

Dennis Township Fire District No. 1
Regularly Scheduled Monthly Meeting
Board of Fire Commissioners
January 29, 2015

Meeting called to order by Chairman Moran at 7:00 p.m. on the above date at the Ocean View Volunteer Fire Company. Mr. Moran said that we are in compliance with the Open Public Meetings Act (Sunshine Law); and, that notice of the meeting was posted in Township Hall and the notice of this meeting has been advertised in the Cape May County Herald.

Pledge of Allegiance

Roll Call

All Commissioners, except Mr. Brown (absent for the eighth consecutive month), were present. There were six members of the public and five members of the Ocean View Volunteer Fire Company present.

Reading & Acceptance of Minutes of Previous Meetings:

The minutes of the December 17, 2014 regular monthly meeting were summarized by me. With a statement that the complete December 2014 minutes would be on the website within a week. A motion to accept the minutes as read was made by Mr. Sutton and seconded by Mr. Fry. The motion was adopted unanimously.

Correspondence (Received and Sent) – None reported.

Fire Company Chief's Report

Chief Michael Deluca had previously submitted the Fire Company Chief's report. Mr. Moran read the report for the period of 12/01/2014 – 12/31/2014. The Fire Company responded to a total of four (4) calls for the month, handling one (1) dispatched and cancelled enroute; one (1) cooking fire; and, two (2) smoke detector activations, with a total of 0.5 hours in service. For the year 2014, there were 136 incidents, totaling 66.4 hours in service.

Treasurer's Report - Mr. Sutton reported that:

1. The approved 2015 budget should be signed-off-on by the Division of Local Government Services in the New Jersey Department of Community Affairs and returned to us before the end of next week.

2. He said that a motion to approve the nineteen (19) OVVFC firefighters for the 2014 LOSAP was attached to his report; and, that the Fire District had have received a copy of the Lincoln Financial Group (LFG) contract for one (1) current member of the OVVFC dating from 2009 which the Fire District did not have on file. **A second motion seeks to recoup \$60,170.73 in LOSAP payments made in previous years for unvested, no longer active OVVFC firefighters. He noted that the LFG report of 12/31/2014 was provided to each Commissioner.**

3. He said that attached to his report are copies of a Resolution and two (2) Motions we need to consider under New Business.

4. The bills needing approval and payment were:

Ocean View Vol. Fire Co. (February 1, 2015 payment)	\$13,666.66
Fire & Safety Services, LTD (#1732, #1739 & #1745 Reprs.)	\$ 1,245.49
Cape May County Herald (Resolutions Publications)	\$ 179.04

Richard Braslow, Esquire (Professional Services)	\$ 320.00
Monzo Catanese Hillegass, P. C. (Professional Services)	<u>\$ 2,686.82</u>
Total:	\$18,098.01

5. Finally, he reported that the unaudited year-to-date 2014 income and expense report (a first preliminary draft), as well as the unaudited statement of financial condition (also a first preliminary draft), plus a listing of the five (5) invoices (all of which are 2014 accounts payable) needing approval for payment tonight were attached to his report.

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

Old Business

Mr. Moran noted that there was nothing new to report relative to the litigation by the Ocean View Volunteer Fire Company against the Fire District.

Mr. Moran said that no additional information or report copies had been received concerning the accident report involving truck #1712. Mrs. Tozer will make contact with the New Jersey State Police concerning the report.

Mr. Moran said that there had been a three-hour-long meeting this afternoon at our attorney’s office with Mrs. Tozer and Mr. Sutton representing the Fire District and two firefighters accompanied by their attorney, from the Ocean View Volunteer Fire Company to discuss the 2014 – 2015 contract. Mrs. Tozer reported on the substance of that meeting. Mr. Moran said that the meeting would be discussed in Executive Session later this evening.

New Business

Mr. Sutton made a motion to accept Resolution #01-15, authorizing additional budget transfers for the 2014 budget year totaling \$3,357.00. 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, seconded by Mr. Tozer, concerning the 2014 LOSAP enrollments approvals and authorized their payments. The motion was approved unanimously. The approved motion read: A motion is made to approve the current year contribution at the previously approved allocation of \$1,170.00 per eligible firefighter member (as of the 2014 calendar year) made by the Dennis Township Fire District #1 to the Length of Service Award Program (LOSAP) managed for the Dennis Township Fire District #1 by the Lincoln Financial Group for the attached list of nineteen (19) eligible firefighter members of the Ocean View Volunteer Fire Company; 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; and, Since there currently exists no standing Dennis Township Fire District #1 policy dictating eligibility; This motion authorizes the Dennis Township Fire District #1 approval of a payment of \$22,230.00 to the Lincoln Financial Group upon receipt of a properly executed invoice for that amount to the Dennis Township Fire District #1 from the Lincoln Financial Group.

Mr. Sutton made a motion, seconded by Mr. Tozer, concerning reclaiming prior years LOSAP payments and authorized requesting a repayment to the Fire District. The motion was approved unanimously. The approved motion read: A motion is made to reclaim prior year contributions made by the Dennis Township Fire District #1 to the Length of Service Award Program (LOSAP) managed for the Dennis Township Fire District #1 by the Lincoln Financial Group for the attached list of eleven (11) previously enrolled and no longer active or deceased eligible firefighter members of the Ocean View Volunteer Fire Company. In light of the fact that the

Dennis Township Fire District #1 contributed to the LOSAP for those non-vested and no longer active or deceased eligible firefighter members of the Ocean View Volunteer Fire Company; 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 a self-governing branch of local government, as well as adhere to the requirements of Title 40A; and,

Since N.J.A.C. 5:30-14.62 (Vesting and awards) specifically states: "...

a) Pursuant to N.J.S.A. 40A:14-188, a sponsoring agency may make a yearly contributions to the LOSAP Account in the deferred income program for an active Volunteer who has satisfied the requirements for receipt of an award, but the volunteer shall not be able to receive a distribution of the funds until the completion of a five year vesting period.

(b) Should a volunteer fail to vest or terminates association with a sponsoring agency prior to the completion of the vesting period, the funds placed in the LOSAP Account on behalf of the volunteer shall revert to the sponsoring agency, not to the volunteer...."; and,

Since a review of the Lincoln Financial Group statement as of the end of calendar year 2014 reveals that eleven (11) former previously enrolled and no longer active or deceased eligible firefighter members of the Ocean View Volunteer Fire Company have funds paid to

Lincoln Financial Group by the Dennis Township Fire District #1 amounting to \$60,170.73 as per the attached list; this motion authorizes the Treasurer of the Dennis Township Fire District #1 to request a return of \$60,170.73 from the Lincoln Financial Group to the Dennis Township Fire District #1.

Public Participation & Comment – None

Executive Session – At 7:25 p.m., Mr. Moran said that the Commissioners would go into a closed session to discuss the substance of this afternoon’s meeting. The Commissioners would return to open session at the conclusion of that closed meeting.

At 7:30 p.m., until 8:10 p.m., the Commissioners (Mr. Moran, Mrs. Tozer and Mr. Sutton) met in closed session to discuss the meeting this afternoon. No decisions were reached, requiring an “airing” in public session.

Adjournment

With a motion by Mrs. Tozer, seconded by Mr. Sutton, the Commissioners approved adjournment of the Dennis Township Fire District #1 regular monthly meeting of at 8:15 p.m.

Next Scheduled Meeting

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, February 18, 2015 in the Ocean View Fire Company Hall.

Respectfully Submitted by
Tammy Tozer
Secretary of Fire District #1