

1/29/18

**RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF  
FIRE DISTRICT NO.1 FREEHOLD TOWNSHIP TERMINATING  
AND PROHIBITING STEPHEN LENGYEL FROM SERVING AS  
A VOLUNTEER FIREFIGHTER**

**WHEREAS;** On 2/6/10 the Board of Fire Commissioners of adopted a formal resolution establishing a policy of mandatory drug testing and prohibiting the use and operation of District vehicles and equipment by any firefighter while under the influence of alcohol and/or drugs; and

**WHEREAS;** Acting in accordance with said resolution the Board of Fire Commissioners of Fire District No.1 Freehold Township contracted with Access Health Systems to administer a program of drug testing and screening of volunteer firefighters to ensure compliance with the terms and provisions of the 2/6/10 resolution; and

**WHEREAS;** On or about 1/26/18 the Board received a written Memorandum from Warren Silverman MD advising that he had "*reviewed the attempt to collect a random drug sample*" from firefighter Lengyel; and

**WHEREAS;** Dr. Silverman concluded: "*Based upon the events as described in this incident, as the Medical Review Officer, this is determined to be a **FAILURE TO TEST**, A failure to test is the equivalent of a positive test for substance abuse.*"; and

**WHEREAS;** The existence of a formal written policy mandating a program of drug testing requires that a willful and knowing violation of that policy requires the imposition of a penalty against the offending party.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of Fire Commissioners of Fire District No.1 Freehold Township that Stephen Lengyel is suspended from serving as a firefighter in service to the Board of Fire Commissioners of Fire District No.1 Freehold Township effective immediately.

**BE IT FURTHER RESOLVED** that Mr. Lengyel must turn in his gear and that he is prohibited from performing any of the duties normally associated with and expected of a volunteer firefighter in service to District No.1 Freehold Township.

Moved by: S. Joshi

Seconded by: A. Story

Roll Call Vote:


Ayes: 5

Nays: -

Absent: -

Abstain: -

Certified to be a true copy of a Resolution adopted by the Board of Fire  
Commissioners Fire District No.1 Freehold Township on January 29, 2018.

 \_\_\_\_\_, Clerk