

BOARD OF FIRE COMMISSIONERS
PENNINGTON BOROUGH FIRE DISTRICT #1
RESOLUTION 2019-19

DISPOSITION OF USED FIREFIGHTER PERSONAL PROTECTIVE WEAR (TURNOUT GEAR)

WHEREAS, the Board of Fire Commissioners (“Board”) owns assorted pieces of firefighter personal protective wear (turnout gear) purchased at various times over several years which is damaged and requires excessive repairs, is no longer compliant with NFPA useful life (age) regulations, and/or is no longer needed or fit to be used for a public purpose; and

WHEREAS, due to its physical condition and age the estimated fair value of the turnout gear, if any, is less than 15% of the fire district’s bid threshold; and

WHEREAS, the NJ Local Public Contracts Law (NJSA 40A:11-36) provides for the sale or other disposition of personal property with an estimated fair value of less than 15% of a contracting unit’s bid threshold through a private sale or other disposition without advertising for bids.

NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners, Pennington Borough Fire District #1 that the Board may donate or otherwise dispose of miscellaneous used firefighter personal protective gear of an estimated fair value, if any, of less than 15% of the fire district’s bid threshold and which is no longer needed or of use for a public purpose; and it is

FURTHER RESOLVED that any disposition of said property other than by destruction shall be made “as is” and specifically with no representations nor warranties given of any type, express or implied, with regard to the safety, condition or serviceability of the property or its fitness for any purpose; the transferee to accept the property knowing it likely does not meet suggested or required safety standards for same and to assume all risks associated therewith; and the transferee to execute a release and indemnity relieving the Board from all liability and responsibility for any and all claims or causes of action of any nature which may arise out of the ownership or use of the equipment by transferee or by others whom the transferee may allow to use or to whom transferee may transfer the equipment; and it is

FURTHER RESOLVED that the Chairman and Secretary may execute and deliver all documents necessary or desirable to effectuate any transfer.

Date: April 16, 2019

<u>ROLL CALL VOTE:</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Blackwell	X			
Commissioner Blauth	X			
Commissioner DiFalco	X			
Commissioner Hofacker	X			
Commissioner Meytrott	X			

Certified to be a true copy of a Resolution duly adopted by the Board on April 16, 2019.

s/ Wayne Blauth

Wayne Blauth, Clerk of the Board