APPOINTING
KATHERINE A. LARSON BOARD BOOKKEEPER**

WHEREAS; The Board of Fire Commissioners requires the services of a fully qualified and experienced bookkeeper to assist in the preparation and maintenance of the Board's books and financial records; and

WHEREAS; Ms. Katherine A. Larson of 2366 Woodbine Lane Toms River, New Jersey has the necessary training and experience to render the professional bookkeeping services required by the Board of Fire Commissioners; and

WHEREAS; Adequate funds exist in the current fire district budget to fund the position hereby created.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No. Manalapan Township that Katherine Larson is hereby appointed Bookkeeper for the year 2013.

BE IT FURTHER RESOLVED That the rate of compensation is hereby established at \$18,240.00 per annum.

BE IT FURTHER RESOLVED that a certified true copy of this Resolution be forwarded to Ms. Larson by the Clerk of the Board.

Moved by: FLANNERY Seconded by: WARSHAW

Roll Call Vote: 4 yea / FLANNERY, WARSHAW, HOGAN, SPEAK

Ayes: 4 Nays: 0 Absent: 1 Abstain: 0

1 - ABSENT / KIRKLAND

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners Fire District No. Manalapan Township on the 6 day of MARCH, 2013.

Joseph D. Szewak, Clerk

3/6/13

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP APPOINTING
RONALD C. PETRICS C.P.A. DISTRICT AUDITOR FOR 2013**

WHEREAS; the Board of Fire Commissioners is required by law to have an annual report on audit of its financial books and records prepared by a certified public accountant or registered municipal auditor; and

WHEREAS; Ronald C. Petrics is a certified public accountant and registered municipal auditor licensed to practice in the State of New Jersey and is legally qualified to perform the audit report required by the laws of the State of New Jersey; and

WHEREAS; N.J.S.A. 40A:11-5 (1) (a) provides that a contract or agreement for professional services may be made, negotiated and awarded without public bidding or receipt of bids if the services to be provided will be provided by a member of a duly recognized and licensed profession of the State of New Jersey; and

WHEREAS; adequate monies have heretofore been appropriated in the current or previously approved budget of the fire district to fund the contract for professional services to be awarded hereby.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.2 Manalapan Township that Ronald C. Petrics C.P.A. be, and the same, is hereby appointed auditor for the year 2013.

BE IT FURTHER RESOLVED that a notice of professional contract award be published in the official newspaper of the district and that a certified true copy of this Resolution be forwarded to the auditor by the Clerk of the Board.

Moved by: **SPEVAK**

Seconded by: **FLANNERY**

Roll Call Vote:

Ayes: **4** / **SPEVAK, FLANNERY, WARSHAW, HOGAN**
Nays: **0**
Absent: **1**
Abstain: **0**

1 - ABSENT / KIRKLAND

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners of Fire District No.2 Manalapan Twp. on the 6th day of March 2013.

Joseph D. Spevak, Clerk

3/6/13

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO.2 MANALAPAN TOWNSHIP APPOINTING
JOSEPH D. YOUSOUF, ESQ. BOARD ATTORNEY FOR THE
YEAR 2013**

WHEREAS; The Board of Fire Commissioners is authorized by law to engage the services of an attorney to provide such legal services as may be required by the Board during the course of a year; and

WHEREAS; N.J.S.A. 40A:11-5 (1) (a) (i) provides that a contract for professional services may be negotiated and awarded without public advertising for bids and bidding therefor if the contract is for "Professional services" ; and

WHEREAS; N.J.S.A. 40A:11-2 (6) defines "Professional services" as those that are rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

WHEREAS; Joseph D. Youssouf is a duly licensed attorney admitted to the practice of law in the State of New Jersey.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Fire Commissioners of Fire District No.2 Manalapan Township that a contract for professional services be and the same is hereby awarded to Joseph D. Youssouf Esq. for the year 2013.

BE IT FURTHER RESOLVED that a notice of professional contract award be published in the official newspaper of the District as required by N.J.S.A. 40A:11-5 (1)(a)(i).

Moved by: SPEVAK Seconded by: WARSHAW
Roll Call Vote: 4 YPS / SPEVAK, WARSHAW, FLANNERY, HOGAN
Ayes: 4 Nays: 0 Absent: 1 Abstain: 0
1 - ABSENT - KIRKLAND

Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners of Fire District No.2 Manalapan Township on the 6th day of March 2013.

Joseph D. Youssouf, Clerk

PROFESSIONAL SERVICES AGREEMENT

This Agreement, entered into this 6 day of March, 2013, by and between the **Board of Fire Commissioners, Fire District No.2 Manalapan Township**, hereinafter referred to as the "Board" and **Joseph D. Youssouf, Esquire, P.O. Box 809 137 Route 9 South Manalapan, New Jersey 07726** hereinafter referred to as "Attorney":

WITNESSETH:

1. The Board hereby retains the Attorney to provide legal services to it for the year commencing March 1, 2013 and terminating February 28, 2014, and the attorney agrees to provide such legal services as he is directed to provide by the Board.

2. Adequate funds have been appropriated in the current budget of the Board for the purpose of retaining the services of an attorney, and the amount to be paid hereunder shall not exceed the funds budgeted therefore.

3. The Board hereby agrees to compensate the Attorney as follows for the service performed by him:

A. Attendance at meetings, \$500.00 per meeting whether agenda, regular or special.

B. All other services including research, litigation, telephone conferences with Board members or secretary, preparation of resolutions, \$150.00 per hour.

4. In addition to the fees specified above, the Board agrees to pay all costs and expenses advanced by the attorney for filing fees, costs and other out of pocket expenses as the need may arise.

5. All payments to be made hereunder shall be made upon submission of an itemized voucher specifying the services rendered and the date upon which such services were rendered on such forms as may be provided by the Board.

6. *Statutorily required affirmative action clause:*

The attorney and the Board hereby incorporate all mandatory language of subsection 3.4(A) and the mandatory language of Section 5.3 of the Regulations Promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, c. 127 as


amended and supplemented, and the attorney agrees to comply fully with the terms, provisions and conditions of said subsections.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date set forth above.

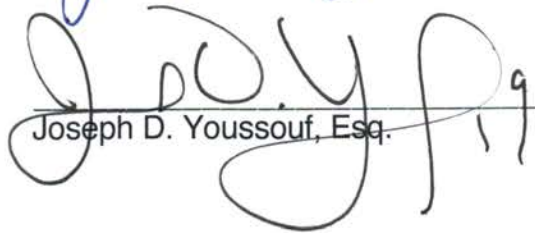
Board of Fire Commissioners
Fire District No. 2 Manalapan Township



Chairman



Clerk



Joseph D. Youssouf, Esq.

2013 FIRE DISTRICT BUDGET ELECTION RESULTS CERTIFICATION

Municipality:	MANALAPAN TWP.	Fire District #:	2
County:	MONMOUTH		

2013 ADOPTED BUDGET	
Amount to be Raised by Taxation	\$ 1,076,763.00
Tax Rate Per Hundred	\$ 0.047
Total Yes Votes	# 23
Total No Votes	# 4

OTHER REFERENDUM QUESTIONS

	Levy Cap Referendum (N.J.S.A. 40A:45-45.1 et seq.)	Initial LOSAP N.J.S.A. 40A:14-183 et seq.)	CAPITAL PROJECTS (N.J.S.A. 40A:14-84 AND 85)		
			Capital #1 Description of Project:	Capital #2 Description of Project:	Capital #3 Description of Project:
Amount	\$	\$	\$	\$	\$
Total Votes	#	#	#	#	#
Total "Yes" Votes	#	#	#	#	#
Total "No" Votes	#	#	#	#	#
% of Yes Votes	%	%	%	%	%

It is hereby certified that the above information complies with the requirements of law and regulation pursuant to N.J.A.C. 5:31-2.4(b),(c) and (d).

Signed Certification:	<i>Joseph F. Spevak</i>		Date:	3/12/13
Printed Name:	JOSEPH F. SPEVAK			
Telephone #:	732-462-2473	Fax #:	732-462-2523	
Cell Phone #:	732-620-0573			
E-mail:				

Please include a copy of the Fire District Election Ballot with the Election Results submission. We appreciate your timely assistance in providing these results.

Please return the results to the Division by February 23, 2013 by fax to 609-984-7388, or e-mail to dlgs@dca.state.nj.us, or by mail to:

Bureau of Authority Regulation
P.O. Box 803
Trenton NJ 08625

NO BALLOT
AVAILABLE

HP Officejet Pro 8600 N911a Series

Fax Log for
J SPEVAK
7327800234
00-00-00 00:00AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
				Digital Fax		
00 00	00:00AM	Fax Sent	6099847388	0:41 N/A	1	OK

Prepared For: MANALAPAN BOARD OF FIRE COMMISSIONERS FIRE DISTRICT #2

VOLUNTEER OPTIONAL BENEFITS	Quote Number:		41007		41008		41009	
	(ANNUAL PREMIUM SHOWN)		Limit	Premium	Limit	Premium	Limit	Premium
Weekly Injury Permanent Impairment COLA			Not Incl.		Not Incl.		Not Incl.	
Extended Total Disability			Not Incl.		Not Incl.		Not Incl.	
Weekly Hospital Indemnity			Not Incl.		Not Incl.		Not Incl.	
Additional Disability Weekly			Not Incl.		Not Incl.		Not Incl.	
24-Hour AD&D*			\$10,000	\$368	\$25,000	\$919	\$50,000	\$1,838
Off-Duty Activity AD&D*			Not Incl.		Not Incl.		Not Incl.	
Organized Team Sports Rider								
Accidental Death & Dismemberment*			Not Incl.		Not Incl.		Not Incl.	
Accident Medical Expense*			Not Incl.		Not Incl.		Not Incl.	
Weekly Accident Indemnity*			Not Incl.		Not Incl.		Not Incl.	
Policy Amendment Rider			Not Incl.		Not Incl.		Not Incl.	

* Since these benefits are based on exposures (e.g. number of persons, type of activity, type of league) premium may vary annually based on differences in exposure.
Please Note: Coverage provided under the optional Off-Duty / 24-Hour AD&D benefit cannot be issued until a roster listing the covered members is submitted.

Total Volunteer Basic and Optional:			
Premium for 1 Year	\$3,580	\$5,404	\$7,597
Premium for 3 Year Annual Installments	\$3,355	\$5,090	\$7,194
Premium for 3 Year Prepaid	\$9,775	\$14,866	\$21,062

Prepared For: MANALAPAN BOARD OF FIRE COMMISSIONERS FIRE DISTRICT #2

VOLUNTEER BASIC BENEFITS	Quote Number:	41007	41008	41009
Loss of Life Benefits				
Accidental Death Indemnity.....	Principal Sum	\$50,000	\$100,000	\$150,000
Seat Belt.....		\$12,500	\$25,000	\$37,500
Illness Loss of Life.....	Principal Sum	\$50,000	\$100,000	\$150,000
Dependent Child.....	Per Dependent Child	\$10,000	\$10,000	\$10,000
Spousal Support.....		\$5,000	\$5,000	\$5,000
Memorial.....		\$2,000	\$2,000	\$2,000
Lump Sum Living Benefits				
Accidental Dismemberment.....	Principal Sum	\$50,000	\$100,000	\$150,000
Vision Impairment.....	Principal Sum	\$50,000	\$100,000	\$150,000
Injury Permanent Impairment.....	Principal Sum	\$50,000	\$100,000	\$150,000
Heart Permanent Impairment.....	Principal Sum	\$50,000	\$100,000	\$150,000
Illness Permanent Impairment.....	Principal Sum	\$50,000	\$100,000	\$150,000
Cosmetic Disfigurement Resulting from Burns.....	Principal Sum	\$50,000	\$100,000	\$150,000
HIV Positive.....	Principal Sum	\$50,000	\$100,000	\$150,000
Weekly Income Benefits				
Total Disability (1 st 28 days).....	Maximum Amount	\$400	\$500	\$600
Total Disability (after 28 days).....	Maximum Amount	\$800	\$900	\$1,000
Total Disability Minimum.....		\$100	\$125	\$150
Partial Disability is equal to 50% of Total Disability Limit				
Occupational Retraining.....	Maximum Amount	\$20,000	\$20,000	\$20,000
Weekly Injury Permanent Impairment.....	Maximum Amount	Included	Included	Included
Medical Expense Benefits				
Benefits Paid: Excess of Worker's Comp				
Medical Expense.....	Maximum Amount	\$50,000	\$75,000	\$100,000
Cosmetic Plastic Surgery.....	Maximum Amount	\$10,000	\$10,000	\$10,000
Post Traumatic Stress Disorder.....	Maximum Amount	\$10,000	\$10,000	\$10,000
Critical Incident Stress Management.....	Maximum Amount	\$2,500	\$2,500	\$2,500
Family Expense.....	Per Day	\$100	\$100	\$100
Continuation of Health Insurance Premium.....	Maximum Amount	\$12,000	\$12,000	\$12,000
Transition.....		Included	Included	Included
Felonious Assault				
Home Alteration and Vehicle Modification.....	Maximum Amount	\$15,000	\$15,000	\$15,000
Volunteer Basic Premium for 1 Year				
Volunteer Basic Premium for 1 Year		\$3,212	\$4,485	\$5,759
Volunteer Basic Premium for 3 Year Annual Installments				
Volunteer Basic Premium for 3 Year Annual Installments		\$2,987	\$4,171	\$5,356
Volunteer Basic Premium for 3 Year Prepaid				
Volunteer Basic Premium for 3 Year Prepaid		\$8,671	\$12,109	\$15,548

Prepared For: MANALAPAN BOARD OF FIRE COMMISSIONERS FIRE DISTRICT #2

Additional Entity Summary

Included:	MANALAPAN FIRE DEPARTMENT #1 MANALAPAN FIRE DEPARTMENT JUNIOR FIREFIGHTERS' PROGRAM MANALAPAN FIRE DEPARTMENT LADIES' AUXILIARY
------------------	---



**An Accident & Sickness Proposal
Prepared For**

MANALAPAN BOARD OF FIRE COMMISSIONERS FIRE DISTRICT #2
PO BOX 54
TENNETT, NJ 07763

Presented By: OLIVER L E SODEN AGENCY
60 W RAILROAD AVE
JAMESBURG, NJ 08831

Prepared By: VFIS
PO BOX 2726
183 LEADER HEIGHTS ROAD
YORK, PA 17402

Preparation Date: 3/6/2013

This Proposal is Valid for 90 Days

Bookkeeper - Johnson

TOWNSHIP OF MANALAPAN

Fire District #2

2013 Fire District Budget Payments

<u>Due Date</u>	<u>% to be Paid</u>	<u>Amount to Be Paid</u>
04/01/13	21.25%	\$ 228,812.14
07/01/13	22.50%	\$ 242,271.68
10/01/13	25.00%	\$ 269,190.75
12/31/13	31.25%	\$ 336,488.43
Total 2013 Levy		<u>\$ 1,076,763.00</u>

OATH OF OFFICE

I Patrick M Flanagan do solemnly swear or affirm that I will support
The Constitution of the State of New Jersey and that I will bear true
allegiance to the same and the governments established in the United
Sates and in this State, under the authority of the people, so help me
God.

I do further solemnly swear or affirm that I will impartially and justly
perform all the duties of the office of Fire Commissioner Fire District
No.2 Manalapan Township, according to the best of my ability. So help
me God.

Signature Patrick M Flanagan

Date: 3-6-13

OATH OF OFFICE

I Charles Warshaw do solemnly swear or affirm that I will support
The Constitution of the State of New Jersey and that I will bear true
allegiance to the same and the governments established in the United
Sates and in this State, under the authority of the people, so help me
God.

I do further solemnly swear or affirm that I will impartially and justly
perform all the duties of the office of Fire Commissioner Fire District
No.2 Manalapan Township, according to the best of my ability. So help
me God.

Signature

Charles Warshaw

Date: 3-6-13

LFN 2013-13

March 26, 2013

Local Finance Notice

Chris Christie
Governor

Kim Guadagno
Lt. Governor

Richard E. Constable, III
Commissioner

Thomas H. Neff
Director

Contact Information

Director's Office

V. 609.292.6613

F. 609.292.9073

Local Government Research

V. 609.292.6110

F. 609.292.9073

Financial Regulation and Assistance

V. 609.292.4806

F. 609.984.7388

Local Finance Board

V. 609.292.0479

F. 609.633.6243

Local Management Services

V. 609.292.7842

F. 609.633.6243

Authority Regulation

V. 609.984.0132

F. 609.984.7388

Mail and Delivery

101 South Broad St.

PO Box 803

Trenton, New Jersey

08625-0803

Web:

www.nj.gov/dca/divisions/dlgs/

E-mail: dlgs@dca.state.nj.us

Distribution

Municipal and Freeholder Clerks
Fire Districts
Authorities
Joint Insurance Funds

Local Government Ethics Law 2013 Financial Disclosure Statements Important Update Concerning New Filing Procedure

Introduction

The Local Government Ethics Law requires local government officers to annually file a financial disclosure statement. This Local Finance Notice outlines a new filing procedure that is designed to facilitate efficiency and enhance transparency by using available technology to accept and report financial disclosure statements online. This notice is intended for municipal clerks, county clerks, and other local government designees who have responsibilities concerning financial disclosure statements. A separate Local Finance Notice (LFN 2013-14) containing detailed step-by-step filing instructions for local government officers will be released within the next 7-10 days.

Contents of this Local Finance Notice

- I. Background
- II. Statutory Requirements/Concepts
- III. Role of Municipal Clerks, County Clerks, and other Local Government Designees
- IV. Rosters
- V. Determining Local Government Officers Required to File
- VI. Distribution of LFN 2013-14
- VII. Identification of Local Government Agencies

The following abbreviations are used throughout this notice:

LGOs = local government officer(s)
FDS = financial disclosure statement(s)
LGAs = local government agency(ies)
LFB = Local Finance Board
LFN = Local Finance Notice
DLGS = Division of Local Government Services

Also, "local government designee" is intended herein to mean the municipal clerk, county clerk, or other person who has responsibilities on behalf of local governments or LGAs regarding financial disclosure statements.

I. Background

Prior to 2012 the FDS distribution and filing process relied upon a traditional paper based system. Last year, however, the LFB implemented a new FDS distribution and filing process that was designed to eliminate the practice of annually printing 70,000 paper copies of the FDS form and mailing them to each LGA. In particular, in a departure from past practice, the LFB only disseminated the FDS forms electronically (as a fillable PDF document). Similarly, the LFB required local government designees to return completed and collected FDS forms to the LFB by e-mailing the forms as PDF files. This changed the past practice of requiring local government designees to mail to the LFB paper photocopies of completed forms.

The change was estimated to save the State at least \$25,000 every year by eliminating costs associated with printing and mailing the forms. Equally important, the new process was intended to allow for the electronic storage and dissemination of documents by the LFB, which would provide more timely and appropriate disclosure to the public with respect to these important documents.

In preparation for the 2013 filing year, DLGS staff designed a robust online filing system that requires all FDS forms to be submitted electronically and posted online at the DLGS web site. This will result in greater public disclosure of FDS forms while also relieving records custodians of some of the burdens associated with Open Public Records Act ("OPRA") compliance. The public will be able to retrieve FDS forms by using basic search tools available on the DLGS web site.

PAPER COPIES OF THE FINANCIAL DISCLOSURE STATEMENT WILL NOT BE ACCEPTED BY THE LOCAL FINANCE BOARD. ALL COMPLETED FINANCIAL DISCLOSURE STATEMENTS MUST BE SUBMITTED USING THE ONLINE FILING PROCESS DISCUSSED IN THIS NOTICE AND LFN 2013-14.

II. Statutory Requirements/Concepts

N.J.S.A. 40A:9-22.6(a) provides that "[l]ocal government officers shall annually file a financial disclosure statement."

The concept that LGOs have personal responsibility for annually filing their FDS forms is an important one. Municipal clerks, county clerks, and other local government designees who have responsibilities concerning the FDS distribution and filing process are not required to complete FDS forms on behalf of LGOs, nor are they required to ensure that LGOs satisfy their statutory obligation to annually file a FDS. The failure of any LGO to comply with the annual filing requirement subjects the LGO to the penalties and disciplinary action provisions set forth in N.J.S.A. 40A:9-22.10 and 40A:9-22.11. Local government designees are not held responsible for any LGO's failure to comply with the statute.

This means that each LGO has the personal duty, by virtue of the LGO's public office, appointment, or employment, to carefully read LFN 2013-14 (when it is released), understand the new filing procedure, and take appropriate steps to timely file the LGO's FDS.

N.J.S.A. 40A:9-22.6(b) provides that the "Local Finance Board shall prescribe a financial disclosure statement form for filing purposes."

The online FDS form is substantively similar to the paper FDS form that LGOs have been filing for many years. The LFB has not adopted the ethics disclosure form utilized by the State Ethics Commission.

N.J.S.A. 40A:9-22.6(b) provides that "the original statement shall be filed with" the municipal clerk, county clerk, or other local government designee as appropriate to the circumstances.

This requirement is satisfied when the LGO submits the FDS using the online procedure and thereafter delivers a copy of the filing receipt containing the LGO's original signature (see Section III, Step 6 below) to the municipal clerk, county clerk, or other local government designee. LGOs should not file a paper copy of their completed FDS form.

N.J.S.A. 40A:9-22.6(b.) provides that "a copy of the statement shall be filed with the [Local Finance] board."

This requirement is satisfied when the LGO completes the online FDS form and submits the form electronically. The completed FDS form will be uploaded to the DLGS web site and will be accepted as the Board's copy. However, the FDS will not be deemed FILED unless the signed filing receipt is delivered by the LGO to the municipal clerk, county clerk, or other local government designee.

III. Role of Municipal Clerks, County Clerks, and Other Local Government Designees Regarding Financial Disclosure Statements

The following steps pertain only to municipal clerks, county clerks, and other local government designees who have responsibilities concerning financial disclosure statements. Local government officers should follow the steps that will be outlined for them in LFN 2013-14 (when it is released).

- STEP 1: Carefully review this Local Finance Notice and LFN No. 2013-14;
- STEP 2: Develop your list of LGOs who must file an FDS;
- STEP 3: Determine a local government e-mail address that you will provide to LGOs. The LGO will insert the e-mail address in a field contained in the FDS. See Step 5 below for more information concerning the local government e-mail address.
- STEP 4: Distribute LFN 2013-14 to your LGOs. If you distribute the notice via e-mail you should include the local government e-mail address in a conspicuous location such as in the body of the transmittal e-mail. If you distribute paper copies of LFN 2013-14 you should include the local government e-mail address either on the notice (e.g., on a label affixed to the notice) or in a transmittal memorandum.
- STEP 5: As each LGO submits his or her FDS form online you will receive an electronic report from DLGS directed to the inbox of the local government e-mail address that was provided. This is an initial confirmation of submission so that you can maintain a *general awareness* that your LGOs are successfully using the online process to submit their FDS forms. However, receipt of this initial report is not a substitute for the filing receipt that the LGO must deliver to you (see Step 6 below).
- STEP 6: The LGO will print a filing receipt containing a unique authentication code (receipt number) that is generated randomly by DLGS once the LGO submits the FDS online. The LGO must deliver to you a paper copy of the filing receipt containing the authentication code and the LGO's original signature.
- STEP 7: Add each LGO's authentication code to your roster.
- STEP 8: Maintain the filing receipts in a folder for at least five years (the records retention period that is applicable to FDS forms). Local Finance Board staff may seek to review filing receipts, especially if an ethics complaint is filed against one of your LGOs.

- STEP 9: Electronically file your roster with the LFB before June 28th. This will be accomplished using an online form. Filing instructions will be issued in a supplemental local finance notice in April. Do not e-mail rosters to DLGS. Please await further instructions from DLGS.
- STEP 10: The FDS forms will be uploaded regularly to the DLGS web site so that the public can download or view them directly.

IV. Rosters

After the April 30th filing deadline has passed, a roster must be submitted to the LFB containing the following information:

- Name of each person deemed to be a local government officer;
- Name of the local government agency served;
- Title/position of each local government officer;
- Authentication code of each LGO as indicated in the LGO's signed filing receipt;

This information is vital to the LFB's effective administration of the Local Government Ethics Law. Failure to file an FDS, whether due to neglect or refusal, is a violation of the law, and the LFB is prepared to take necessary action against LGOs in order to ensure compliance with the statute.

Furthermore, inserting the authentication code of each LGO in the roster is critical to maintaining the integrity of the online submission process. An FDS is not deemed FILED until the LGO delivers to you a copy of the filing receipt containing the LGO's original signature. Therefore, even if an FDS appears on the DLGS web site and purports to be the FDS of one of your LGOs, the FDS is not deemed FILED unless you receive the LGO's filing receipt.

Municipal clerks, county clerks, and other local government designees are responsible for completing and certifying the roster, and submitting same to the LFB. The certification will confirm that you have reviewed the filing requirement of each position listed on the roster and that you distributed LFN 2013-14 to each person included on the roster.

For your convenience, DLGS will create the roster to simplify data entry. The roster form will be an online form and you will be able to select either Excel or Word. Submission of the roster form electronically will enable the roster to be searchable and downloadable similar to FDS forms. As noted above in Section III, Step 9, filing instructions will be issued in a supplemental local finance notice in April. Do not e-mail rosters to DLGS. Please await further instructions from DLGS.

V. Determining Local Government Officers Required to File

While the Local Government Ethics Law applies to all employees and officers of local governments, only "local government officers" are required to file an FDS. The LFB requests that each municipal clerk, county clerk, and other local government designee carefully review their roster in consideration of the guidance provided in this section and in consultation with local counsel.

If, after review, it is determined that some positions within the local government are not deemed to be local government officers and, therefore, not required to file an FDS, please update/revise the roster and notify those individuals of your determination. If the LFB receives a signed written complaint alleging that a person is an LGO who did not file an FDS and that person is not included on the roster, the LFB will require the local government to explain how it determined that person not to be a LGO.

N.J.S.A. 40A: 9-22.3g defines a local government officer as:

... any person, whether compensated or not, whether part-time or full- time:

- (1) elected to any office of a local government agency;
- (2) serving on a local government agency, which has the authority to enact ordinances, approve development applications or grant zoning variances;
- (3) who is a member of an independent municipal, county or regional authority; or
- (4) who is a managerial executive or confidential employee of a local government agency, as defined in Section 3 of the "New Jersey Employer-Employee Relations Act," P.L. 1941, c.100 (C.34: 13A-3), but shall not mean any employee of a school district or member of a school board.

The Office of the Attorney General has issued a series of opinions that give advice as to the type of positions that are considered "local government officers." These opinions may be viewed at the Division of Local Government Services' website: <http://www.nj.gov/dca/divisions/dlgs/programs/ethics.html>. Click on Ethics Law and Complaints/Ethics Related Opinions to view these opinions.

Neither the LFB nor the Attorney General's Office can examine every local position or public body in the State that is created by ordinance and determine whether or not it is subject to the filing requirement. These determinations, to a large extent, are fact sensitive and must be determined on a case-by-case basis by each local government. It is recommended that municipal clerks, county clerks, and other local government designees consult with your local counsel to make individual determinations.

To assist with such reviews, the following information, extracted from the Attorney General Opinions, provides specific guidance on various positions.

Positions Specifically Required to File an FDS

The following positions are specifically **required** to file the FDS (listed in opinion number order):

- AO 91-0090: County Prosecutor
- AO 91-0092: Municipal Attorney
- AO 91-0093:
 - Elected Officials (and any person selected to fill a vacancy in an elected position.)
 - Board of Health Members
 - Planning Board Members
 - Board of Adjustment Members
 - Zoning Board of Adjustment Members
 - Independent Authority Members
 - Fire District Commissioners
 - Special Tax District Commissioners
- AO 91-0132: Board of Recreation Commissioners
- AO 91-0133: Planning/Zoning Board Attorney
- AO 91-0134: Independent Local Government Agency Attorney
- AO 92-0061: Local Ethics Board Members
- AO 92-0069: Rent Leveling Board Members
- AO 92-0072: Joint Insurance Fund Commissioners
- AO 92-0109: County and Municipal Emergency Management Coordinators
- AO 00-0041: County Agricultural Development Board Members

Positions Specifically NOT Required to File an FDS

Attorney General Opinions have been issued determining that the following are specifically **not required** to file the FDS (listed in opinion number order):

- AO 91-0096: Court Personnel – Including Judges and Court Administrators

- AO 91-0141: County Board of Taxation Commissioners
- AO 92-0070: Local Assistance Board Members
- AO 92-0071: Municipal Environmental Commission Members
- AO 92-0109: Emergency Management Council Members
- AO 95-0168:
 - County/Local Advisory Committee on Alcoholism and Drug Abuse Members
 - County Alliance Steering Subcommittee Members
 - Municipal Alliance Committee Members
- AO 97-0135: Registered Municipal Accountants Serving as Local Government Auditors

In addition, while Board of Elections Members and County Superintendents of Elections are not covered under the Local Government Ethics Law, they are covered by procedures adopted by the State Ethics Commission.

Managerial Executive and/or Confidential Employees

The determination regarding **managerial executive and/or confidential employees** is fact sensitive. Attorney General Opinion #91-0093 provides a six page analysis of how such determinations have been made by the Public Employment Relations Commission (PERC) in interpreting the NJ Employer-Employee Relations Act, which is tied to the Local Government Ethics Law at N.J.S.A. 40A:9-22.3g(4). Please review this opinion to make determinations locally for these categories. If a local government employee's title is covered by a bargaining unit, most likely, that person would not be required to file an FDS.

As general guidance, please also note that the opinion points out the **following have been deemed by PERC as managerial executive and/or confidential employees** in at least one local government:

Municipal Clerk	Deputy Municipal Clerk
Police Chief	*Deputy Police Chief
*Police Captain	Public Works Superintendent
Assistant County Treasurer	Health Officer
Treasurer	Fire Chief
*Deputy Fire Chief	Library Board Trustees
Board of Trustees of County College	Administrative Assistants (Confidential)
Secretary (Confidential)	Assistant County Attorney

Additionally, the following have been deemed by PERC as **not managerial executive and/or confidential employees** in at least one local government:

Construction Official	Fire Marshal
Fire Inspector	*Deputy Police Chief
*Deputy Fire Chief	*Police Captain
Police Sergeant	Assistant Engineer
Lifeguard Captain	Zoning Officer
Tax Assessor	Library Director
Deputy Warden	Tax Collector
Assistant Tax Collector	

* listed in both categories

As can be seen from these Attorney General Opinions, PERC has taken a different position on the same title in different local governments. Local governments are asked to make a thorough analysis of the titles or positions they have deemed to be local government officers. Please review your rosters against the various Attorney General Opinions to ensure that only those positions required to file are included in your roster.

Common Misunderstandings

For a variety of reasons found in the Local Government Ethics Law and in the Attorney General Opinions, there are positions that are not required to file the FDS. Please note that the LFB will not pursue "failure to file" complaints charging persons holding titles/positions that are not required to be filed even if the local government includes such a title/position on the roster. They include:

- Advisory Board Members
- Court Personnel
- Registered Municipal Accountants
- Bond Counsel
- Labor Counsel

VI. Distribution of LFN 2013-14

Municipal and county clerks are responsible for transmitting LFN 2013-14 (when it is released) to LGOs, in accordance with N.J.S.A. 40A: 9-22.6. For purposes of this statute, officers and employees serving independent local authorities are deemed to be serving the local government. In Attorney General Opinion #91-0093, the Office of the Attorney General determined that the term "independent authorities" encompasses most autonomous local authorities and special tax districts. This includes fire districts. Thus, the clerk also makes distribution to independent local authorities and fire districts.

However, for a municipality or county that has established an ethics board, the local ethics boards are required to make LFN 2013-14 available to LGOs within their jurisdiction. Please forward this communication to representatives of your local ethics board for necessary action. The LFB does not have direct contact information for local ethics boards.

Other local government designees: county colleges (e.g., office of the president), regional authorities, joint insurance funds, and health insurance funds should designate somebody internally to transmit LFN 2013-14 to their respective LGOs in accordance with N.J.S.A. 40A: 9-22.6 and to be responsible for submitting rosters.

VII. Identification of Local Government Agencies

The Division of Local Government Services requests that municipal clerks and county clerks please advise us of all local ethics boards, independent authorities, joint meetings, regional authorities, JIFs, and HIFs (excluding school boards and entities that serve in a purely advisory capacity). In Attorney General Opinion #91-0093, the Office of the Attorney General has determined that the term "independent authorities" encompasses most autonomous local authorities and special tax districts. This includes fire districts.

The information you provide DLGS will be used internally to update our records so that all local government agencies falling within the jurisdiction of N.J.S.A. 40A:9-22.1, et seq. are satisfying the annual filing requirement. Please e-mail the information to dlgs@dca.state.nj.us.

Approved: Thomas H. Neff, Director

BOARD OF FIRE COMMISSIONERS
MANALAPAN TOWNSHIP FIRE DISTRICT #2
P.O. BOX 54
TENNENT, NEW JERSEY 07763

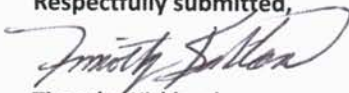
Bill List
Monthly Meeting March 6, 2013

ADP	9,031.82
Bailey's Janitorial Services	240.00
Belasco Petroleum	791.52
Cablevision	74.90
Carol Flannery	243.86
Charles Sacco	67.41
Continental Fire & Safety, Inc.	42.26
Document Solutions Leasing	132.82
Edward Dillon	248.24
Emergency Equipment Sales, LLC	1,031.60
Englishtown Automotive, Inc.	848.84
Fire & Safety Services, LTD	188.00
Fire & Safety Services, LTD	703.48
First Priority Emergency Vehicles, Inc.	1,225.00
George Kline Sales	816.00
Gordons Corner Water Company	1,888.92
James Thompson	67.41
John Marini	67.41
Joseph Spevak	127.41
MaryAnn Marini	150.00
Michael Auletta	67.41
Millhurst Mills	625.00
Mooremedical	166.00
Muyong Oh	67.41
NetLink	400.00
NetLink Webb Services, LLC	199.00
Patrick Flannery	67.41
Paul Conway Sheilds	352.20
Richard Hogan	67.41

Roy Press Printers	435.00
State of New Jersey Public Employees Retirement System	9,132.00
The Star-Ledger	201.36
Timothy Kirkland	118.23
Verizon	147.53
Verizon Wireless	1,086.26
WithumSmith & Brown	4,372.89

TOTAL \$ 35,492.01

Respectfully submitted,



Timothy Kirkland
Treasurer



MOTOROLA

Authorized Two-Way
Radio Dealer

Tuesday, March 05, 2013

Sonny, Chief
Manalapan Fire District #2
Board of Fire Commissioners #2
PO Box 54
5 Sweetmans Lane
Manalapan, NJ 07763

Motion

Dear :

Thank you for your continued interest in the exciting products from Allcomm Technologies, Inc. We strive to make your communications system the best for your environment and look forward to enhancing your work. Here is information on the products we discussed. Remember that your representation by highly trained communication specialists like myself means that your system works with the right Motorola equipment. We'll "watch your back" to ensure that your communications is consistent and reliable so that you can do your job.

I am proud to present the following equipment proposal designed for Manalapan Fire District #2 special requirements:

David Clark Wireless Headset One Position add on to Truck 26-2-78

**Behind the Head Headset
Belt Station VOX/with radio PTT
4 Bay Charging Unit**

**Wireless Gateway
Battery Pack
Installation**

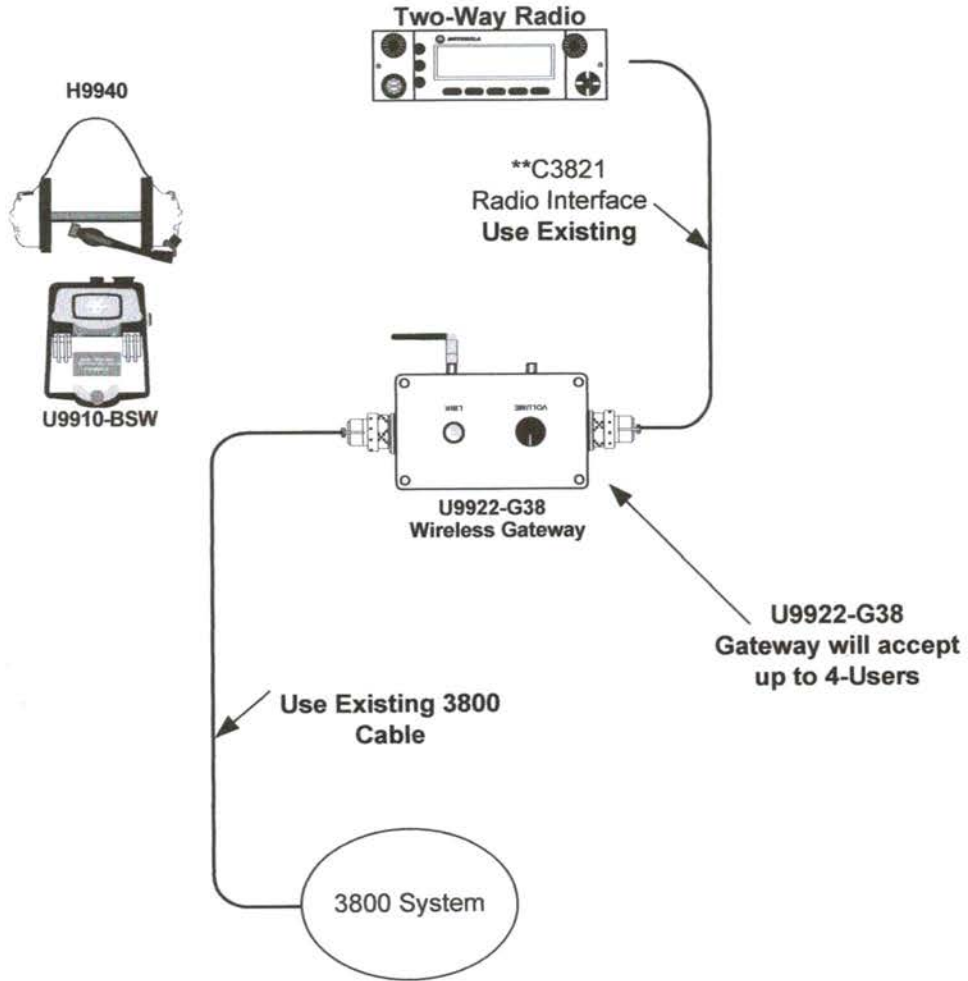
Cost Estimate Truck 26-2-78

\$3,817.50



WWW.DAVIDCLARK.COM

9900 Wireless Intercom System Driver Upgrade



A99-04CRG1



4 – Bay Charging Unit (12V)
With
40688G-97
Battery Tie-Down Straps
(2 each)

12V DC

40688G-90



(1) One Spare
Battery

Made In USA





MOTOROLA

*Authorized Two-Way
Radio Dealer*

David Clark System Truck 26-2-90

System Overview:

2 Position in Cab of truck one wired connection, one wireless connection

4 Position all wired in back of truck

Wireless headset used at the pump panel

Connect system to Motorola Spectra Mobile Radio

Cost Estimate for Truck \$9,038.00

Motorola Spectra Radio is not capable of FCC 2013 Narrowband Mandate Operation

Cost Estimate to replace radio with Narrowband Compliant Equipment \$2,387.00

Take a close look at the quality and capabilities we are offering you. Think about how much easier your job can be with no wires attached! Please call with any questions you may have. I look forward to talking with you.

Sincerely,

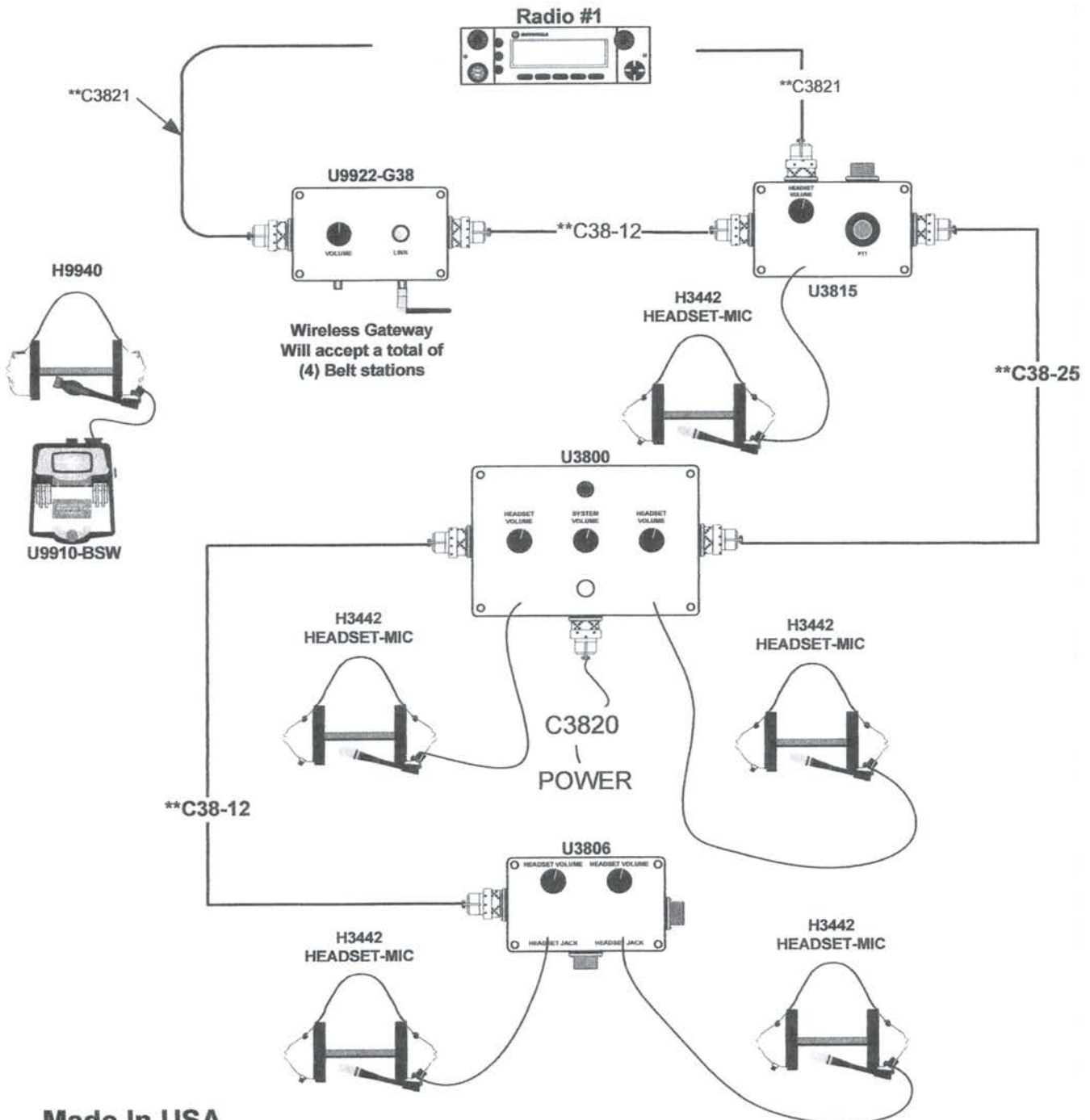
John Hutchinson

Sales Representative



WWW.DAVIDCLARK.COM

6-Position Vehicle Intercom System



Made In USA



If Adapting to a Motorola Syntor X9000, Spectra or Maratrac w/A7 heads, add the following:
 (1) ea. 4017G-01
 (2) ea. 09227P-81

****Note: Jumper Cord Lengths and Locations are for illustration only. Other lengths may be required. Refer to installation manual for connections.**

FIRE PROTECTION AGREEMENT

THIS AGREEMENT dated this 31 day of March, 2013 by and between the Board of Fire Commissioners, Fire District No. 2, Township of Manalapan, County of Monmouth and State of New Jersey hereinafter designated as the "Board", and the Manalapan Township Volunteer Fire Company No. 1 hereinafter designated as the "Company".

WITNESSETH:

WHEREAS; the Board of Fire Commissioners, is a duly constituted public agency organized pursuant to the provisions of N.J.S.A. 40A:14-70 et. seq.; and

WHEREAS; N.J.S.A. 40A:14-70.1.b. authorizes a Board of Fire Commissioners to contract with a volunteer fire company for the purpose of providing fire protection services upon such terms and conditions as shall be deemed proper; and

WHEREAS; the Company is a duly constituted nonprofit corporation organized pursuant to the laws of the State of New Jersey for the purpose of fire suppression/fire protection services; and

WHEREAS; the parties hereto desire to enter into a contract to define the rights, duties and responsibilities of each regarding the furnishing of fire protection services to the residents of the fire district.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. **TERM:** This Agreement shall have a one year duration commencing on March 1, 2013 and terminating, unless otherwise renewed and extended on February 28, 2014.

2. **DUTIES:** The Company covenants and agrees to provide fire protection/fire suppression services to all persons and property situate within the borders of Fire District No. 2, Manalapan Township, Monmouth County, New Jersey and to provide said fire services seven days per week, 24 hours per day, in accordance with any and all applicable rules, regulations, standards and laws of the State of

New Jersey and any administrative agency having the necessary and proper jurisdiction to prescribe rules and regulations regarding the conduct of fire fighting services. The Company shall operate and utilize any and all equipment and apparatus supplied by the Board for the purposes of fire suppression in accordance with such rules and regulations as may be adopted by the Board. The Company shall provide such personnel as may be available for the purposes specified herein. The members of the Company shall be under the supervision and control of the Board and in performing fire duty shall be deemed to be exercising a governmental function.

3. **BUILDING USE**: The Company does hereby specifically grant to the Commissioners the right to use the public meeting room for holding meetings, both public and executive sessions, and to use the building as a polling place for such elections as may be required to be held within the District, subject only to the requirement that the Commissioners notify the Company in advance of their intention to use the building for such purposes and also subject to the requirement that such use will not interfere with normal operations of the fire company. The Company hereby leases to the Board the equipment bays and office space for the purpose of equipment and apparatus storage and the conduct of fire district business activities.

4. **CONSIDERATION**: The Board shall pay the Company, as and for consideration for the promises and covenants contained herein the sum of **\$113,950.00** for the year 2013. All payments hereunder shall be rendered in four equal installments and shall be due and payable on January 2nd, April 1st, July 1st and October 1st of each year covered by the terms of this Agreement.

5. **MAINTENANCE AND REPAIR**: The Commissioners shall be responsible for the payment of all costs for the maintenance and repair of all fire fighting equipment and apparatus in accordance with the budget adopted by the Board of Fire Commissioners at the annual referendum.

6. **INSURANCE**: The Commissioners shall provide, at no cost or expense to the individual members of the Volunteer Fire Company, such insurance as may be legally required, including but not limited to comprehensive liability, workers compensation and life insurance and shall fund the Length of Service Awards program approved by the voters.

7. **UTILITIES AND BUILDING MAINTENANCE**: The Company shall be

responsible for the maintenance of the fire house and shall make all utility payments for telephone, electricity and natural gas.

8. **ANNUAL ACCOUNTING:** The Company shall provide an annual accounting of all public monies received and expenditures made by it to the Board.

9. **SAVINGS CLAUSE:** The terms and provisions of this Agreement are subject to such limitations as may be imposed upon either of the parties by statute or ordinance. Should any provision of this Agreement be ruled invalid by a court of competent jurisdiction, such ruling, shall not affect the remaining provisions of this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers and representatives on this 3 day of April, 2013.

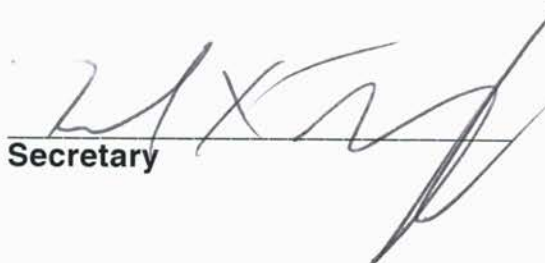
Manalapan Township Fire District No.2


Chairman


Clerk

Manalapan Township Volunteer Fire Co. No.1


President


Secretary