

Dennis Township Fire District No. 1
Regularly Scheduled Monthly Meeting
Board of Fire Commissioners
November 19, 2014

The regularly scheduled November 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 with the 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), Mr. Paul Sutton (Treasurer) and Mr. Mike Fry. Absent was Mr. Phil Brown.

Chief's Report

Chief Michael Deluca handed the Fire Company Chief's report to Mr. Bryan Moran, whom read it for the period of 10/01/2014-10/31/2014. The Fire Company responded to a total of four calls for the month. two (2) motor vehicle accidents, one (1) system malfunction, one (1) cover assignment, all totaling 2.7 hours in service.

Secretary's Report

The minutes of the October 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.

Correspondence (Sent & Received)

Mr. Moran said that a copy of a letter from Monzo Catanese Hillegass, P. C. dated November 14, 2014 to Mr. Pelloni, attorney for the fire company relative to the civil suit filed against the District by the Ocean View Volunteer Fire Company had been received and filed.

Treasurer's Report

- 1). The **adopted 2015 budget** was approved by the Division of Local Government Services (DLGS) in the NJ Department of Community Affairs on 12 November 2014.
- 2). He said that the draft budget for 2015 had again been distributed to each Commissioner for review and suggested revisions; and, that under New Business, we are required to affirm that, as a part of the regular December Commission meeting, there will be a public hearing on the **adopted 2015 budget**, prior to its approval by this body and final submission as the **approved 2015 budget** to the Division of Local Government Services (DLGS) in the NJ Department of Community Affairs before the end of December.
- 3). Further, he said that we are still awaiting electronic access to our LOSAP report for closer monitoring, following up on a request for that access in late July 2014, for that trust account totaling \$186,303.78.
- 4). He noted that there are three Resolutions and a motion to be considered under New Business.
- 5). He said that copies of the spreadsheets outlining the revenue and expense comparisons for the period 12/31/2008 through 12/31/2013; the comparisons of year-end balances for the period 12/31/2008 through 12/31/2013; the comparisons of year-end net assets for the period 12/31/2009 through 12/31/2013; and, the comparisons of depreciation of year-end fixed assets for the period 12/31/2008 through 12/31/2013 had been distributed to each of the Commissioners.
- 6). Finally, he said that the unaudited year-to-date 2014 income and expense report as of 10/31/2014, as well as the unaudited statement of financial condition as of 10/31/2014, plus a listing of the six invoices needing approval for payment tonight was attached to his report.

7). The bills needing approval and payment were:	
Cape May County Herald (2013 Audit Publication)	\$78.18
Richard M. Braslow, Esquire (Professional Services)	\$680.00
Monzo Catanese Hillegass, P. C. (Professional Services)	\$5,420.85
Dan's Welding (Repairs to #1776)	\$245.00
Paul Sutton (Supplies, Postage, Court Parking)	\$160.47
Fire Services Escrow Account (TDBank)	<u>\$50,000.00</u>
Total bills to be approved and paid:	\$56,584.50

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

OLD BUSINESS

Mr. Moran reported that there was a hearing on the civil suit filed against the District by the Ocean View Volunteer Fire Company on November, 3 2014; and, that the parties were due back in court on December 2, 2014 for a second hearing. He said that the District does not have any idea what changes or revisions to the 2014 contract have been requested by the Ocean View Volunteer Fire Company. Mr. Louis Delollis, of the firm of Monzo Catanese Hillegass, P. C., at Mr. Moran's invitation, said that a letter had been received at 5:00 p.m. today by his office from the fire company's attorney (Mr. Pelloni); and, that neither his firm nor the Commissioners had had an opportunity to review the letter or assess the requested changes or revisions to the 2014 contract by the Ocean View Volunteer Fire Company.

Mr. Moran said that no additional information had been received concerning a copy of the accident report involving truck #1712.

There was still no report on any response to the letter to the Chief of the Ocean View Volunteer Fire Company concerning the cessation of EMS Calls by the Ocean View Volunteer Fire Company.

No progress was reported relative to the contract with the Ocean View Volunteer Fire Company, other than what Mr. Delollis had reported earlier concerning today's letter from Mr. Pelloni.

New Business

Mr. Sutton made a motion to accept **Resolution #08-14** appointing Mr. Anthony P. Monzo, Esquire of Monzo Catanese Hillegass, P. C. as Special Legal Counsel for the Fire District relative to the civil suit against Dennis Township Fire District #1 by the Ocean View Volunteer Fire Company. 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 #09-14** to authorize reimbursement to the Commissioners for expenses incurred by the Commissioners relating to the civil suit against Dennis Township Fire District #1 by the Ocean View Volunteer Fire Company. 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 #10-14** to increase the individual **LOSAP** allocation from \$1,150.00 per year per eligible firefighter to \$1,170.00 per year per eligible firefighter for the year 2014 only. He noted that this had been approved by NJDCA and that that rate would remain in effect until increased by the Commissioners in a subsequent year. 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. Moran made a motion, seconded by Mr. Fry, that the 2015 – 2016 contract between the Dennis Township Fire District #1 and the Ocean View Volunteer Fire Company for fire services, to begin May 1, 2015, include a requirement that Ocean View Volunteer Fire Company provides to the Dennis Township Fire District #1 a copy of its most recent certified and audited financial statement. The motion was approved unanimously.

Mr. Sutton reported that the adopted 2015 Dennis Township Fire District #1 budget had been approved by the Division of Local Government Services (DLGS) in the NJ Department of Community Affairs. He noted that the budget submission forms had been completely changed from previous years and that there had been a good deal of confusion, both in the fire districts and at the NJ Department of Community Affairs. Nonetheless, the "hurdles" were overcome, requiring us to

make three small “tweaks” to the 2015 Fire District Budget seeking \$350,000.00 in tax revenues and \$5,750.00 in other income, totaling \$355,750.00 for 2015. He noted that, according to Title 40A, the Dennis Township Fire District #1 budget will require an open, public hearing before final approval at the December 17, 2014 regular meeting of the fire district, which will be advertised in the Cape May County Herald and on the Dennis Township Fire District #1 website.

PUBLIC COMMENTS

Mark Farkas of Hagen Road asked how Mr. Sutton can put together a budget for DCA not knowing what the actual cost of the OVVFC are. Mr. Sutton explained that he put together the budget by the amended budget of \$164,000.00 – The new contract in front of DCA gives the commission more rights in way of a Voucher System.

Al Izzi of Ocean View wanted to make a valid point that OVVFC received \$22,500.00 for utilities and Mr. Izzi had spoken with a Fire Company Locally that said their Utilities are roughly \$6,300.00 per year, times that by two stations that is still only \$12,600.00 yet the OVVFC was paid \$22,500.00, so Mr. Izzi’s question is where did the \$9,900.00 go that they FC didn’t use?

Mrs. Sandra Izzi of Ocean View said she is sickened at the thought of all the taxpayers’ money that hasn’t been used for the purpose of Fire Protection by the Fire Company. She commended the Commission for taking the steps to make sure that the OVVFC is accountable for the monies they receive.

Judy LaPortia of Clermont wanted to know why the Commission had two lawyers – Mr. Moran explained that Richard Bradslow is the Counsel for the Fire Commission of District #1, Monzo Catanese Hillegass, P. C. is being used for Special Consensual only for the impending judgment against the Commission of District #1.

Mrs. LaPortia also wanted to know what is going to be done with Mr. Phil Brown because of his absents from the Fire Commission meetings. Chairman Moran stated that he had spoken with Richard Bradslow in regards to what can be done with Mr. Brown since he is no longer participating in Commission Meetings and unfortunately he is an elected official and there is nothing that can be done until his term has expired, to which is February 21, 2015.

Mr. Jesse Gery of Clermont asked in response to Mr. Brown whether or not the Commission had a set of by-laws that they followed for reasons like these. Chairman Moran said it wouldn’t matter if we did he is still an elected official so therefore if he doesn’t resign on his own, we the commission can do nothing.

Lou DeLollis of Monzo Catanese Hillegass, P. C., stood up and explained what is going on with the contract and the upcoming trial.

Mrs. Izzi wanted to make sure that the Commission still had the intention to have an OPEN PUBLIC MEETING to discuss the terms and agreement of the Contract with the Fire Company. “We were promised that...and we still deserve that!” Chairman Moran stated that an Open Public Meeting would take place with any contract with the fire company. We have to see the outcome of the hearing on December 2nd.

A motion was made to adjourn the meeting at 7:38 PM by Mr. Mike Fry, second by Mr. Paul Sutton. All were in favor.

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, December 17, 2014 in the Ocean View Fire Company Hall.

Respectfully submitted,

Tammy Tozer
Secretary
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