

Subject: RE: [EXTERNAL] [SPF ERROR] Fwd: FW: Officers

From: Matthew Giacobbe <mgiacobbe@cgajlaw.com>

Date: 7/13/2022, 4:01 PM

To: Marc Strauss <mstrauss@ahco1.com>

CC: Marc Strauss <publicsafety@uniontwp-hcnj.org>, Grace Brennan <cfo@uniontwp-hcnj.org>, Mary Athenas <mathenas@cgajlaw.com>

Matthew J. Giacobbe, Esq., Partner
Cleary | Giacobbe | Alfieri | Jacobs, LLC
169 Ramapo Valley Road
Upper Level 105
Oakland, New Jersey 07436
(973) 845-6700 Office
(201) 644-7601 Fax
email address: mgiacobbe@cgajlaw.com

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Matthew J. Giacobbe

Cleary Giacobbe Alfieri Jacobs, LLC
Partner

(973) 845-6700 Work
mgiacobbe@cgajlaw.com
169 Ramapo Valley Road
Upper Level - Suite 105
Oakland, New Jersey 07436
cgajlaw.law

From: Marc Strauss <mstrauss@ahco1.com>

Sent: Wednesday, July 13, 2022 3:59 PM

To: Matthew Giacobbe <mgiacobbe@cgajlaw.com>

Cc: Marc Strauss <publicsafety@uniontwp-hcnj.org>; Grace Brennan <cfo@uniontwp-hcnj.org>; Mary Athenas <mathenas@cgajlaw.com>

Subject: Re: [EXTERNAL] [SPF ERROR] Fwd: FW: Officers

Sir,

Thanks,

Marc

On Wed, Jul 13, 2022 at 3:56 PM Matthew Giacobbe <mgiacobbe@cgajlaw.com> wrote:

Dear Marc –

Matthew J. Giacobbe, Esq., Partner
Cleary | Giacobbe | Alfieri | Jacobs, LLC
169 Ramapo Valley Road
Upper Level 105
Oakland, New Jersey 07436
(973) 845-6700 Office
(201) 644-7601 Fax
email address: mgiacobbe@cgajlaw.com

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Matthew J. Giacobbe
Cleary Giacobbe Alfieri Jacobs, LLC
Partner

(973) 845-6700 Work
mgiacobbe@cgajlaw.com
169 Ramapo Valley Road
Upper Level - Suite 105
Oakland, New Jersey 07436
cgajlaw.law

From: Marc Strauss <mstrauss@ahco1.com>
Sent: Wednesday, July 13, 2022 3:53 PM
To: Matthew Giacobbe <mgiacobbe@cgajlaw.com>
Cc: Marc Strauss <publicsafety@uniontwp-hcnj.org>
Subject: [EXTERNAL] [SPF ERROR] Fwd: FW: Officers

Mr. Giacobbe,

Please see the email below from the NJ DFS. The information in the email is time sensitive as is the action/response on behalf of the PVFC.

Please forward this email to them and their attorney.

Thanks,

Marc

From: Weiss, Timothy [DCA]
Sent: Tuesday, July 12, 2022 9:20 AM
To: publicsafety@uniontwp-hcnj.org
Subject: Officers

Director Strauss

Sir

As you are aware I sent you a letter of my findings yesterday.

Well as of today you and the fire company have another issue.

The list that the chief provided of fire officers for 2022 is not the same list that is posted on the fire company facebook page.

I find it interesting that we all met and used the original list effective 1/1/2022 during our discussion. Yet today on the company facebook page the list is different. The list on the facebook page shows Jake Cregar as Lieutenant. Mr. Cregar is NOT incident management level 1 certified and MUST be removed from the officers position IMMEDIATELY in accordance with the fire code. Please notify me in writing, by end of business today, that he has been removed. Any other agencies that have officers lists must also be notified today ie: county dispatch, other county fire departments, etc.

Stay Safe

Timothy Weiss

New Jersey Division of Fire Safety
Supervisor
Office of Fire Department Preparedness
609 947-7526

Subject: RE: [EXTERNAL] Fwd: Fwd: 5/18 Meeting Notes & Request for Special Closed Session ADDENDUM **CONFIDENTIAL**

From: Matthew Giacobbe <mgiacobbe@cgajlaw.com>

Date: 5/31/2022, 10:31 AM

To: Grace Brennan <cfo@uniontwp-hcnj.org>, "Pages@uniontwp-hcnj.org" <PAGES@UNIONTWP-HCNJ.ORG>

Grace - I am reviewing and will call you this afternoon. What is the best number to reach you?

From: Grace Brennan <cfo@uniontwp-hcnj.org>

Sent: Tuesday, May 31, 2022 10:30 AM

To: Matthew Giacobbe <mgiacobbe@cgajlaw.com>; Pages@uniontwp-hcnj.org

Subject: [EXTERNAL] Fwd: Fwd: 5/18 Meeting Notes & Request for Special Closed Session ADDENDUM **CONFIDENTIAL**

Good morning Matt. Not sure if you received my email on Thursday. I have trouble sending webmail from home. Please call me regarding the below information. Grace

----- Forwarded Message -----

Subject:Fwd: 5/18 Meeting Notes & Request for Special Closed Session ADDENDUM **CONFIDENTIAL**

Date:Tue, 31 May 2022 10:27:58 -0400

From:cfo@uniontwp-hcnj.org

To:Cfo <cfo@uniontwp-hcnj.org>

----- Original Message -----

Subject:Fwd: 5/18 Meeting Notes & Request for Special Closed Session ADDENDUM **CONFIDENTIAL**

Date:2022-05-26 17:37

From:cfo@uniontwp-hcnj.org

To:Mgiacobbe <mgiacobbe@cgajlaw.com>, Pagestiger <pagestiger@gmail.com>

Good evening Matt,

Please take a look at the attachments and review the below email.

Once you see this. I can be reached early tomorrow between 9-12 AM

Please call

Thank you,

Grace Brennan, Personnel Admin.

Union Township

----- Original Message -----

Subject:5/18 Meeting Notes & Request for Special Closed Session ADDENDUM **CONFIDENTIAL**

Date:2022-05-25 21:45

From:Richard Lordi <rlordi@uniontwp-hcnj.org>

To:Ella Ruta <clerk@uniontwp-hcnj.org>

Cc:Grace Brennan-UT CFO <cfo@uniontwp-hcnj.org>, Marc Strauss-UT Public Safety Director <mstrauss@ahco1.com>, Trishka-UT Attorney <trishka@mgplaw.com>

Ella - Please disseminate to my UTC colleagues (with attachments).

A full list of apparatus Union Township insures is also listed below.

REFERENCES & ATTACHMENTS:

<u>YEAR</u>	<u>MAKE</u>	<u>TYPE</u>
2012	FORD F-350	K-9 UNIT
2005	FORD F-350	BRUSH UNIT
2008	FORD F-350	FIRST RESPONSE UNIT
2014	FORD F-350	COMMAND VEHICLE
1952	MACK	ANTIQUE
1987	E-ONE	ENGINE
1992	INTERNATIONAL	TENDER
2004	PIERCE	SQUAD
2010	PIERCE	ENGINE

2-14.11 Notifications to Township

The Union Township Public Safety Coordinator, or if unavailable, the Township Committee Liaison to the Fire Company shall be notified by the Chief, or in his absence his designee, of any emergencies, incidents, alarms, mutual aid, stand-bys or any non-emergency responses, violations, apparatus leaving Union Township or any other circumstances affecting the operation of the Fire Company or the public health, safety or welfare.

Richard Lordi

Committeeman
Union Township, Hunterdon County
140 Perryville Road
Hampton, New Jersey 08827
908-735-8027 (Office)
908-447-6655 (Cell)
908-735-0591 (Fax)
www.uniontwp-hcnj.gov

Begin forwarded message:

From: Richard Lordi <rlordi@uniontwp-hcnj.org>

Subject: 5/18 Meeting Notes & Request for Special Closed Session

Date: May 24, 2022 at 5:02:22 PM EDT

To: "Ella M. Ruta" <clerk@uniontwp-hcnj.org>

Cc: Trishka-UT Attorney <trishka@mgplaw.com>, Marc Strauss-UT Public Safety Director <mstrauss@ahco1.com>, Grace Brennan-UT CFO <cfo@uniontwp-hcnj.org>

Ella-

Please disseminate to my fellow Township Committee members.

NOTES FROM UTC MEETING 5/18/22:

NOTES REGARDING ORDINANCE 2016-7 (attached)

SECTIONS CITED

2-14.2 Qualifications for Membership; Officers.

- A. **Regular officers and members.** Officers and members of the Fire Company shall be 18 years of age or more and shall be chosen and admitted to membership in accordance with the bylaws of the Fire Company, subject to approval and confirmation by the Township Committee.
- C. **Application Procedure.** Every person seeking to join the Fire Company shall make application to the Fire Company in accordance with this chapter and the by-laws of the Fire Company. Upon approval of his/her membership in the Fire Company, and appointment by the Union Township Committee, said person shall become a member in good standing of the Fire Company, and his/her name shall be entered on the Role of Active Firefighters kept by the Township Personnel Administrator.
- D. **Physical Examination.** As part of the application process, and prior to appointment every applicant for active or reserve membership in the Fire Company must pass a physical examination by a practicing physician in the State of New Jersey, certifying that the applicant is fit for firefighting duties. A copy of all certifications shall be provided to the Township Personnel Administrator
- E. **Firefighter Certifications.** Every active and reserve member of the Fire Company shall, at minimum, be certified as a Firefighter-1 in the State of New Jersey. Every line officer must obtain an Incident Management Level 1 certification prior to assuming any line officer position. A copy of all certifications shall be provided to the Township Personnel Administrator.
- G. **Mandatory Requirements.** Any member failing to meet any of the above requirements or any requirement mandated by the New Jersey Department of Community Affairs, Division of Fire Safety shall be cause for immediate removal of the member from the Fire Company, and discipline, up to termination, of the Chief of the Fire Company.
- I. **Qualifications of Members and Officers.** All active and reserve members of the Fire Company shall undergo medical and fitness evaluations in accordance with recommendations of the National Fire Protection Association (NFPA). Copies of all medical and fitness evaluation results, mandatory training documents and certifications for all active Fire Company officers and members shall be filed with the Township Personnel Administrator.

2-14.3 Amount of Duty Required.

Every active member of the Fire Company shall, in each and every year, perform at least fifty (50%) percent of duty to be composed of actual attendance and duty at fires and drills, in accordance with requirement of the New Jersey State Fireman's Association. A record shall be kept of such attendance and duty by the Chief of the Fire Company and reported to the Mayor and Township Committee annually.

2-14.7 Duties of the Chief

- A. In addition to all of the requirements of this chapter, the Chief shall be in full command and complete control at all fires and during the period of all alarms and shall be held accountable for his/her action to the Township Committee. The Chief shall make written reports to the Township Committee every month. The Chief shall be present at any Township Committee meetings by written request of the Mayor or Fire Company liaison.

- B. The Chief shall be responsible for obtaining the proper certification of every member of the Fire Company. Failure to do so may result in removal of the Chief.
- C. The Chief shall be responsible for all fire-related equipment. The Chief shall ensure that all equipment is properly licensed and operational. The Chief shall be responsible for obtaining the proper certification for every piece of equipment.
- D. By January 15 of each year, the Chief shall prepare and submit to the Township Committee an annual budget for the Fire Company, listing all anticipated expenditures and estimating prices thereof. The budget shall include an accounting of the previous year. No expenditure to be borne by the Township shall be submitted without prior approval by the Township Committee and Chief Financial Officer in accordance with law. Any expenditure request shall be submitted in writing.

2-14.10 Prohibited Uses of Fire Department Vehicles

- A. The use of Fire Company vehicles, apparatus, or equipment for private use, profit, benefit or advantage is prohibited, except in case of fire or other emergency which shall be immediately reported to Hunterdon County 911. Violation of this section shall be cause for discipline as provided in this chapter.
- B. Only certified active, reserve or junior firefighters shall be permitted to ride on or in fire apparatus, engines or vehicles. All other members of the Fire Company, such as EMTs, paramedics and first responders should respond in the designated first response vehicle, unless otherwise ordered by the Fire Chief or officer in charge. Violation of this section shall be cause for discipline as provided in this chapter.

2-14.11 Notifications to Township

The Union Township Public Safety Coordinator, or if unavailable, the Township Committee Liaison to the Fire Company shall be notified by the Chief, or in his absence his designee, of any emergencies, incidents, alarms, mutual aid, stand-bys or any non-emergency responses, violations, apparatus leaving Union Township or any other circumstances affecting the operation of the Fire Company or the public health, safety or welfare

Richard Lordi
Committeeman
Union Township, Hunterdon County
140 Perryville Road
Hampton, New Jersey 08827
908-735-8027 (Office)
908-447-6655 (Cell)
908-735-0591 (Fax)
www.uniontwp-hcnj.gov

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www.avast.com



MEL SAFETY INSTITUTE BULLETIN

January 2019

Facial Hair and Fit-Testing for Firefighters

Quantitative fit-testing is required by OSHA's Respiratory Protection Standard 29 CFR 1910.134(f), which has been adopted by NJPEOSH in its entirety. This Bulletin will discuss the regulatory requirements concerning fit testing firefighters with facial hair. The requirements are the same for career, combination, and volunteer fire departments, companies, or districts since fire and smoke present the same hazard to all firefighters.

It is important to note that employees who must wear respirators in Immediately Dangerous to Life or Health (IDLH) environments, including firefighters who must wear Self-Contained Breathing Apparatus (SCBA), must be fit-tested annually. The fit-testing requirement includes testing whenever changes in the employee's physical condition that could affect respirator fit.

- OSHA 1910.134(g)(1)(i) states, "The employer shall not permit respirators with tight-fitting face pieces to be worn by employees who have facial hair that comes between the sealing surface of the face piece and face . . ."
- NFPA 1404 A.6.6.2(7) states, "Beards or facial hair that interferes with the face piece seal shall be prohibited for members required to use respiratory protection"

The term "shall" means this is a required condition. Users' Manuals for several popular models of SCBA also state to not use the SCBA if facial hair is in the sealing surface of the face piece. As a reminder, NJPEOSH can also enforce conditions given by manufacturers of safety equipment in their Users' Manuals or Guides. Check your SCBA manual.

Fire departments must have a written Respiratory Protection Program (1910.134(c)1). NJPEOSH provides a Model Fire Department Written Respiratory Protection Program at

<https://www.nj.gov/health/workplacehealthandsafety/peosh/peosh-health-standards/resprotection.shtml>

The policy should clearly stipulate that fit-testing can only be conducted when the firefighter presents him or herself free of facial hair in the sealing surface of the SCBA face piece. Testing agencies or test administrators may be in violation with the OSHA Standard if they administer a fit-test on a subject with facial hair in the sealing surface. Appendix A is mandatory and states in Section (9), "The (fit) test shall not be conducted if there is any hair growth between the skin and face piece sealing surface, such as stubble beard growth, beard, mustache or sideburns which cross the respirator sealing surface."

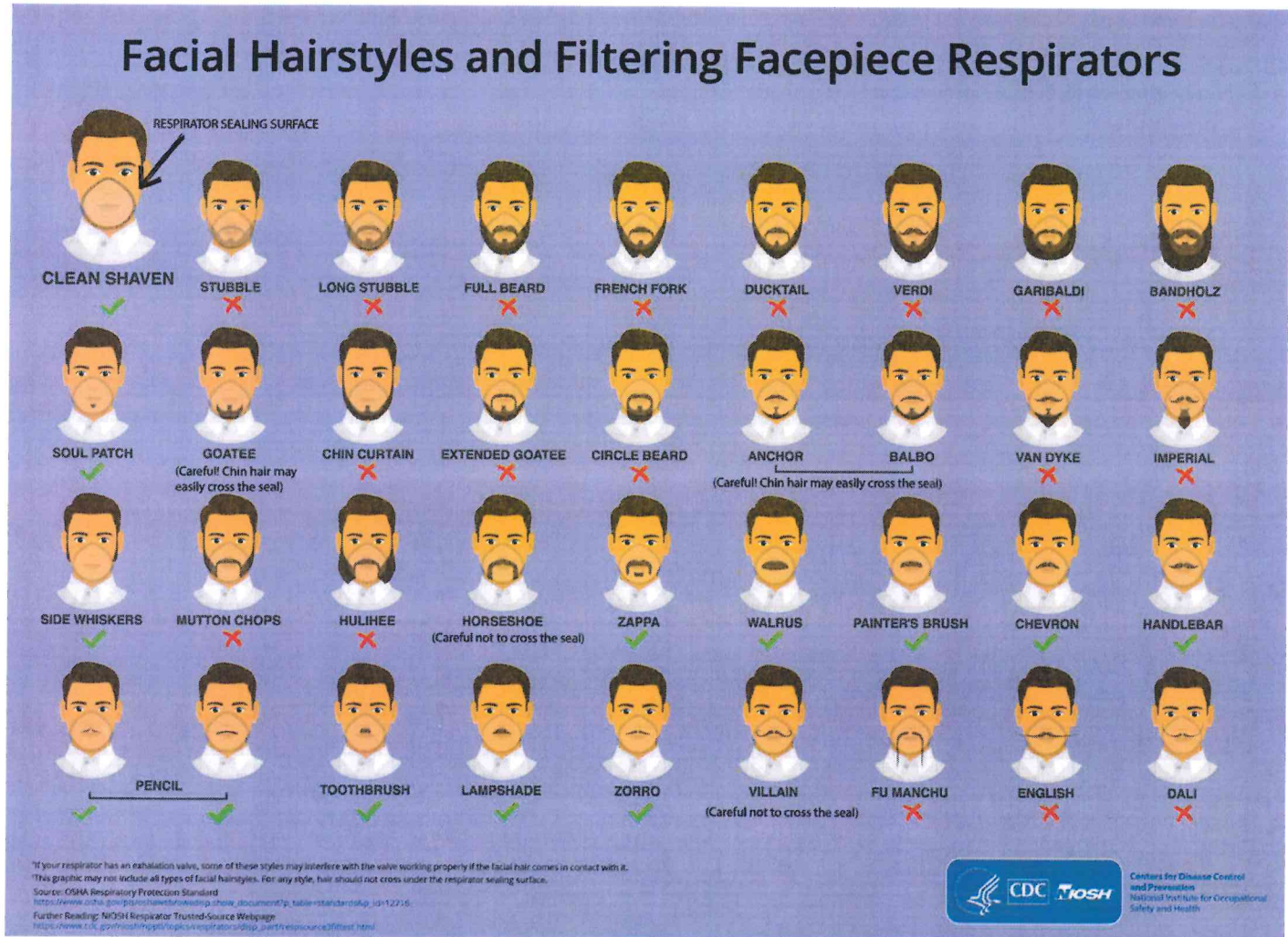
✓
✓
✓
OSHA 1910.134(f)(3) further states, the "employer shall conduct an additional fit test whenever the employee reports, or the employer, supervisor, or program administrator makes visual observations of, changes in the employee's physical condition that could affect respirator fit". This places a responsibility on fire company officers to conduct fit testing at any point in the year if a firefighter presents with a beard, for example in No-Shave November. The firefighter may not be permitted to perform interior structural firefighting and other duties in an IDLH environment, including overhaul until fit-testing is passed.

Firefighters with beards who respond to fires, hazardous material incidents, confined space rescues and other incidents where a SCBA must be worn, should be assigned only tasks outside IDLH, or potentially-IDLH, environments. There are many assignments outside the hazard area that must be completed to support the safe operations in the hot zone. Similarly, Incident Commanders and other fire ground officers should not allow mutual aid firefighters to perform interior operations on their fire ground.

The bulletin provided for general information purposes only. It should not be construed as legal advice or legal decision. Employees follow your organization's policies and procedures as presented by your manager or supervisor. For further information regarding this bulletin, please contact the Bureau at 312-334-3036.

4/23/2019

Unknown.jpeg



Guidelines .jpg

Courts have heard a number of civil suits regarding facial hair on firefighters who must wear SCBA. These cases have often been based on two claims; reasonable accommodations for 1) medical conditions, such as for pseudofolliculitis barbae (a skin condition that makes shaving painful), and 2) religious freedom exemptions. Generally, courts have recognized the extreme hazards of firefighting, hazardous material responses and similar incidents do present an IDLH environment. For some fire departments, reasonable accommodations may be available to assign duties to a firefighter without operating in an IDLH environments. For many fire departments it would place an undue burden to honor a reasonable accommodation request and permit firefighters with facial hair and then have to monitor their actions at an emergency scene. Departments faced with a reasonable accommodation request on medical or religious freedom grounds should consult with a labor attorney who is educated on firefighting hazards and Equal Employment case law.

Fire department leaders who permit firefighters with facial hair are violating NJPEOSH laws, NFPA national standards, their SCBA operating instructions, and unnecessarily risking the health and lives of one of the community's most important resource, emergency responders. The fire service is an honorable and brave profession. Fire Chiefs and other leaders must have the integrity and fortitude to make a hard decision to protect the health of their men and women.



Subject: FW: Investigation findings

From: "Lisa" <lisa@pfenningerins.com>

Date: 10/28/2022, 9:05 AM

To: "Frank Mazza" <frankm@uniontwp-hcnj.org>

CC: "Grace Brennan" <cfo@uniontwp-hcnj.org>, "Ella Ruta" <clerk@uniontwp-hcnj.org>

Good Morning Frank,

Best regards,

Lisa

Lisa A. Pfenninger

Lisa A. Pfenninger Insurance Agency, LLC

PO Box 275

Three Bridges, NJ 08887

P: (908) 237-2400

F: (908) 237-0176

C: (908) 268-8656

lisa@pfenningerins.com



From: frank Mazza [<mailto:frankm@uniontwp-hcnj.org>]

Sent: Thursday, October 27, 2022 11:37 AM

To: Grace Brennan <cfo@uniontwp-hcnj.org>; Ella Ruta <clerk@uniontwp-hcnj.org>; Lisa <lisa@pfenningerins.com>

Subject: Fwd: Investigation findings

Sent from my iPad

Begin forwarded message:

From: frank Mazza <frankm@uniontwp-hcnj.org>

Date: October 26, 2022 at 5:11:44 PM EDT

To: Page Stiger <pages@uniontwp-hcnj.org>

Subject: Fwd: Investigation findings

Sent from my iPad

Begin forwarded message:

From: "Weiss, Timothy [DCA]" <Timothy.Weiss@dca.nj.gov>
Date: October 26, 2022 at 10:45:11 AM EDT
To: publicsafety@uniontwp-hcnj.org, Matthew Giacobbe <mgiacobbe@cgajlaw.com>, frank Mazza <frankm@uniontwp-hcnj.org>
Subject: Investigation findings

Director Strauss

Please see the attached report of my findings from my review of the fire company. Please be reminded that the deficiencies identified need to be rectified. I would be available to assist you if needed. I will also sending a referral to the Department of Labor requesting an inspection.

Please feel free to contact me if you have any questions.

Stay Safe

Timothy Weiss

New Jersey Divison of Fire Safety
Supervisor
Office of Fire Department Preparedness
609 947-7526

—Attachments:—

Pattensburg report to Dir Strauss Oct 2022.doc	342 KB
Untitled attachment 00369.htm	304 bytes



Department of Community Affairs



Division of Fire Safety

Bureau of Fire Department Services

October 14, 2022

Marc Strauss
Public Safety Director
Union Township

Sir

On September 21, 2022 I met with you and other representatives from Union Township and the Pattenburg fire chief and his attorney.

During this meeting many issues were discussed between the township and the fire company. I was only in attendance to discuss issues with the fire companies' operations and public safety. The fire company did provide me with a copy of the fire company standard operating guidelines (SOG). I used this SOG to complete my evaluation of the fire company. My goal was to do the evaluation with the fire chief however as you witnessed the fire chief can get combative when being questioned.

Please see the list of issue that the fire company and the township need to address.

- 1 The fire company has failed to provide a copy of the fire company respiratory protection policy. I have asked for this since we first met back in June. I must assume that no such policy exists.
- 2 All members are NOT compliant with Executive Order 248
- 3 All members are NOT certified in Haz/Mat awareness
- 4 All members are NOT certified in Haz/Mat operations
- 5 All officers are NOT certified in Haz-Mat On Scene Commander
- 6 The fire company fails to have adequate staffing responding to all locations in accordance to the NFPA staffing recommendations
- 7 The fire company SOG fails to address the use of incident timekeeping in accordance with the fire code
- 8 The fire company fails to file incident reports with the National Fire Incident Reporting System
- 9 The fire company SOG fails to identify or acknowledge the use of a Safety Officer
- 10 The fire company SOG fails to identify or acknowledge the use of Staggering
- 11 The fire company fails to address emergency radio traffic as required in the fire code
- 12 The fire company SOG fails to follow the emergency evacuation signal as required in the fire code
- 13 The fire company SOG fails to identify or acknowledge rapid intervention crews as required in

- 14 The fire chief acknowledged the use members as fire/police at calls. These members are responding to calls and operating. There is no ordinance established to recognized fire/police as a part of the fire company. No members of the fire company are trained in fire/police. No members of the fire company are certified as fire/police.
- 15 The fire company has failed to complete the DFS fire department survey

Many of these issues have been discussed over the last few months, when we have met, however no action has been taken. I will be sending a referral to the Department of Labor.

Please understand that the township and the fire company must take immediate steps to rectify these issues. Please feel free to contact me if you have any questions.

Timothy Weiss
N.J. Division of Fire Safety

Subject: FW: FW: [EXTERNAL] Fwd: Fire Companies failure to respond
From: Matthew Giacobbe <mgiacobbe@cgajlaw.com>
Date: 8/31/2022, 7:31 AM
To: "cfo@uniontwp-hcnj.org" <cfo@uniontwp-hcnj.org>, Ella Ruta
<clerk@uniontwp-hcnj.org>
CC: Mary Athenas <mathenas@cgajlaw.com>

Matt

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: publicsafety@uniontwp-hcnj.org
Date: 8/31/22 1:49 PM (GMT+02:00)
To: Matthew Giacobbe <mgiacobbe@cgajlaw.com>
Cc: Trishka <trishka@mpglaw.com>
Subject: Re: FW: [EXTERNAL] Fwd: Fire Companies failure to respond

Matt,

PS - I am unavailable on Tuesday September 6th

On 2022-08-30 12:09, Trishka W. Cecil wrote:

|

Regards,

Trishka

Trishka Waterbury Cecil, Esq.



MASON, GRIFFIN & PIERSON, P.C.
Counsellors at Law | Since 1955

101 Poor Farm Road Princeton, NJ 08540

Main: 609-921-6543 | Direct: 609-436-1211 | Cell: 908-528-4747

trishka@mgplaw.com

visit our website: www.mgplaw.com

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From: Trishka W. Cecil

Sent: Wednesday, August 24, 2022 2:49 PM

To: publicsafety@uniontwp-hcnj.org

Subject: FW: [EXTERNAL] Fwd: Fire Companies failure to respond

Hi Marc,

See below FYI:

Give me a call when you have a moment.

Regards,

Trishka

Trishka Waterbury Cecil, Esq.



MASON, GRIFFIN & PIERSON, P.C.
Counsellors at Law | Since 1955

101 Poor Farm Road Princeton, NJ 08540

Main: 609-921-6543 | Direct: 609-436-1211 | Cell: 908-528-4747

trishka@mgplaw.com

visit our website: www.mgplaw.com

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From: Matthew Giacobbe <mggiacobbe@cgajlaw.com>

Sent: Wednesday, August 24, 2022 1:46 PM

To: frank Mazza <frankm@uniontwp-hcnj.org>; Trishka W. Cecil <trishka@mgplaw.com>

Cc: Mary Athenas <mathenas@cgajlaw.com>

Subject: RE: [EXTERNAL] Fwd: Fire Companies failure to respond

I will reach out to him directly.

Matthew J. Giacobbe, Esq., Partner
Cleary | Giacobbe | Alfieri | Jacobs, LLC
169 Ramapo Valley Road
Upper Level 105
Oakland, New Jersey 07436
(973) 845-6700 Office
(201) 644-7601 Fax
email address: mgiacobbe@cgajlaw.com

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Matthew J. Giacobbe
Cleary Giacobbe Alfieri Jacobs, LLC
Partner

(973) 845-6700 Work
mgiacobbe@cgajlaw.com
169 Ramapo Valley Road
Upper Level - Suite 105
Oakland, New Jersey 07436
cgajlaw.law

From: frank Mazza <frankm@uniontwp-hcnj.org>

Sent: Wednesday, August 24, 2022 1:37 PM

To: Trishka W. Cecil <trishka@mgplaw.com>; Matthew Giacobbe <mgiacobbe@cgajlaw.com>

Subject: Fwd: [EXTERNAL] Fwd: Fire Companies failure to respond

Matt, I'm on vacation until Sept 8th.

Thanks, Frank

Sent from my iPad

Begin forwarded message:

From: frank mazza <ut140fm@gmail.com>

Date: August 24, 2022 at 1:23:09 PM EDT

To: frank Mazza <frankm@uniontwp-hcnj.org>

Subject: Fwd: [EXTERNAL] Fwd: Fire Companies failure to respond

----- Forwarded message -----

From: Weiss, Timothy [DCA] <Timothy.Weiss@dca.nj.gov>

Date: Wed, Aug 24, 2022, 12:27 PM

Subject: RE: [EXTERNAL] Fwd: Fire Companies failure to respond

To: frank mazza <ut140fm@gmail.com>

Sir

I sent this email 6 business days ago. I did receive and automatic reply from the Clerk that she was on vacation. I also received a call from the mayor asking about the letter. I received an email from Mr. Lordi that he was no longer the fire liaison.

To date I have NOT received any official response from the township. Other township officials were copied on that email and still no response. At this point it appears the township is not stepping up to deal with these issues or taking any responsibility for public safety. On Friday I will be sending this to my supervisors for further action.

Tim Weiss

-----Original Message-----

From: frank mazza <ut140fm@gmail.com>

Sent: Wednesday, August 24, 2022 12:06 PM

To: Weiss, Timothy [DCA] <Timothy.Weiss@dca.nj.gov>

Subject: [EXTERNAL] Fwd: Fire Companies failure to respond

Chief Weiss,

I'm not sure if you are aware but Committeeman Lordi has resigned his duties as fire liaison. However, there are still serious concerns regarding PVFC's ability to adequately respond to calls. It is my understanding per your email below, the NJDFS will be conducting a full review/audit. Therefore, I figured I'd pass this information that was sent to me, over to you.

Here's a summary:

A call comes in today at 10:11 AM in PVFC primary coverage area (see below). At 10:26am Hunterdon Dispatch is on the radio saying 'no fire department units responding yet' (audio attached). High Bridge alerted. Special Services 25 didn't arrive on scene until approx 10:40am.

25FD:MVA

HZMT:

(25)150 INT 78 HWY W

NEAR: RUPPEL BRDG TO EXIT 13

R173 22157605 DUMP TRUCK VS TT

wb diesel fuel leak per NJSP

On Aug 16, 2022, at 4:53 PM, Weiss, Timothy [DCA] <Timothy.Weiss@dca.nj.gov> wrote:

Township Clerk Ruta

Attached please find a letter that was sent on July 9, 2022. This letter was sent to you, the mayor, the council public safety liaison, the public safety director and the fire chief. The letter outlines a discussion between the township officials, the fire chief, fire company members and myself held on June 30, 2022. In this letter issues that still needed to be addressed were identified.

To date these items have been ignored and not addressed. I am notifying you that the New Jersey Division of Fire Safety will need to do a complete review/audit of your fire department's operations. This will include operating procedures, organization policies, response plans, training records, certification records and other information.

Please reach out to me, by email, within 5 business days, to set up an appointment during regular business hours.

Stay Safe

Timothy Weiss

New Jersey Division of Fire Safety

Supervisor

Office of Fire Department Preparedness

609 947-7526

RE: [EXTERNAL] Fwd: Removal of Tim Weiss

From Matthew Giacobbe <mgiacobbe@cgaflaw.com>
To frank Mazza <frankm@uniontwp-hcnj.org>, Page Stiger <pages@uniontwp-hcnj.org>
Date 2022-12-15 07:29

I do not have Marc's phone number

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: frank Mazza <frankm@uniontwp-hcnj.org>
Date: 12/15/22 6:08 AM (GMT-05:00)
To: Matthew Giacobbe <mgiacobbe@cgajlaw.com>, Page Stiger <pages@uniontwp-hcnj.org>
Subject: Re: [EXTERNAL] Fwd: Removal of Tim Weiss

Sent from my iPad

On Dec 14, 2022, at 10:38 PM, Matthew Giacobbe <mgiacobbe@cgajlaw.com> wrote:

Subject: Removal of Tim Weiss

This was sent out this morning.

The pvfc will be providing an update soon by POSHA clearing us of any allegations and alleged violations. Please remove him from all correspondence in its entirety concerning anything regarding our fire company .



Done

Chiefs,

If you have any specific questions or concerns pertaining to this matter, please feel free to contact me, VP Jeff Smith and/or FC Stephens directly.



Regards ,
Chief JT Narbonne
Pattensburg Fire Co.
908-391-0079

Open Public Records Act (OPRA) Request from Anonymous to Union Township dated December 14, 2022

Privilege Log (“Vaughn” Index) for Redacted Documents

Request: “All records related to the investigation into the Pattenburg Volunteer Fire Company of Union Township, Hunterdon County. Including, but not limited to, written correspondence related to the investigation between the DFS and the Township of Union. Also requested is all records related to the recent OSHA/PEOSH inspection of the fire department.”

<u>Records Redacted</u>	<u>General Description of Matter Redacted</u>	<u>Basis for Redaction</u>
Email chain between Frank Mazza, Matthew Giacobbe and Page Stiger dated December 14 & 15, 2022	Discussion between township committee members and township labor attorney regarding communication received.	a. Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . b. Contains attorney-client privileged communication not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> .
Email chain between Lisa Pfenninger, Frank Mazza, Grace Brennan and Ella Ruta dated October 27 & 28, 2022 and email from Frank Mazza to Page Stiger dated October 26, 2022	Discussion between township officials and township insurance carrier and inter-agency discussion between committee members.	Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> .
Email from Page Stiger to Frank Mazza and response from Frank Mazza to Page Stiger, Ella Ruta, Grace Brennan and Marc Strauss both dated November 10, 2022	Inter-agency discussion between township committee members and staff regarding response to communication.	Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> .
Email chain between Matthew Giacobbe, Marc Strauss, Grace Brennan and Mary Mathenas dated July 13, 2022	Discussion between township staff and township labor attorney concerning legal advice.	a. Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . b. Contains attorney-client privileged communication not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> .
Emails from Richard Lordi to Ella Ruta, Grace Brennan, March Strauss, and Trishka Cecil dated May 24, 25, & 26, 2022	Discussion between township committee member, staff and township attorney regarding meeting and township response and personal cell phone number of Grace Brennan.	a. Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . b. Contains attorney-client privileged communication not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . c. Personal identifying information not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> .
Email chain between Frank Mazza, Page Stiger and Matthew Giacobbe dated December 15, 2022	Discussion between township committee members and township labor attorney regarding information sent to the township	a. Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . b. Contains attorney-client privileged communication

Email from Matthew Giacobbe to Grace Brennan, Ella Ruta and Mary Athenas dated August 31, 2022 with embedded email from Marc Strauss to Matthew Giacobbe and Trishka Cecil dated August 31, 2022, emails from Trishka Cecil to Marc Strauss dated August 24 & 30, 2022, email chain between Matthew Giacobbe, Frank Mazza, and Trishka Cecil dated August 24, 2022	and request to attorney. Discussions between township committee member and township attorneys concerning advice and response and legal advice from township attorney and township labor attorney.	not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . a. Advisory, consultative and deliberative materials not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . b. Contains attorney-client privileged communication not subject to disclosure pursuant to <i>N.J.S.A. 47:1A-1.1</i> . c. Personal identifying
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