

Dennis Township Fire District No. 1
Regularly Scheduled Monthly Meeting
Board of Fire Commissioners
June 18, 2014

The regularly scheduled June 2014 meeting of the Board of Commissioners of the Dennis Township Fire District No. 1 was opened at 7:03 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.

Roll Call

Present were commissioners Mr. Bryan Moran (Chairman), Mrs. Tammy Tozer (Secretary) and Mr. Mike Fry. Absent were Mr. Phil Brown and Mr. Paul Sutton (Treasurer).

Chief's Report

Chief Michael Deluca handed the Fire Company Chief's report to Mr. Bryan Moran, who read it for the period of 05/01/2014 – 05/31/2014. The Fire Company responded to a total of thirteen (13) calls for the month, handling three (3) motor vehicle accidents, two (2) medical assists, one (1) good intent, three (3) false alarms, one (1) water & ice related rescue, one (1) building fire, one (1) accident; and, one (1) road freight or transport; all totaling 7.5 hours in service.

Secretary's Report

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

Treasurer's Report

Mr. Paul Sutton, who was absent from this meeting due to recuperation from emergency surgery is still putting together a financial statement, as the Fire District #1 still has not received any of the financials requested from Mr. Joe Wilshire.

Mr. Sutton did submit a list of outstanding bills as well as current bills, as follows:

1. Court House Towing (#1745) = \$560.00
2. Dan's Welding (#1745) = \$1,113.00
3. Fire & Safety (#1732) = \$815.37
4. Brown & Brown (ACCH Renewal) = \$1,574.00
5. Power of Production (Website) = \$235.00
6. Press of Atlantic City (Legal Ads) = \$58.14
7. The Cape May County Herald (Legal Ads) = \$17.02
8. Richard Braslow, Esq. (Professional Services) = \$3,748.00
Sub-Total: \$8,120.53
9. Ocean View Volunteer Fire Company (Contract) = \$8,166.00
(Contingent on approval by the Ocean View Fire Company of the 6-Month Contract, effective May 1, 2014-October 31, 2014)

Total: \$16,286.53

A motion to pay bills was made by Mr. Mike Fry, seconded by Mrs. Tammy Tozer. The motion was adopted unanimously.

Mr. Sutton also submitted for the Commissioner's review, an unaudited Assets & Cash Worksheet as of 06/18/2014:

To Date at 06/18/2014 - the total depreciated equipment value is \$634, 296.00

To Date at 06/18/2014 – the checking account balance is \$1,910.05

To Date at 06/18/2014 the savings account balance is \$544,670.09

Total Cash & Assets as of 06/18/2014 is \$1,180,876.00

TRUCK REPAIRS

Truck# 1739 had an issue with the Jaws Unit mounted on the truck, which was been repaired by EMS.

Truck #1732 had an issue with the Battery, which Fire and Safety is addressing
Truck #1776 is having AC problems, the coolant needed to be replaced
Truck #1745 AC is not working, we will have looked at immediately
Truck #1712 has been determined to have been totaled by the insurance company following the accident on US Route 9, with all equipment to be removed from the truck. The Fire Company's equipment and property, unless damaged beyond repair, will be returned to them.

OLD BUSINESS

Mr. Joseph Wilshire, the former financial advisor previously retained under a professional services contract at \$1,000 per year, has been sent a Certified Letter requesting our financial records from him. As of this date, we have received no response or records from Mr. Wilshire. The commission will obtain legal counsel to retrieve the Commission's records that are needed to complete the annual Ford-Scott audit that needs to be submitted to DCA.

New Business

Mr. Mike Fry made a motion to have Mr. Richard Braslow, Esquire move forward with obtaining the Fire District's financial records from Mr. Joseph Wilshire, seconded by Mrs. Tammy Tozer. The motion was unanimously adopted.

Mr. Bryan Moran made a Motion to remove Joseph Wilshire from the bank accounts at TD Bank and First Bank of Sea Isle City and to add all 5 current commissioners as signors, seconded by Mr. Mike Fry. The motion was unanimously adopted.

Mr. Bryan Moran read a letter that the Fire District Commission had received from Mr. Louis Hornstine (OVVFC attorney) regarding the contract and a letter dismissing Mr. Joseph Gurdgiel and Mr. Robert Clayton, as well as the "personal vendetta" that the Fire District Commissioners are alleged have with the fire company.

Mr. Bryan Moran then discussed a meeting that was requested by Mayor Murphy and Deputy Mayor O'Connor of Township Committee, in regards to the contract with the Ocean View Volunteer Fire Company. The Township Committee wants to see this whole situation ironed out. The Township's Mayor asked the Commission to consider a six (6) month contract instead of a twelve (12) month contract to show the Fire Company that there is nothing to fear. A motion was made by Mr. Mike Fry to accept the six (6) month contract retroactive to May 1, 2014 to October 31, 2014, seconded by Mrs. Tammy Tozer. The Commissioners agreed unanimously to the six (6) month contract and delivered a revised copy to OVVFC President Mr. Wayne Matthews for the Fire Company to review and sign.

Mr. Bryan Moran briefly discussed the contract budget and the need for accountability by the Fire Company for the money that they receive.

Mr. Mike Fry made a motion for the Fire District to seize the assets of the Ocean View Volunteer Fire Company, including and not limited to the physical properties from which the Fire Company operates. Mrs. Tammy Tozer seconded the motion. The motion was unanimously adopted and Mr. Bryan Moran said he would contact Mr. Richard Braslow in the morning to start the process.

A letter was given to Chief Deluca and Mr. John Berg in regards to Mr. Berg not wearing proper PPE's at fire scenes. Mr. Berg has been warned verbally concerning these violations of the Fire Company's SOGs three (3) different times. This is the only written warning he will receive. After this, if caught without the Proper State Regulated and OSHA Approved PPE's, then a six (6) month suspension will be imposed, to be followed by a six (6) month probationary period.

PUBLIC COMMENTS

Mrs. Sandra Izzi of Ocean View asked "*Why a 6 Month Contract?*", which was explained by Mr. Moran, in that the Commissioners took that step as a "Good Faith" measure towards the Township Committee to demonstrate that the Fire District is working to get a contract signed and move on for the betterment of the Fire District and its citizens.

Mr. Richard Grundlock of Ocean View made a comment to the effect of – "*OVFC wants to talk about personal vendetta, yet they have allowed you to hold a meeting in a hall and they didn't turn on the AC for you. I am sitting under the vent*"

right here and I can tell you that NO COLD AIR has come out of this Vent since I got here.” The temperature in the hall was approximately 85 degrees Fahrenheit.

Mrs. Judy LaPortia of Kings Highway wanted to know why we were seizing the assets of the Fire Company and what was the reasoning for that? Mr. Mike Fry explained to her that for the last 20+ years OVVFC has been receiving funds from the Fire District and has not been required to have been accountable for any of the contracted annual allocations. They have used to funds to pay their mortgage, purchase equipment for the fire trucks and the two fire stations – all the while publically asserting that the taxpayers of District #1 own nothing but the Fire Trucks. Mr. Fry explained that we, the Commission feel it is important to get what belongs to the taxpayers returned to the ownership of the taxpayers. Mr. Fry stated that *“We, the Commission are the Boss”*, to which Mrs. LaPortia said that sounded harsh and not proper. It was pointed out that: No other Fire District in New Jersey operates as this one did until the past few months. Since March 2014, the Commissioners have become much more proficient in and aware of their duties and responsibilities. For nearly forty years (up to and including 2013), an annual contract for fire protection services and equipment space rental was simply agreed to that conveyed a lump sum to the Ocean View Volunteer Fire Company with absolutely no accountability. The Ocean View Volunteer Fire Company used unknown amounts of that contractually agreed annual sum to purchase equipment and assets that have been perceived to belong to the Ocean View Volunteer Fire Company and not to the taxpayers of Dennis Township Fire District #1. No other Fire District in New Jersey, including the other two Fire Districts in Dennis Township, operates in this manner.

Mrs. Sandy Izzi of Ocean View asked Mr. Moran to please inquire of Mr. Braslow if the fire company’s using taxpayer’s money to the tune of \$15,500.00 a year for maintenance on their personally-owned buildings was legal. Mr. Moran replied that he would discuss that with Mr. Braslow.

Mr. Al Izzi of Ocean View wanted to know why it took the tanker from OVVFC forty (40) minutes to get to the Tamerlane Campground Fire. He said that just a few minutes into the call, someone signed the truck on-air and said that it was on the pad and ready. Yet, it took forty (40) minutes for it to arrive at the fire, less than three (3) miles south of the station on US Route 9. Mr. Moran stated that he was in the process asking for the Belleplaine Rescue tapes from that fire call, so he could see the response times and he would have a better idea of what took place at the next meeting.

Mr. Tom Rock of Ocean View wanted to know why the Township Committee on three (3) different occasions have told Mr. Rock personally that they had no dealings with the Fire District or the Fire Company; but, yet they requested a meeting with two (2) Commissioners and two (2) fire company representatives to discuss the contract. Mr. Moran said that the Township Committee was involving itself in hopes that they could help work out the issues between the Commission and the Fire Company. They are not involving themselves in order to dictate what the Commission should do or what the Fire Company should do; they are just trying to be the middleman and try to arrive at a sensible conclusion.

A motion was made to adjourn the meeting at 7:57 PM by Mr. Bryan Moran, seconded by Mr. Mike Fry. 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, July 16, 2014 in the Ocean View Fire Company Hall.

Respectfully submitted,

Tammy Tozer
Secretary
.TT