

Dennis Township Fire District No. 1
Regularly Scheduled Monthly Meeting
Board of Fire Commissioners
December 17, 2014

The regularly scheduled December 17, 2014 meeting of the Board of Commissioners of the Dennis Township Fire District No. 1 was opened at 7:00 pm on the above date at Ocean View Fire Hall by Chairman Bryan Moran. Mr. Moran made a statement that we were in compliance with the Open Public Meetings Act (Sunshine Law); and, that notice of the meeting was posted in Township Hall and had been advertised in the Cape May County Herald.

Salute of Flag – Pledge of Allegiance

Roll Call

Commissioners present at the meeting were Chairman Bryan Moran, Treasurer Paul Sutton, Secretary Tammy Tozer & Commissioner Mike Fry. Mr. Phil Brown was absent. There were six members of the public and eight members of the Ocean View Volunteer Fire Company present.

Chief's Report

Chief Michael Deluca handed the Fire Company Chief's report to Mr. Bryan Moran, who read it for the period of 11/01/2014-11/30/2014. The Fire Company responded to a total of nine (9) calls for the month, handling four (4) motor vehicle accidents, one (1) carbon monoxide, one (1) building fire, one (1) forest fire, woods or wildland fire, one (1) cancel en route calls and one (1) brush mix fire; all totaling 4.7 hours in service. 2014 YTD total for fire company is 132 calls with 65.9 hours of service. 20 Firemen of the 36 listed are eligible for LOSAP as of 11/30/2014 according to chief report with a total of 60 points or above.

Secretary's Report

The minutes of the November 2014 regular monthly meeting, prepared by Mrs. Tammy Tozer, were read. A motion to accept the minutes as read was made by Mr. Paul Sutton and seconded by Mr. Mike Fry. The motion was adopted unanimously.

Treasurer's Report

1). The adopted 2015 budget, approved by the Division of Local Government Services in the New Jersey Department of Community Affairs requires a public hearing during this evening's meeting – before New Business - prior to its approval by this body and final submission as the approved 2015 budget to the Division of Local Government Services in the New Jersey Department of Community Affairs before the end of December 2014. The public notice of this hearing was published on 26 November 2014 in the Cape May County Herald; and, copies of the adopted 2015 budget are available tonight.

2). That each Commissioner will find attached a LOSAP summary for the period ending 09/30/2014, focusing on nine (9) former members of the *OVVFC* (see the attached March 2013 unsigned report by the *OVVFC* reporting the status of the former members); and, one (1) current member of the *OVVFC* for which the Fire District does not have a copy of the *Lincoln Financial Group (LFG)* contract. This will be re-reviewed, once we have received the *LFG* report of 12/31/2014. He also noted that eleven (11) *OVVFC* members had withdrawn all of their vested LOSAP funds; and, he attached a draft letter that the Commissioners should consider approving; and, sending to *LFG* requesting a potential return of \$44,449.59 to the Fire District.

3). He noted that, attached to his report, were three Resolutions we need to consider under New Business.

4). Finally, he reported that the unaudited year-to-date 2014 income and expense report, as well as the unaudited statement of financial condition, plus a listing of the eight invoices needing approval for payment tonight is attached to this report.

5). The bills needing approval and payment were:

Ocean View Vol. Fire Co. (January 1, 2015 payment)	\$13,666.66
Fire & Safety Services, LTD (#1732, #1739 & #1745 Reps.)	\$ 3,107.84
Cape May County Herald (Resolutions Publications)	\$ 77.04
Richard Braslow, Esquire (Professional Services)	\$ 440.00
Monzo Catanese Hillegass, P. C. (Professional Services)	\$ 4,097.56
Bryan S. Moran (Litigation Expenses)	\$ 400.00
Tammy Jo Tozer (Litigation Expenses)	\$ 350.00
Paul Sutton (Court Travel, EZPASS, Mileage, Supplies)	\$ 733.26
Total:	\$ 22,872.36

Mrs. Tozer, seconded by Mr. Fry, made a motion to approve and pay the eight invoices. The motion was approved unanimously.

Old Business

Mr. Moran reported that the second hearing on the civil suit filed against the District by the Ocean View Volunteer Fire Company on December 2, 2014 resulted in a ruling by the judge that the District would be required to pay the fire company \$109,333.33 within seven (7) days (it was noted that the sum was paid on 5 December 2014); and, that the District was required to pay the fire company \$13,666.66 monthly until a new contract was signed between the two parties or the District named another fire company to provide fire services. Mr. Moran said that this would be discussed in Executive Session later this evening.

Mr. Moran said that no additional information or report copies had been received concerning the accident report involving truck #1712.

Mr. Moran said that no progress had been made relative to the contract with the Ocean View Volunteer Fire Company. He invited Mr. Louis Delollis, of the firm of Monzo Catanese Hillegass, P. C., to speak. Mr. Delollis said that a meeting would be scheduled between two Commissioners and two members of the fire company at their office on either December 29th or December 31st to discuss requested changes or revisions to the 2014 contract by the Ocean View Volunteer Fire Company.

A motion was made by Mr. Sutton to establish rules governing the enrollment of eligible firefighter members of the Ocean View Volunteer Fire Company into the Length of Service Award Program (LOSAP) for calendar year 2014. In light of the fact that the Dennis Township Fire District #1 increased the LOSAP allocation for calendar year 2014 to \$1,170.00 from the rate (\$1,150.00) paid over the past eleven (11) years; and, in order for the Dennis Township Fire District #1 to abide by the statutory requirement of fire districts and make provisions to protect its standing and integrity as an self-governing branch of local government, as well as adhere to the requirements of Title 40A, the motion is necessary, as the Chief of the Ocean View Volunteer Fire Company says he has ten members that need to be enrolled in LOSAP. He went on to say that since calendar year 2014 is nearly concluded; and the Ocean View Volunteer Fire Company is required to report to the Dennis Township Fire District #1 the number of qualified, eligible firefighter members of the Ocean View Volunteer Fire Company to be enrolled for the first time in the LOSAP; and, because the Dennis Township Fire District #1 wishes to ensure a "level playing field" for all concerned; this motion establishes that new qualified, eligible firefighter members of the Ocean View Volunteer Fire Company enrollees in the LOSAP beginning with the calendar year 2014 shall:

- 1). Be certified by the Chief of the Ocean View Volunteer Fire Company as having at least seven (7) continuous months of service and membership in the Ocean View Volunteer Fire Company during calendar year 2014 before an application to LOSAP shall be accepted, paid for and submitted to the Lincoln Financial Group by the Dennis Township Fire District #1;
- 2). Shall have attained at least 40% of the creditable service hours in calendar year 2014 as certified by the Chief of the Ocean View Volunteer Fire Company before an application to LOSAP shall be accepted, paid for and submitted to the Lincoln Financial Group by the Dennis Township Fire District #1. Mr. Sutton noted that the approved motion will be forwarded to the Division of Local Government Services in the New Jersey Department of Community Affairs. The motion was seconded by Mrs. Tozer and approved unanimously.

Consideration of/Public Comment on the 2015 Fire District Budget

Mr. Moran opened the meeting to the floor for discussion on the 2015 adopted fire district budget. Mr. Sutton made a few general, house-keeping remarks about the budget. There was no public comment and Mr. Moran closed the open session.

New Business

Mr. Sutton made a motion to approve the adopted 2015 fire district budget and submit it to the Division of Local Government Services in the New Jersey Department of Community Affairs for final approval before it goes to the voters on February 21, 2015. The motion was seconded by Mr. Moran and approved unanimously.

Mr. Sutton made a motion to accept **Resolution #11-14**, authorizing budget transfers for the 2014 budget year totaling \$8,270.00. The Resolution was read into the record and made a part of the minutes. The motion was seconded by Mrs. Tozer and approved unanimously.

Mr. Sutton made a motion to accept **Resolution #12-14**, approving a temporary budget of \$49,000 for the fire district until the budget is acted upon by the voters on February 21, 2015. The Resolution was read into the record and made a part of the minutes. The motion was seconded by Mrs. Tozer and approved unanimously.

Mr. Sutton made a motion to accept **Resolution #13-14** to approve the 2015 monthly meeting dates. The Resolution was read into the record and made a part of the minutes. The motion was seconded by Mrs. Tozer and approved unanimously.

Mr. Sutton noted that each of the Resolutions will be published in the Cape May County Herald and on the Dennis Township Fire District #1 website.

Mr. Moran had petitions available for the two open spots for commissioner at the front of the room.

Public Comment

Ms. Judy LaPortia posed several questions about the reimbursement of litigation expenses to Mr. Moran and Mrs. Tozer, which Mr. Sutton tried to answer.

Mr. Al Izzi asked if the fire district had vouchers for our \$1483.00 for reimbursement of litigation expenses, to which Mr. Sutton answered "Absolutely." He also ask if the District is intending to "move ahead" to which Mr. Moran answered "yes."

Mr. Rock asked if any additional financial materials had been received from Mr. Wilshire, to which Mr. Sutton responded, "...No...".

A motion was made to adjourn the meeting at 7:35 PM by Mr. Mike Fry, seconded by Mrs. Tammy Tozer. The motion was adopted unanimously.

The next regular meeting of the Board of Commissioners of the Dennis Township Fire District No. 1 shall convene at 7:00 p.m. on Wednesday, January 21, 2014 in the Ocean View Fire Company Hall.

Respectfully submitted,

Tammy Tozer
Secretary
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