

Resolution No. 2023-

RESOLUTION APPOINTING AN AS NEEDED PER DIEM FIRE INSPECTOR(S) [FIRE PREVENTION SPECIALIST(S)] PURSUANT TO N.J.A.C. 5:71-3.2(b)

WHEREAS, the Board of Fire Commissioners of Fire District No, 1, Borough of Manasquan, County of Monmouth, State of New Jersey, has been designated the local enforcing agency pursuant to and in accordance with the “Uniform Fire Safety Act” (P.L. 1983, Chapter 383; N.J.S.A. 52:27D-192 et seq.) and the Uniform Fire Code; N.J.A.C. 5:71-1.1 et seq.; and

WHEREAS, in order to effectuate its mandated charge under the aforementioned “Act” and “Code”, the Board of Fire Commissioners of Fire District No. 1, Borough of Manasquan, County of Monmouth, State of New Jersey, has established the Bureau of Fire Safety within the Borough which is under the direct control and supervision of the Board; and

WHEREAS, the Board has created the paid position of Fire Prevention Specialist, pursuant to N.J.S.A. 40A:14-81.1 and N.J.S.A. 11A:1-1 et seq.; and

WHEREAS, N.J.A.C.5:71-3.2(b) mandates that the local enforcing agency provide an adequate number of Fire Inspectors (Fire Prevention Specialists) to complete all necessary inspections and review all permit applications and to act on them in a timely manner when violations are found and not corrected; and

WHEREAS, the Board, upon the recommendation of the Director of Fire Services, finds and determines that there is a need for an as needed Per Diem Fire Inspector (Fire Prevention Specialist) within the Borough to enforce the “Act” and “Code”.

NOW, THEREFORE, BE IT RESOVLED, by the Board of Fire Commissioners of Fire District No. 1, Borough of Manasquan, County of Monmouth, State of New Jersey, that it appoint the following as needed Per Diem Fire Inspector (Fire Prevention Specialist):

1. Nicholas Krauss; and

BE IT FURTHER RESOLVED, that the appointee be hired at a salary of twenty-three dollars and fifty cents (\$23.50) per hour, not to exceed thirty-two (32) hours per month on average; and

BE IT FURTHER RESOLVED, that the sum of twenty-three dollars and fifty cents (\$23.50) per hour, not to exceed thirty-two (32) hours per month on average, appears in the 2023 budget under the caption of Appropriations Offset with Revenue – Personnel, Salary & Wages and is hereby appropriated under the said caption of the operating section of the 2023 budget; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified as of the date of the within Resolution and shall be chargeable to

the above said line item as incurred to the maximum amount of same unless otherwise increased as permitted by law and a separate certification of availability of funds is made by the Board Treasurer; and

BE IT FURTHER RESOLVED, that the Director of Fire Services shall be responsible for determining when the as needed per diem Fire Prevention Specialist services are needed; and

BE IT FURTHER RESOLVED, that the per diem employee shall not be entitled to any benefits or emoluments as a result of his/her employment; and

BE IT FURTHER RESOLVED, that the per diem employee shall be under the control and supervision of the Director of Fire Services and/or the Fire Official, as the case may be; and

BE IT FURTHER RESOLVED, that said appointment is being made in accordance with Title 11A of the laws of the State and Rules and Regulations promulgated thereto and shall take effect on July 19, 2023; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Board Auditor, Robert D. Elliott, C.P.A., of the firm Mohel, Elliott, Bauer & Gass, 8 Executive Drive, Suite 1, Toms River, New Jersey 08755, for inclusion in Board future filings and recordings; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the New Jersey Department of Community Affairs, Division of Fire Safety, for its information and records; and

BE IT FURTHER RESOLVED, that the duties of the Fire Inspectors (Fire Prevention Specialists) are those as set forth in N.J.A.C. 5:71-3.3, N.J.S.A. 11A:1-1, et seq. and the Rules and Regulations promulgated thereunder, Board Employment Responsibility Description and as directed from time to time by the Board and/or its designee; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board

bylaws, borough ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.


CERTIFICATION

I, CARMEN G. TRIGGIANO, Clerk of the Board of Fire Commissioners of Fire District No. 1, Borough of Manasquan, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 19th day of July, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 1, Borough of Manasquan, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that - 5 - members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 1, Borough of Manasquan, County of Monmouth, State of New Jersey, on this 19th day of July, 2023.



CARMEN G. TRIGGIANO, CLERK
Board of Fire Commissioners
Fire District No. 1
Borough of Manasquan