

VOORHEES TOWNSHIP COMMITTEE
AGENDA FOR THE MEETING OF TUESDAY, FEBRUARY 21, 2017
REGULAR MEETING 8:00 PM
CAUCUS MEETING 7:30 PM

FLAG SALUTE

ROLL CALL

SUNSHINE STATEMENT

SECOND READING ON ORDINANCE

ORDINANCE OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY DISSOLVING VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20

MOTION TO CLOSE

PUBLIC PORTION:

SECONDED:

AYES:

NAYS:

MOTION TO APPROVE:

SECONDED:

ROLL CALL: FRIEDMAN

PLATT

MIGNOGNA

RAVITZ

NOCITO

MINUTES FROM JANUARY 17, 2017

MINUTES FROM JANUARY 23, 2017 WORK SESSION

COMMENTS FROM COMMITTEE

COMMENTS FROM THE PUBLIC

ADJOURNMENT

ORDINANCE NO.

ORDINANCE OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY DISSOLVING VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20

WHEREAS, there is established in the Township of Voorhees, County of Camden, State of New Jersey the Voorhees Fire District No. 3 (“VFD”) which provides fire and emergency medical services to the residents of Voorhees Township (“Township”); and

WHEREAS, it has come to the attention of the Mayor and Township Committee that there is substantial and serious financial mismanagement of the VFD by the Board of Fire Commissioners which has resulted in serious public safety issues; and

WHEREAS, the Mayor and Township Committee have authorized various evaluations of the VFD; and

WHEREAS, Harry R. Carter, Ph.D., an expert in fire administration and public fire safety matters has rendered a report dated October 14, 2016 attached hereto and made a part hereof as Exhibit “A” wherein he has rendered the opinion that there is serious financial mismanagement by the Board of Fire Commissioners in the operations and administration of the VFD which has had a negative impact on the level and quality of fire services in the Township and it has created serious public safety issues; and

WHEREAS, Dr. Carter has opined that in his entire career, the Voorhees Township Board of Fire Commissioners is perhaps the most poorly managed fire district with which he has ever interacted and he recommends that the VFD be dissolved; and

WHEREAS, the Township is in receipt of the Standard and Poor’s May 4, 2016 credit profile regarding the Voorhees Township Fire Commissioners entitled “Voorhees Township Commissioners Fire District No. 3, New Jersey; General Obligation” wherein it states, “S&P Global Ratings lowered its rating on Voorhees Township Commissioners Fire District No. 3 N.J.’s General Obligation (“GO”) debt one notch to AA from AA+. The outlook is negative. The rating action reflects our opinion of the district’s significant financial deterioration. Officials are projecting the combined general and capital fund balance totaling \$303,000 at fiscal year–end 2015, down from the roughly \$2 million of general fund balance in the past. The negative outlook reflects our opinion that there is, at least, a one-in-three chance the district will not return reserves to their former strong levels over the next couple of years;” and

WHEREAS, the Mayor and Township Committee have received a Resolution of a Vote of “NO CONFIDENCE” in the Board of Fire Commissioners, Voorhees Fire District No. 3 and Deputy Fire Chief Michael J. Wharton, attached hereto as Exhibit “B” from the International Association of Fire Fighters, Local 3249 which represents the full-time professional firefighters, fire officers and emergency medical technicians which outlines multiple financial and safety failures of the part of the Board of Fire Commissioners of the VFD and Deputy Fire Chief Michael J. Wharton; and

WHEREAS, the Mayor and Township Committee have also received a letter from the International Association of Fire Fighters, Local 3249 dated October 11, 2016 attached hereto as Exhibit “C” which states in pertinent part, “Voorhees Township’s current fire, rescue and emergency medical services delivery system is broken” and “public safety and service would be best served by disbanding Voorhees Fire District #3 and transferring the current emergency and other related service functions to the control of Voorhees Township as a municipal fire department;” and

WHEREAS, Koerner & Koerner, P.A., certified public accountants, has issued a report entitled, “Analysis, Evaluation and Recommendations on the Financial Condition of the Board of Commissioners, Fire District No. 3, Township of Voorhees,” dated December 14, 2016, attached hereto as Exhibit “D” and made a part hereof, wherein Oliver S. Walling, III, CPA has rendered the opinion that there is serious

financial mismanagement and violation of statutory obligations and duties by the Board of Fire Commissioners in the operation and administration of the VFD and recommends that the Township dissolve the VFD; and

WHEREAS, pursuant to N.J.S.A. 40A:14-91, the Township adopted Resolution 217-16 authorizing the circulation of a petition to consider the dissolution of the VFD; and

WHEREAS, pursuant to N.J.S.A. 40A:14-91, upon written application of at least five percent (5%) of the registered voters of the Township, the Mayor and Township Committee shall consider the dissolution of the VFD and upon receipt of such an application the Mayor and Township Committee shall fix a time and place for a hearing thereon. After the hearing the Mayor and Township Committee shall determine the question of the proposed dissolution; and

WHEREAS, there are 20,503 registered voters in the Township of Voorhees; and

WHEREAS, the Mayor and Township Committee have received a report from Stampede Consulting, LLC, which administered the circulation of the petition, a copy of which is attached hereto as Exhibit "E," confirming that no less than 1,447 registered voters of the Township have signed the petition seeking the dissolution of the VFD where a minimum of 1,026 registered voters is required, thus satisfying the five percent (5%) requirement pursuant to N.J.S.A. 40A:14-91; and

WHEREAS, the Township has received a report entitled, "Voorhees Public Safety Consolidation Transition Plan," prepared by Voorhees Chief of Police Louis Bordi and reviewed by Dr. Carter and Mr. Walling, dated December 14, 2016, attached hereto as Exhibit "F," and made a part hereof which provides for the safe, efficient and orderly transition of the consolidation of the VFD into a department of the Township; and

WHEREAS, the Mayor and Township Committee held a special meeting on January 17, 2017 on notice to the public for the purpose of conducting a public hearing on the question of the dissolution of the VFD, where public input on the question was solicited and comments from the public were received; and

WHEREAS, after careful examination and analysis of independent firematic and municipal finance experts, the governing body has determined that it is in the best interest of the Township and its residents to dissolve the VFD and to assume responsibility for the services and financial obligations of the VFD as set forth herein; and

WHEREAS, the governing body recognizes a compelling public safety interest in consolidating the VFD into a department of the Township; and

WHEREAS, the Township finds that the efficient, proficient, fiscally responsible and effective delivery of fire and emergency management services shall be achieved by the dissolution and consolidation of the VFD; and

WHEREAS, the Voorhees Township Committee adopted Resolution No. 48-17, RESOLUTION OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD FOR THE DISSOLUTION OF VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20; and

WHEREAS, the Voorhees Township Committee adopted Resolution No. 49-17, RESOLUTION OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN, NEW JERSEY APPROVING THE FINDINGS OF ACACIA FINANCIAL GROUP, INC., AS RELATED TO THE DISSOLUTION OF VOORHEES TOWNSHIP FIRE DISTRICT NO. 3; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, any municipal governing body which has established a Fire District, is empowered to dissolve the Fire District by ordinance, providing said

ordinance is approved by the Local Finance Board within the Department of Community Affairs, prior to adoption; and

WHEREAS, the Local Finance Board must approve the dissolution if it finds that said ordinance makes adequate provision for the payment of all creditors or obligees of the authority and that adequate provision has been made for the assumption of those services provided by the Fire District which are necessary for the health, safety and welfare of the recipients of those services; and

WHEREAS, it is the desire of the Township Committee of the Township of Voorhees to dissolve the VFD, to assume the debts and obligations of said VFD and to itself provide all services previously provided by said VFD; and

WHEREAS, N.J.S.A. 40:48-2 provides that any municipality may make, amend, repeal and enforce such ordinances, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Voorhees, County of Camden and State of New Jersey as follows:

SECTION 1. DISSOLUTION. Voorhees Fire District No. 3 is hereby dissolved and abolished subject to the terms and conditions hereof and the terms of the offices of the members of the Board of Commissioners of the Voorhees Fire District No. 3 are hereby terminated.

SECTION 2. TRANSFER OF TITLE OF ALL FACILITIES. All real and personal property owned or titled in the name of Voorhees Fire District No. 3 and all monies remaining in Voorhees Fire District No. 3's treasury shall be transferred to the Township of Voorhees and all documents and records pertaining to same shall be delivered to the Township Clerk of the Township of Voorhees forthwith.

SECTION 3. PAYMENT OF ALL CREDITORS AND OBLIGEEES. The Township of Voorhees shall assume responsibility for the payment of all lawful debts and obligations of the Voorhees Fire District No. 3 and the Township of Voorhees hereby covenants and agrees to comply with and perform all covenants, obligations and agreements of Voorhees Fire District No. 3, except as may be modified between the Township of Voorhees and said creditors and obligees.

SECTION 4. RESERVATION OF RIGHTS. The Township of Voorhees reserves the right to challenge the validity of any and all debts, covenants, obligations and/or agreements of the Voorhees Fire District No. 3 and to determine whether it is truly a lawful debt, covenant, obligation and/or agreement incurred by the Voorhees Fire District No. 3.

SECTION 5. INJUNCTION AGAINST FURTHER ACTION WITHOUT CONSENT. Voorhees Fire District No. 3 is hereby enjoined from taking any further action without the Township of Voorhees's consent including, but not limited to taking any and all legal action. All pending legal actions against the Township shall be dismissed with prejudice. Simultaneously, upon the effective date of this dissolution as set forth above, Voorhees Fire District No. 3 shall cease all operations and activities and all operations and activities shall be transferred to the Township automatically and without further action either by the Township of Voorhees or Voorhees Fire District No. 3.

SECTION 6. TOWNSHIP AUTHORITY. The Mayor, Township Committee, Clerk, Solicitors, and other appropriate employees and professionals of the Township of Voorhees are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof. The members of Voorhees Fire District #3, its officers, employees, and representatives are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof.

SECTION 7. APPOINTMENT OF FIRE AND EMERGENCY SERVICES DIRECTOR.

Voorhees Chief of Police Louis Bordi is hereby appointed as the Township Fire and Emergency Services Director in order to implement the Voorhees Public Safety Consolidation Transition Plan as may be amended from time to time by the Mayor and Township Committee. Chief Bordi shall have full operational and management control of the Voorhees Fire Department during the transition subject to the direction and approval of the Mayor and Township Committee.

SECTION 8. ESTABLISHMENT OF FIRE ADVISORY BOARD. A Voorhees Fire Department Advisory Board is hereby established consisting of ten (10) members. The purpose of the Advisory Board shall be to provide advice, information and assistance to the Township of Voorhees regarding fire department matters during the transition period. The initial ten (10) members are:

1. Lawrence Spellman – Township Administrator;
2. Dean Ciminera – Township CFO;
3. Michelle Nocito – Township Committeewoman and Public Safety Director;
4. Deputy Mayor Jason Ravitz;
5. Chief of Police Louis Bordi;
6. Special Fire Counsel – Stuart A. Platt, Esquire;
7. Former Fire Commissioner – Vaughn Vandegrift;
8. One Career Firefighter – James Poland;
9. One Volunteer Firefighter – Harry Lauletta;
10. One EMS Member – Craig Fallstick; and

SECTION 9. APPROVAL OF LOCAL FINANCE BOARD. Pursuant to the provisions of N.J.S.A. 40A:5A-20, after its introduction and before its adoption, a copy of this Ordinance and application for dissolution shall be submitted to the Local Finance Board of the State of New Jersey (“Board”) for review and approval. Final adoption of this ordinance shall be subject to the Board’s approval. A copy of the ordinance as adopted shall be filed immediately with the Board and with the Secretary of State of the State of New Jersey.

SECTION 10. EFFECTIVE DATE OF DISSOLUTION. The dissolution of the Voorhees Fire District No. 3 shall be effective upon adoption of this Ordinance and the automatic transfer of all assets and liabilities from Voorhees Fire District No. 3 to the Township.

SECTION 11. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 12. REPEAL OF ALL INCONSISTENT ORDINANCES. All ordinances of the Township of Voorhees that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 13. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication, as required by law and upon approval by the Local Finance Board.

I, Dee Ober, Clerk of the Township of Voorhees, County of Camden, State of New Jersey hereby certify that the ordinance entitled above was adopted following second reading and public hearing at a regular meeting of the Voorhees Township Committee on February 21, 2017 held in the municipal building, 2400 Voorhees Town Center, Voorhees, NJ.

ATTEST:

TOWNSHIP OF VOORHEES

Dee Ober, RMC

Michael R. Mignogna, Mayor

INTRODUCED: 01/17/17
ADOPTED:

MOTION TO ADOPT:
SECONDED:

AYES:

NAYS:

ROLL CALL: MR. FRIEDMAN
MR. RAVITZ
MAYOR MIGNOGNA

MR. PLATT
MS. NOCITO

**VOORHEES TOWNSHIP COMMITTEE
MINUTES FOR THE SPECIAL MEETING OF TUESDAY, JANUARY 17, 2017
REGULAR MEETING 8:00 PM**

FLAG SALUTE

ROLL CALL Committeeman Friedman; Solicitor Platt; Committeeman Ravitz; Committeewoman Nocito; Mayor Mignogna; Township Solicitor Howard Long; Township Administrator Lawrence Spellman; Township Engineer Doug Johnson; Township Engineer Wendell Bibbs

GUESTS Special Township Counsel Stuart Platt; Voorhees Township Police Chief Lou Bordi; Special Accountant Oliver Walling

SUNSHINE STATEMENT Mr. Long stated that this meeting is being held in compliance with the "Open Public Meetings Act and has been duly noticed and published as required in the Courier Post and Inquirer Newspapers.

Mayor Mignogna announced that this meeting is a special meeting of the dissolution of Voorhees Township Fire District #3. He added that it will begin with a presentation, followed up with questions from Committee and ending with public portion.

PUBLIC HEARING ON THE DISSOLUTION OF VOORHEES FIRE DISTRICT #3

A. PRESENTATION BY SPECIAL LEGAL COUNSEL AND OTHER REPRESENTATIVES

Mr. Stuart Platt, Special Counsel

Good evening Mayor and Township Committee. This meeting is a special meeting and public hearing on the proposed dissolution of the VFD, which is a separate entity with its own taxing authority in Voorhees Township.

Tonight we will hear reports from several experts in the field of fire safety and fire district fiscal management. Dr. Harry Carter, expert in fire administration and public safety fire matters, Mr. Oliver Walling, CPA, who will summarize his report regarding the financial condition of the Voorhees Fire District and Voorhees Police Chief, who will summarize his Consolidation Transition Plan.

I cautioned members of the public, that despite the nature of the meeting, personal attacks will not be tolerated. If that occurs, the speaker will be called out of order and the ability to continue speaking will be terminated.

Following the public portion, Township Committee will consider introduction of an ordinance to dissolve the Voorhees Fire District, which is subject to the approval of the Local Finance Board, which is an agency of the state. Two additional resolutions will be considered. One will authorize an application for the Local Finance Board and the second is approving the findings of a financial advisor hired by the township which recommends the assumption of the existence fire district debt, rather than the issuance of a new bond.

Mr. Oliver Walling, Police Chief Lou Bordi and Voorhees Township CFO Dean Ciminera all took an oath their testimony is true.

Solicitor Platt

In the State of New Jersey, there are two processes in which a fire district can be dissolved. Fire districts are originally established by an act of the municipality. Many years ago, the Voorhees Fire District was created by an act of a previous administration and therefore, the Township Committee has the right to dissolve that district. The first process is pursuant to the fire district statute which is 40A:14-91 which permits any municipal governing body to dissolve a fire district upon petition of at least 5% of the registered voters of the municipality. After Solicitor Platt's explanation of the process, he named each exhibit and explained in detail what they are.

The second way in which a fire district can be dissolved is pursuant to the Local Fiscal Affairs Control statute. Title 40A:5A-20. This process requires the introduction of an ordinance and an application to the Local Finance Board. The LFB will have a date determined for a meeting and our hope is to be heard on the February 8, 2017, if the governing body takes action tonight. If the LFB approves the application there will be a notice for a second reading and final adoption on the ordinance. The legal basis to receive LFB approval is two-fold. One is that the township has made adequate provisions for fire district debt and debt service and two is that the township has made provision for the assumption of fire and emergency medical services. There is no requirement for the LFB that the township prove either financial mismanagement or public safety concerns regarding the Voorhees Fire District. However, you will hear testimony from experts that the township has retained that those problems do exist, are widespread and are getting worse.

The goal of the dissolution is really a consolidation of fire and EMS services into a department of the township, much like the police department. Please remember that the township created the special fire district many years ago and has a right to dissolve it and consolidate it into one of its own departments. With the public safety consolidation plan, which was prepared by Voorhees Police Chief Bordi and reviewed by fire experts, there will be a seamless transition in fire services upon completion of the consolidation. Residents do not have to worry that there will be any gap in coverage should there be a need to call the fire department or EMS. This is an administrative and a financial consolidation. He added that going through this process it has become abundantly clear that the top priority is to ensure the public safety and proper financial management of fire and EMS services for Voorhees residents, their families, their children and the first responders themselves. This consolidation plan, if approved, will be designed to transition both the career and volunteer firefighters along with EMS employees within the township. The process that is taking place by the governing body has not been taken lightly. The township has done extensive study and investigation with municipal fire, public safety and financial experts. This issue came to light last year and the township committee has responded by doing multiple evaluations in bringing the process to this point. Nothing done here tonight is a criticism of the fine men and women who are our career and volunteer firefighters and EMS personnel. This about a financially mismanaged fire district that in the opinions of the fire experts has resulted in public safety concerns.

Regardless of tonight's decision the matter still has to be reviewed by the LFB, therefore, dissolution will only happen upon approval of LFB application and final adoption of ordinance. Ultimately, the township has the following goals in mind regarding the consolidation plan. The goals are as follows: Insure fiscally responsible and safe fire and EMS protection to Voorhees residents, businesses and first responders; Improve public safety to person and property; Provide long term financial and tax savings to Voorhees residents; creating a fire department within the township where there is already an administrator and a financial officer which the fire district does not have and has not existed in the fire district for years, if ever. Other goals are to ultimately provide better services and lower cost and having a fire department that runs at optimum efficiency.

Some of the public safety concerns that have been brought to the governing body throughout these months leading to this point are as follows and this is not an exclusive list, these are things that were brought to the attention through the fire union and other members of the public. The public safety concerns include but are not limited to failing and obsolete equipment, inadequate staffing and lack of direction, lack of leadership, breakdown in the chain of command, lack of training, lack of operational guidelines, and overall poor moral within the fire department. Formally the Township Committee received a vote of no confidence against the Board of Fire Commissioners and Deputy Chief Michael Wharton from the firefighters union. Following that, we received a letter from the firefighters union stating "In pertinent part, the township's current fire, rescue and EMS delivery system is broken and public safety and service would be best served by dis-banning the fire district and transferring the current emergency and other related service functions to the control of the township as a municipal fire department.

You will hear testimony from Mr. Walling, a CPA and an expert in fire district municipal finances. The issues which were brought to our attention and confirmed in Mr. Walling's report are as follows:

There has been a sharp and severe reduction in surplus from over \$2,000,000.00 from just a few years ago to depending on which information is received, is maybe as little as \$180,000.00. Results in a lack of sufficient financial reserves to financially and appropriately run any business, any government entity and a fire district.

Unpaid utility bills in 2016, the Voorhees Fire District owned over \$100,000.00 in unpaid water bills to New Jersey American Water Company. The essential ingredient to fight fires, which is water, was not even paid for on time by the fire district.

Unbudgeted and over budgeted overtime remains a problem that has only worsened. Unqualified administration, unfavorable leases, a Standard and Poor's downgrade in the district's credit rating, use of reserves to cover bond payments, labor strife leading to lawsuits and grievances which costs the taxpayers money, improper financial statements and concerns about audit controls. And most recently we have found that there was an improper transfer from the fire district capital account which was used to pay its debt service on the bond for principal and interest on the bond for the Kirkwood station to the operating account to pay for legal fees for the fire district's attorney. We were advised by Mr. Walling that this is an improper transfer.

Before we move to Mr. Walling's summary, I want to read into the record the conclusions reached by Dr. Harry Carter, an expert in fire administration and public safety matters, which is an exhibit to the ordinance as well. Obviously all the reports being considered tonight are attached. We'll mark Harry Carter's report as exhibit 6. His conclusion is as follows:

Number 1: Over the past decade the Board of Fire Commissioners failed to increase fire district taxes in a way which would have allowed them to cover the cost of building the new fire station without draining their capital reserves. This has required the operational funding to be used for capital expenditures. This is a fire safety issue because it has allowed for a number of negative things to occur.

Number 2: The apparatus fleet has grown older and less in tune with the appropriate National Fire Protection Association standards. In addition, the ambulance fleet has aged out and does not meet the current standards for state of the art equipment including the latest technological innovations. Further, new turn out gear and breathing apparatus as well as other equipment has not been acquired and a variety of tools have not been purchased. This has an impact on the level and quality of services, which the fire district has been unable to provide.

Number 3: In my opinion, Dr. Carter speaking here, his words, not mine, the Board of Fire Commissioners has ignored requirements for conducting labor relations. This has led to staffing issues which has led fire and EMS employees to work long hours on successive days. This has the potential for diminishing the ability of individual members to respond in an alert and effective manner making this a safety issue. This has also required the expenditure of funds on legal matters that could have been spent on operational issues, such as equipment and fire safety protection for the first responders. Over the past 20 years, board members have abdicated their role in conducting the business of the fire district. They have given this over to the individuals in charge of leading the fire department. It began with the late Chief Maxfield and continued with retired Chief Pacifico and is now been given to Deputy Chief Wharton. I saw this in action in the workshop meeting of the board, which I attended back in April 2016. This has led to the situation where important tasks are not being accomplished in a timely fashion and necessarily equipment and staffing decision are being put off due to a lack of attention and fiscal support.

Number 4: It is my opinion that the Board of Fire Commissioners does not understand what the actual needs for the position are. This has allowed for a situation to develop where things such as pension payments are not being made in a timely fashion. This has led to morale issues, which always have an impact upon the effective delivery of fire protection services.

Number 5: It is my opinion that there is no long range planning for any aspect of the department operations, fiscal or otherwise. This creates problems preparing for future fire safety related operations and programs.

Number 6: It is my opinion that the Board of Fire Commissioners has failed to recognize the problems which they have created by use of the Deputy Fire Chief to run the department, rather than a fire chief. They have created ascension and tension between and among staff which can create a fire safety concern when it comes to creating unified fire protection teams.

Number 7: Owing to a series of administrative and managerial missteps, the board has placed themselves in a position where the lack the fiscal and operational resources to conduct their operations in an effective and efficient manner. This has a direct impact upon fire safety in the areas of staffing, apparatus, equipment and maintenance. These issues form the bulk of the service delivery model for any fire department.

Number 8: My portrayal of the operation of the fire district was confirmed of the findings of the Standard and Poor's ratings direct report of the Voorhees Township Fire District dated May 4, 2016 when they downgraded the districts bonds and spoke of their concerns of the management of district financial resources. It is this lack of sufficient resources which has led to the problems in providing proper staffing levels, up to date fire and EMS apparatus, as well as short falls in self-contained breathing apparatus and other fire department equipment. And these problems have manifested themselves in a vote of no confidence which was taken by the union that represents the career firefighters and EMS technicians. Finally,

Number 9: Based upon my review of the data I received is supplemented by my many interviews, my five decades in the fire service, my sixteen years as a fire commissioner, my ten years as a fire district board chairman and in my many years in leadership roles with the New Jersey Association of Fire Districts, I must state that the Voorhees Township Board of Fire Commissioners is perhaps the most poorly managed fire district with which I have ever interacted. Their inability to manage staff, provide adequate financial resources, develop adequate operational resources and provide proper equipment, has led to the point where I must recommend that Voorhees Fire District #3 should be dissolved. My opinion is supported by the letter from the union representing the career firefighters and EMS technicians which also calls for the dissolution of the fire district and signed Harry R. Carter, PhD.

Solicitor Platt

Mayor, that is where we are at this point, that is the fire matic and fire safety evaluation done by Dr. Carter, an expert in this area. I would like to move on with Mr. Walling's presentation.

Mr. Oliver Walling

Mr. Mayor, members of the committee, as previously stated, I'm a CPA with the firm of Koerner & Koerner. I have audited fire districts for 34 years. For the last 12 years, I have been an accountant and consultant for fire districts. I currently have twenty-five fire district clients and I have probably have had forty to fifty clients over my career.

To prepare the report that I presented to you, I did not perform any audit services, I saw my function as a gatherer of pieces and try to paint a financial picture and analyze that picture for your use. The starting point was with the audit that was done by Bowman & Company, that was for December 31, 2015 audit. In there, there were four comments. A comment is something that the auditor feels is severe or material enough that it needs to be mentioned and brought to the attention of the readers. The first comment was that the fire district did not have a general ledger consistently utilized during 2015. A general ledger is mandatory for any kind of accounting process and it's also a statutory requirement for fire districts to maintain a general ledger.

Solicitor Platt

In layman's terms, what is a general ledger?

Mr. Walling

A general ledger summarizes the receipts and disbursements of an organization.

Solicitor Platt

Somewhat akin to a checkbook register for a homeowner?

Mr. Walling

A checkbook on steroids, yes. Mr. Walling continued, the auditors notified that the bank reconciliations were not consistently prepared. Bank recs, just like your home checkbook, monthly, you compare what you have in your checkbook to what the bank has in your account and you reconcile any differences. This was not done consistently according to Bowman & Company. Reading the minutes in the January 2016, it was stated that the board was currently trying to complete the November bank reconciliation. The importance of the bank reconciliation is so you know how much money you have in the bank. In 2016, the board did have an overdraft in their checking account because they issued checks in excess of the balance. Obviously, that probably would have been prevented if bank recs were kept up to date.

Another comment by Bowman and Company was that the board did not have control over purchases. DCA Local Finance requires that a Board of Fire Commissioners maintain a purchase journal and the purpose of the purchase journal is to keep track of the purchase orders that are out so that you don't exceed the budget. Understand that in a fire district, the voters approve your budget by a line item and those line items cannot be exceeded. Once you reach the line item, you no longer can pay from that line item. You have to wait for November, December, January and February to do line item transfers to enable you to then pay the bills. As Solicitor Platt mentioned there was \$129,000.00 over budget in the fire hydrants. Bowman and Company commented that pension payments were late and failure to pay those on time and also payroll deductions. The significance of this is the board has a fiduciary responsibility, this is not their money, this is money that belongs to the employees, they took it out of their paychecks and held onto it. They have to, within a timely manner, forward it to other authorities, whether it be the Division of Pensions, IRS or State of New Jersey. The board was delinquent on these items.

Besides looking at the audit, we looked at eight years of budgets, six years of audits, minutes of meetings, as posted on the website and as requested the minutes only go through June of 2016. There are no other minutes posted on the website and we were not able to OPRA the last six months of 2016.

Solicitor Platt

We did OPRA them, but there was nothing that came back after June 2016.

Mr. Walling

That is correct. We had resolutions on the website and through the ORPA request. Our findings were violations, whether they be statutory or legal, transparency, obviously not having minutes, this is relatively new to fire districts, I think it is in its third year. In your budget the district is required to check off that their website is complete and everything is posted and transparent. The board has checked that off and has certified as to the completeness of their website. As previously mentioned, late pension payments affect the individual. If it's not submitted within the required time, the pensions will not invest the employee's money until the next cycle. Late IRS payments, again, its fiduciary money. Failure to pay timely will result in penalties and interest, which are not permitted use of tax dollars. As stated before, they over spent line items during the year and finished up the 2015 with \$129,000.00 over line item. Plus, according to Bowman & Company they were over budget because they collected less revenues then budgeted for and they spent more than they budgeted for, which resulted in a \$183,000.00 cash deficit for 2015. The board gives a payment to per diem volunteer firefighters. There are different names for it, steipen is one. They get a 1099 if it's over \$599.00. Some of the amounts paid were significant. In our

research, it's not conclusive as to whether or not this is compensation or whether this is a per diem stipend. It will have to be looked into if it is considered wages. If it is wages, then there are other ramifications as potentially budget and benefits and civil service, which the board will have to address. Financially, as Stuart stated, in Bowman's audit report, they were at \$139,000.00 restricted surplus. That's \$139,000.00 that they had available towards 2016. The way the fire district operates is in December, they submit a budget to DCA for approval and in January, they adopt the budget and they also adopt a temporary budget which is 14% of the prior years' operating budget. Because the boards need approval to spend dollars, so the statute allows them to create a temporary budget, it's not discretionary, it's just 14% of each line item, which is to get them through from January 1st to the February election. These funds are 14% of last years' budget and that amounts to between \$800,000.00 and \$1,000,000.00 that the board should have in unrestricted surplus. The first check from the township, as you know, is due to the fire district in April, which means a fire district has to operate on that 14% until it receives it check in April. I've been told that Voorhees Township has given the fire district their check early so that they can meet payroll and I'm told that it was even delivered one year in January. So this is money that the township had to pay over to the fire district to prevent the district from defaulting on their obligations. Potentially, this cost the taxpayers interest while the township did not have those funds invested. As Stuart has stated, you cannot spend capital funds on operating expenses. When you make like item transfers you can transfer between lines in operating and between lines in capital, you cannot transfer funds from operating to capital or from capital to operating. Reading the minutes of the board further complicated or enlightened possibly the process of how they got to this point. According to statute, it clearly defines the responsibility of the treasurer. The treasurer is the custodian of the board funds, they control the revenues and they control the disbursements. In reading the minutes, the board does not seem to understand that responsibility. In one of the minutes, it stated that a member of the public asked the board what was the responsibility of the treasurer, why didn't the treasurer know when the bank recs were going to be completed or why the hydrant bill wasn't paid. The response was that the treasurer's job is to read the treasurer's report which is prepared by someone else. According to the minutes that would be Deputy Chief. It's clear in the minutes that the Deputy Chief was acting as the deputy chief and the CFO and he made it clear that there are issues wearing both hats and asked which one has priority.

Solicitor Platt

And which one did he say had priority?

Mr. Walling

Fire safety. As most of us would expect that to take precedence over the checkbook.

Solicitor Platt

And based upon your review you understand that Deputy Chief Wharton is not a CFO?

Mr. Walling

Correct. The one service we were tasked with was if the township does take this over, will there be savings or will there be a cost. At this point I think it's difficult to say one way or the other. We don't know the condition of equipment. According to Dr. Carter there's deficient equipment. There's certainly savings, commissioners, lawyers and insurance. We tentatively prepared a budget to be added to be added to the township budget and just a rough estimate, we saved \$300,000.00 without getting into capital assets.

Solicitor Platt

And that analysis is based upon the 2017 budget, is that correct?

Mr. Walling

The 2017 budget, the 2016 budget and the 2016 actual that we could extrapolate. I looked over the 2017 budget as it was introduced and posted on the website.

Solicitor Platt

Did that raise any concerns to you?

Mr. Walling

You would think that knowing what is going on between the township and the fire district that you would do everything possible to cross your t's and dot your i's, and make sure you convinced the committee that we really got our stuff together and if I were working for them, that would be my goal, is to make sure I put the best face forward to the committee. As stated, they transferred \$34,000.00 from capital to pay legal fees, they transferred \$227,000.00 to overtime, which means in 2016 overtime is over \$300,000.00. In the 2017 budget, they didn't comply with the 28 day rule. You have to have 28 days between introduction and adoption. The budget is increasing 5.5% as presented, with a 6.5% increase in the amount to be raised by taxation. They did not budget for a cash deficit of \$181,000.00. That's required to be put in your subsequent budget and they did not budget for that. Just for your information, it appears that health benefit will approach or exceed \$1,000,000.00 this year and that there's over \$1,000,000.00 in

compensated absences sitting on the book, which will be taken over by the township should dissolution go through.

Solicitor Platt

We'll mark this report as exhibit 7. So based upon your evaluation, your experience as an expert in financial functions of fire districts, what is your bottom line recommendation to this governing body regarding the question of dissolution?

Mr. Walling

For a seven million dollar budget it was obvious to me that it was being mismanaged and it appeared that the Board of Fire Commissioners were not doing a proper job, or did not know how to do a proper job. There is a certain lack of knowledge among fire districts and certainly in a \$7,000,000.00 budget and knowing that you have cash overdrafts and have \$300,000.00 in overtime excesses, we felt that the board did not know how to manage and properly run the fire district.

Solicitor Platt

Can you go to page 19 of your report? Can you read the last paragraph, which I believe is the ultimate recommendation?

Mr. Walling

Based upon our analysis, it is my opinion that the VFD should be dissolved and become a department of the township. The benefits to the taxpayers and residents go beyond the monetary parameters. Financial controls and fiduciary accountability will be restored to the fire matic services. The residents will realize a greater benefit with financial professionals and control their tax dollars. This will enhance public safety by utilizing fire matic professionals in there are of responsibility.

Solicitor Platt

Thank you Mr. Walling

Mr. Walling

You're welcome.

Solicitor Platt

Chief Bordi, you have prepared a report?

Chief Bordi

Yes, Sir.

Solicitor Platt

What is the title of that report?

Chief Bordi

Voorhees Public Safety Consolidation Transition Plan.

Solicitor Platt

We'll mark that as exhibit 8 and Chief, we would appreciate, for committee and the public, if you could summarize why you did the plan and how the plan was created and reviewed and what you ultimate plan summary is.

Chief Bordi

Mayor, Committee, Mr. Solicitor, I was asked to participate in the Voorhees Township Public Safety Consolidation Plan as it pertains to this public hearing tonight as you will be considering the dissolution of Voorhees Fire District 3. I was tasked to produce a transition plan that will provide the guidance needed to restore the safety, health and welfare of the department members while addressing critical deficiencies identified in planning, organizing, staffing, directing, coordinating, reporting and budgeting. In formulating the transition plan, I've reviewed the other professional reports about the state of the fire department's financial and operational deficiencies. I've also conducted interviews with current members of the fire district and other fire professionals in our county and other counties. These reports and interviews have confirmed that our fire department has been operating in a crisis mode at almost every turn for a long period of time. I'm afraid this translates into a hazard for our community. My plan calls for an extensive evaluation of the overall functionality of the fire department. These evaluations will not be done in a vacuum and there will be inclusion at all levels of the organization, both volunteer and career. Once armed with the critical information necessary, we will formulate plans for change with specific goals and objectives that are geared for success. There will be a seamless conversion of authority while still providing services to our residents. Lastly, I've served Voorhees for almost thirty years with the last 16 years in a senior command position including the last 4 1/2 as the department head and the township's emergency management coordinator. I've earned the respect of my supervisors, peer, subordinates and our community. I will supply the leadership, guidance and support that will turn the new Voorhees Fire

Department into a highly productive, highly trained, highly respected and well equipped agency that Voorhees Township deserves. That's my report Mr. Mayor, thank you.

Mayor Mignogna
Thank you.

Solicitor Platt

Mayor, that's the basic presentation, all of the reports and exhibits are made a part of and spread upon the record and at this point I would turn it over to the mayor to see if there are any questions from committee, to either myself, Mr. Walling, Chief Bordi and if necessary our CFO, Dean Ciminera.

Mayor Mignogna
Are there any questions from our Township Committee members this evening?

Committeeman Friedman

Mr. Walling, you discussed that you looked at the 2015 financial report and I know you mentioned briefly the 2017 budget. Did you look at any financial reports or activity of 2016 in terms of is it following the same pattern that you noticed for '09 to '15? So what I'm saying is, where are we now? Where are we in '16 going into '17 from the financial prospective?

Mr. Walling

To answer your question, yes we received through OPRA a schedule of expenses through December 31, 2016. They were unaudited and we took them at face value. One thing that should be pointed out is as stated in the No Confidence letter from the union, there was a \$651,000.00 question and reading the 2015 audit, it was explained that the board had not picked up \$651,000.00 in payables. So taking at face value the 2016 report, overtime is over, they did have to make some line item transfers, legal fees were over budget, they had to transfer into that. We did not do any analysis of 2016, we did a quick comparison of 2015-2016 budget and 2017 budget.

Committeeman Friedman

Do you see any improvement in 2016 from the little that you reviewed, do you see it declining further from your cursory review of 2016?

Mr. Walling

That's impossible to tell because in our OPRA request, in the response, we did not get revenues, we only say the disbursement side.

Committeeman Friedman

Ok, so you don't know for 2016.

Committeewoman Nocito

I know you said that you did not audit them, but if they were a client of yours, would you have concerns based on the eight years of budgets and six years of audits that you looked forward? I understand that Committeeman Friedman is making an effort to show that there was improvement last year as the fire commissioners presented to committee that they hoped that they would be able to do, is it your thought, am I understanding correctly, that they may be beyond the ability to do that?

Mr. Walling

First of all, if they were my client, we would not be here tonight. Second of all, with \$139,000.00 in surplus, I don't see how they're sustainable without support from the Township Committee.

Committeeman Friedman

For the record, I'm not trying to prove anything, I'm asking questions because the report states that you reviewed 2015 and I'm asking the pertinent question of what is going on currently. We're not into 2017 and that is simply why I am asking the questions. I don't know the answer to it, nor am I trying to prove it. I'm just trying to get an update to see if there has been any change either way so that I can make an informed decision. And you told me that you don't have all the documents and information to provide an exact answer at this time.

Mr. Walling

That's correct.

Committeeman Ravitz

What was the budgeted overtime for 2016?

Mr. Harry Platt
\$75,000.00

Committeeman Ravitz

\$75,000.00. I think Chairman Hanney testified here that they would bring in the \$75,000.00, if I recall. And the number is now three-hundred thousand?

Mr. Walling

Well, they transferred \$227,000.00 into overtime, the three categories.

Committeeman Ravitz

Ok, so at the least, it's \$250,000.00 over budget?

Mr. Walling

They transferred \$25,700.00 into firefighter overtime. \$162,614.00 into EMT overtime and \$38,870.00 into fire officer overtime. So that would get added to the \$75,000.00. So we're close to three hundred.

Committeeman Ravitz

Did you get a chance to look at head count to see if that was resulted in them being understaffed? In your investigation, I know Dr. Carter made some comments about it, but in your investigation get a chance to look at head count to see the possibility of being understaffed in relation to that use of overtime?

Mr. Walling

No, I don't feel qualified to make a statement on staffing, I left that up to Dr. Carter.

Committeeman Ravitz

Thank you.

Committeeman Friedman

Mr. Walling, you state in your conclusion, the second paragraph from the bottom, that immediate savings would be realized with the elimination of professional services, commissioners compensation, insurance costs, which I get. What professional services are you referring to there?

Mr. Walling

Legal services, audit services, accounting services.

Committeeman Friedman

Wouldn't the township just be picking up those items?

Mr. Walling

Correct, with no additional cost.

Committeeman Friedman

At no additional cost, is that what you are saying? Are you saying that if there are additional hours spent on reviewing fire department issues, there's no additional cost for that?

Mr. Walling

I wouldn't be qualified to say that, no.

Mayor Mignogna

Any other questions from our committee?

Committeeman Friedman

Just one question for Chief Bordi. Like Mr. Walling's report, I didn't get your report until last night unfortunately. I haven't had ample time to really review it in detail. From your introduction, we talked a little bit about public safety being an issue and that is why we are here, we want to make sure our community is safe and our families are safe. What would you improve, you are going to be taking over, at least temporarily from what I understand, what would you improve public safety wise if we do this dissolution and we consolidate? What are your goals in terms of public safety improvement?

Chief Bordi

It's pretty extensively outlined in the report.

Committeeman Friedman

I got it last night

Chief Bordi

It's a very long answer. There's a lot of issues reported by Dr. Carter. There's a culture reported there from interviews that I've done. That stuff doesn't happen overnight. The mismanagement that has been reported of personnel and it's extensive. All of those different managerial and cultural issues translate to me into poor service to the community. Whether it be a response time that isn't good enough or practices

that they're currently using, the lack of short term and long term planning that has been reported, have put the fire personnel in jeopardy because their equipment is not as up to date as has been reported.

Committeeman Friedman

Are you going to advocate buying more equipment?

Chief Bordi

Of course. I'm going to advocate studying what's there and putting a plan, much like I do in the police department. I think that we're going to have to do that. The lack of long term planning, the lack of, I would say, preparation for command, the lack of training, these are all huge red flags that will translate into a lack of poor response to the community.

Committeeman Friedman

Chief, do you anticipate, I know it's early to tell, you're not into it yet, do you anticipate hiring more firefighters, do you think that might be something that might be on the horizon?

Chief Bordi

You know, it's a combination department, so there's a volunteer entity that we have to explore and build on, so I wouldn't be able to answer that right now, until I get with the leadership of the fire department and really start doing some analysis of personnel and some of the things that they're providing and some of the services they are not providing. A lot of analysis has to go in, there's no short answer.

Committeeman Friedman

And the only reason I ask that Chief is because staffing has been brought up repeatedly as a public safety concern and maybe I'm missing something, but it would seem the only way to solve the staffing problem is to hire more firefighters and rotate more volunteers. I don't know, that's why I asked the question.

Chief Bordi

It could be.

Mr. Harry Platt

Chief, you have talked about equipment issues and we talked about that as your report was being presented, isn't there the opportunity for state or county equipment that is given out to departments that would not be of any charge to the department?

Chief Bordi

I'm aware of federal grants. I was looking at one yesterday and I don't know if our fire department has applied for that yet, or have been successful in the past in receiving it. But there are monies out there to help fund equipment and things like that, you just have to be successful in getting a piece of it. Applying for and obtaining grants is a specialty, I don't know if they have anyone on staff that has that expertise at this point.

Mr. Walling

I have districts that have received funds for generators, scot packs and other equipment so there are funds out there.

Committeeman Ravitz

Chief Bordi, how long have you been a police officer?

Chief Bordi

1988

Committeeman Ravitz

That would give you how many years, I can't do math?

Chief Bordi

Almost 30, 29 years.

Committeeman Ravitz

How long were you an officer, where have you been employed all those years?

Chief Bordi

All in Voorhees Township

Committeeman Ravitz

So you have a good frame of reference of this whole history of this fire department?

Chief Bordi

A better reference now that I've looked into it further. Yes, I've worked closely with our fire department pretty much my whole career.

Committeeman Ravitz

And you've been an officer in the Voorhees Police Department how long? Rank?

Chief Bordi

A little over 16 years now as a senior level commander. Chief for the last 4 ½ years and emergency management coordinator.

Committeeman Ravitz

And you're a member of the Chief's Association?

Chief Bordi

I'm on the Executive Board for the Camden County Chiefs and the New Jersey State Chiefs.

Committeeman Ravitz

I'm just qualifying that Chief Bordi could answer this question since he operates and supervises one of the most respected police departments, certainly in New Jersey if not the entire country. And is well traveled in this country and oversees in getting training and then executing that training in his department. Do you feel outside of the financial considerations here that there is a moral imperative for committee to act upon these resolutions tonight?

Chief Bordi

The short answer is yes.

Committeeman Ravitz

And would that be due to, besides financial, the safety issues and the welfare of the public?

Chief Bordi,

Yes, as I stated earlier I see a lot of problems based on the reports that I've reviewed and the people I've interviewed.

Mr. Stuart Platt

As a follow up to Committeeman Platt's question about the application for grants, do you have experience in the police department of making grant applications?

Chief Bordi

Yes, we make sure we train our personnel. Applying for grants and obtaining grants is like I said, there's a certain expertise you should attend for that. And there is a lot of work that goes in before you put pen to paper to be honest with you for being successful. A lot of people file a lot of paperwork but are not successful. We've been pretty successful in the police department.

Solicitor Platt

Thank you.

Committeeman Friedman

Mr. Walling, just one more question. Did you do any kind of analysis of the potential impact on the township budget should perhaps there be a significant decrease of volunteer firefighters as a result of this dissolution?

Mr. Walling

No I didn't.

Committeewoman Nocito

Mr. Walling, one more question for you. If the fire district were to continue as they are and in order to, as you discussed they don't have an administrator or a finance officer, is it your opinion that they would have to incur additional costs to improve their financial picture or situation?

Mr. Walling

Well, they would have to figure out where to get funds. \$139,000.00 of unrestricted fund balance, \$181,000.00 cash deficit, so basically, they have no unrestricted cash. They do have limited funds in restricted capital, which cannot be used for operations without getting approval from the voters without referendum. They would have to borrow money, there's a revenue anticipation note, which fire districts are able to obtain and they would borrow money until they get their tax check. Now, they don't have interest in the budget, so technically they couldn't pay the interest on that bond.

Committeewoman Nocito

So, just so I understand from your perspective, do you believe that they have the funds to be able to bring in outside financial help if they need to hire an administrator?

Mr. Walling

They did put in funds for a salary in the 2017 budget for an administrator. They put in \$60,000.00 for an administrator. The question would be where are they going to cut? They budgeted \$75,000.00 for overtime but they spent \$300,000.00. There is more than just the financial problem, its one indication of the problem there.

Committeeman Platt

What is the average salary of an administrator in the companies you work for?

Mr. Walling

That's on the low side, it would depend on how many hours they use the person. I think besides an administrator that would, if there could be some kind of combination of administrator and maybe a paid firefighter or EMT so you can spread the expense out of the salary. \$60,000.00 is a reasonable starting salary on the low end.

Mayor Mignogna

Any other committee questions? Our next portion will be our public portion. If there is anyone from the public who have any questions or comments, please come forward.

B. PUBLIC PORTION ON DISSOLUTION OF VOORHEES FIRE DISTRICT #3 AND ASSOCIATED RESOLUTIONS

Mr. Tom Hanney, Chairman of the Fire Board

The first thing I wanted to do was address the Carter Report. Last time I was up here, I was telling you that it was seriously out of date and it was. It speaks to the past and the past was not so great back in 2014 and 2015 and some of the years before that. What I wanted to do was talk to the present as opposed to the past and going through the findings from Dr. Carter's report. I respect Dr. Carter, I know he is a world class authority in what he does. I feel like he, in this particular case, addressed the past without coming back and addressing the future when he returned his conclusions to you in the fall of this year. So, when we are looking at this I want to look, and I'm going to go right through the findings from the staff interviews. In his number one, he said that in 2016 the budget, the Board allocated \$75,000.00 for overtime in 2016 overtime was well in excess of \$300,000.00. It was. But there are reasons for that. One, the civil service list was five years old and we did not want to hire from a five year old list. We had a lot of qualified volunteers here that we wanted to hire from and they were taking the tests this year. Now, having taking the test and having gotten through the year, we just finalized hiring four new people, full time career people. That's going to dramatically lower that over-time, because the hours will be spread, we won't have that crush if you will of being short people. Our alternative to that was to literally hire from a five year old list and we just don't really want to do that because well who is left on that list, because it actually expired twice and was extended twice, it was supposed to be a three year list. So who was on that list was never who we wanted to hire, plus it allowed us by doing that to hire Voorhees residents, which was also a goal. So, these are young guys who are here, they were volunteers, they were working semi full time already in the department, and that's who we hired. It worked out very well that way.

Solicitor Platt

Mr. Hanney, so the fire district hired four new firefighters, have they already started?

Mr. Hanney

Yes.

Solicitor Platt

And out of those four firefighters, how many of them had been volunteers in the fire district?

Mr. Hanney

Three, they were all very experienced, they were already familiar with all of the operations and everything else and the equipment and were able to just jump right on the engine and go. They had the certifications and everything else and some really good extra requirements being able to do some repairs and other things that were, we had some really good interviews with these folks and they are the best of the best and we hope that as we continue into the spring we would like to get two more.

Solicitor Platt

You would like to hire two additional?

Mr. Hanney

We would like to see two more. And I think one is very very possible by February.

Solicitor Platt

So out of the three of the four firefighters from the volunteer ranks, how many of those three volunteers have you replaced?

Mr. Hanney

Actually, seven. We had seven new volunteers who graduated from the fire academy just recently and are now available to be on the fire engine. So, the volunteers are actually up to forty volunteers right now and we have thirty full time career staff. So that is pretty much full staffing. I mean there are some spots who need to be filled in the officer core, but we wanted to get this done first so we had the firefighters in place and then that would be the next thing that we address.

Committeeman Platt

Where is your staffing level now whereas compared to past years?

Mr. Hanney

It's back up there. It had gotten low because we had a bunch of retirements and we had two people who left for disciplinary reasons, but getting the four new staff on right now and especially if we get the two additional firefighters in the spring, that will bring us to where we really consider ourselves to be full staff.

Committeeman Platt

Is it the same level that it was in 2010, 2009, where comparatively are we compared to past years?

Mr. Hanney

Because I wasn't on Committee back then, it's my understanding that if we get two more, which we would meet the top levels that we have ever been at. But I would have to check that to actually make sure that that was accurate.

Committeeman Platt

It's very noble to try to get the overtime down that way; I'm just looking to get the overtime numbers from the fire departments audit for the past eight years and while the budgeting numbers have been \$70,000.00, the actual has been sixty three. As high as \$118,000.00 when the budgeting number has been around ninety. I think that the staffing, along with the way the shifts and the schedule was done was all part of that, but it has been increasing over the years. That's what I'm looking at.

Mr. Hanney

But 2016 was less than 2015. Even though it was over three hundred thousand, it was actually down.

Committeeman Platt

For 2016 also, there was seventy five thousand budgeted and you were over three hundred thousand. When you put a budget together, what makes you say seventy five when you've been over three hundred thousand for a couple years? That to me speaks to some issues.

Mr. Hanney

At the end of the day, the intention to hire is a good thing, but we are looking at it and saying we better not take anybody from that old list, we're gonna hold off.

Committeeman Platt

I didn't question the list, I questioned why did the commissioners say, we're going to put down seventy five thousand when the number was so excessively higher than that for the past nine years.

Mr. Hanney

Okay, I am going to speak in a generality here, but in the overall salary line budgeting for the entire budget, we were okay. The overtime was high, but the regular salary actually balanced that out in the line item transfer. At the end of the day the total amount was budgeted correctly. Was it in the wrong lines, yes, but it actually worked out fine and we got four new full time hires and we got seven new volunteers who are already on the service.

Committeeman Platt

But some of the transfers came from areas that were stated were not proper to come from. When I look at this whole picture of what we're talking about and we look at when you were here, I think it was September, when you said the new schedule will take care of this, but the numbers prove that your schedule didn't take care of those over time issues. I'm looking over a period of over a number of years and that's why when I look at what we're talking about tonight, I'm seeing and I'm seeing the numbers going higher and higher and higher and I understand everything been trying to be done to try to make that

right. That's what I'm looking at, a constant level of not properly budgeting, putting down numbers on papers for a budget that don't really reflect reality and that's what I'm concerned about.

Mr. Hanney

To answer your concerns on that, when it comes to the budgeting process, it's not exact even though it is numbers; you figure you should be able to nail everything. There are certain numbers on the budget that you absolutely know what they are going to be year after year. I mean it is a set thing, but when it comes to some of the salaries, schedule, certain things that you are going to do, injuries, I mean we had five people out for an extended period of time, two to three months at a time, that also adds to that overtime budget. You just can't plan for that. It is one of the reasons why our state insurance is so high is because we had a number of major injuries over the past couple of years. Now, also, and I can't emphasize this enough, the 2015 budget has nothing to do with the 2016 budget. It was done by the previous administrator, it was done incorrectly. A few things were guessed at for that budget. For this budget we really, really did look down and we looked as hard as we could. Now the one overtime number that you pointed out, you can say its way over. But at the end of the day, the overall salary line actually balanced out.

Committeeman Platt

But we talked about known facts, known budget numbers. Things like social security payments, employee retirement, workers compensation and you were one hundred and eleven thousand dollars short in those areas, those known numbers that you were just talking about. Something you know are going to be there and to look at the entire picture of how large sums of money are being moved around, some of them from accounts that shouldn't be moved around from and that's why I'm looking at everything and saying, something more has to be done, than just saying 'give it time it'll work itself out'.

Mr. Hanney

I would like to hire an administrator to help out with the administration of this and I think it would be very helpful to have that because I think that there is too much burdened onto the Deputy Chief as it is right now, however, I will say that the budget ended the year approximately two hundred thousand dollars in the black. When you're done everything and you're looking at it completely, I can't say exactly what that number is, Bowman and Company will do their audit and we will probably know in March, or whenever they're done with that. We did end up in the black and it was from very conservative hard work, a lot of cost cutting and everything else. But let me go through the findings of the Carter Report if I can and get back to that right now and just talk about that. So, number two he said that the fire staff is concerned over the lack of fire experience among the four commissioners and the impact this has upon delivery of fire protection services. If you look at our board we actually have one full time fire fighter and another public employee, a retired public employee on the board and 40A never required that anybody actually have fire experience. This was more of a business end to advise and it has no operational direct impact, it is more of a business impact that the board has always had. It is, I don't see that as something that is required right there. Number three, the board failed to increase taxes over a period of time in order to allow it to cover the cost of the new fire station. That is simply not true. The new fire station was bonded and when we look at that, you can talk about the tax increases, and I wasn't here for all of this, but if you go back to-

Solicitor Platt

When were you elected to the Board of Fire Commissioners, what year?

Mr. Hanney

Almost five years ago, it will be five years next month. So the first couple of years, you learn find out what's going on and then you find out what's really going on. Anyway, so the budget, so my understanding from history here, is that the budget in 08 and 09 basically, it failed. The Township Committee required an 08 for the department to use \$66,000.00 dollars in reserve and to make up for that. In 09' the Township Committee required \$425,000.00 in the reserve to be used to help make up for that budget failure. In 2010-

Solicitor Platt

Mr. Hanney, why did the budget fail?

Mr. Hanney

I don't know, I was not here at that time.

Solicitor Platt

What is the dynamic of that, the public has to approve or disapprove the budget? Because the public voted against the budget correct?

Mr. Hanney

Absolutely, how else does a budget fail? But in 2010 and 2011 without any proposed increase at all, the budget passed, I understand in 2010 by twenty votes. I don't know what 2011 was. So obviously the

Board here was spending down the reserve in 2008 and 2009 and then in 2010 and 2011 asked for nothing as an increase. That really put things behind schedule in terms of where the budget should have been, because if they had stayed with a two percent all the way across, I think it would have been much better served, wasn't there cannot say. From 2012 to now it has been two percent or less per year and has stayed within the state cap and has been getting a vote of approval by an increasing number each year. So it has worked out fine for five years in a row, but still I think there were four years there that really put it behind the eight ball and the former administrator when we did not, and I know this to be a fact, when we did not actually meet that two percent, in order to keep it at two percent spent some of the reserve down on top of that. So, the reserve continued to go down under the previous administrator, because he was making up for any funds that weren't, that were over and above the two percent.

Committeeman. Ravitz

Were you a fire commissioner when this, because this is the second time that you've blamed it on a previous administrator, this person you keep mentioning, were you a commissioner when he or she did this?

Mr. Hanney

I was a commissioner in the two years-

Committeeman Ravitz

So you as an administrator had no authority without governmental bodies-

Mr. Hanney

Under the previous administrator-

Committeeman Ravitz

Can I finish?

Mr. Hanney

Under the previous administrator and under the previous chair, that person had complete responsibility for the budget.

Committeeman Ravitz

I will ask our solicitor. Doesn't, an administrator doesn't have the authority to, what's an administrative authority to do?

Solicitor Platt

First of all, what was the name of the administrator?

Mr. Hanney

Chief Pacifico.

Solicitor Platt

So he was a fire chief also?

Mr. Hanney

Correct.

Solicitor Platt

With respect to budgets and creating budgets and adopting budgets, that's clearly, you know this I don't want to embarrass you tonight, that is the responsibility, not only of the administrator, that's the responsibility of the Board of Commissioners.

Mr. Hanney

The former Chairman gave that responsibility and that responsibility- The former chairman gave that responsibility to the former Chief. Obviously not a good thing.

Solicitor Platt

But since you've been on the Board, I mean, this isn't a quiz, but who do you think is responsible for approving the fire district budget?

Mr. Hanney

Well who is doing it now is the entire board. Sitting down with the Deputy Chief going line by line through it and creating what we need to create and as a group trying to make those decisions as best we can.

Solicitor Platt

Who voted to, does the administrator just submit the budget, or do you vote to approve the budget.

Mr. Hanney

We all vote to approve the budget but we've already worked on the budget as a group and understand-
Solicitor Platt

I understand the people work on it, but statutorily you realize that the budget process requires, you, The Board of Fire Commissioners, to approve the budget, you understand that right?

Mr. Hanney

Of course.

Solicitor Platt

That is all that Mr. Ravitz is trying to get to.

Mr. Hanney

No, Mr. Ravitz is trying to say, why didn't you do this sooner-

Solicitor Platt

His question to me was, 'who is statutorily responsible?'. So I put the question to you and you answered and you've answered it correctly now that it is in fact the Board of Fire Commissioners.

Committeeman Ravitz

I just wanted to confirm that you affirmatively voted for whatever Chief Pacifica did administratively, which you had to do or he wouldn't have had the power to do that.

Mr. Hanney

Now we have it corrected. Number four, so we went through the whole list here, when the budget was defeated the Township told us- we're not going to use that. Number five, the threat of layoffs apparently was used as a bargaining tool by the Board. It was put forward but never occurred. I don't know of anybody who proposed of any layoff at any time, so that's false.

Mr. Ravitz

I would like to make a motion to extend Mr. Hanney's time past the five minute rule.

Mayor Mignogna

We have a rule of five minutes Mr. Hanney but as a courtesy, I am going to let you continue to make your point, because I think that it is important.

Mr. Hanney

Thank you. Number six, the current Ems staff is a mix of full time career and career per diem. That's true and it is working just fine. Twenty four seven we are covered and it's working well. Number seven, I am in agreement with those people with whom I spoke that an outside civilian administrator is needed in order to provide better support services in order to improve the delivery of fire protection services. I don't know about the 'to improve the delivery of fire protection services', I think that an outside civilian administrator could help with the financial end though.

Solicitor Platt

And the fact that apparently you budgeted for an administrator in 2017, so you agree with that finding?

Mr. Hanney

What's that?

Solicitor Platt

You agree with that finding?

Mr. Hanney

I do, but for a different reason. I think that that administrative cost should go to the financial end to help get things straight. Number eight, based upon the number of comments the Board of Commissioners never used, the report of Mr. Robert Hill on a matter of harassment. That is actually false, we actually had training by Mr. Hill that was provided and it was mandatory training for work place harassment. All volunteer and career staff were required to attend this training. Number nine, current contract negotiations between the Board and the Union are not progressing because of an uncertainty over available funding. Not true, we had initial back and forth with the union, but then we waited for the union to come back and they have not. So, the funny thing is that now we could probably actually do more for that. Number ten, based on the comments of numerous individuals, the training program for the Department is insufficient and needs an active suburban community such as Voorhees Township. I went over to hear the- The department training has increased and is now at the highest level it's been in many, many years. It includes now a combination of career volunteer joint training and also as well as mutual aid training with other townships, which was never done before. So the actual training that is going on in

the Township really is at a very high level and I believe that the safety of the public is better for it. So I just don't see why he put that recommendation there.

Committeeman Ravitz

Did it start after Dr. Carter wrote this?

Mr. Hanney

You know I think back in the February March time frame that he was hearing this; it was more of a 2015 thing than a 2016 thing. But in 2016 it has just been way increased and is much, much better. Number eleven, the condition of the department support vehicle fleet is not good. The support vehicle fleet is aging and being budgeted to be replaced. The oldest vehicle is already being budgeted to be replaced. All vehicles are in service, but these are like the SUV's that go with it and some of these have high mileage, so one if being budgeted to be replaced now and others do need to be replaced, but those are the support vehicles, not the response vehicles. Number twelve; there is a need for new turn out gear and self-contained breathing apparatus. Two things though on this, One, all of the gear that we have right now is current within NFPA Standards and yes CDA's. All of the turnout gear is good through 2018. That was provided on a grant ten years ago. I think that was ten years ago, was it eight years ago? Whatever the life span is, runs through 2018. So all of the gear is good right now and we talked about, you had mentioned grants and everything, one of our fire officers, Captain Jim Martino has become quite proficient at grant writing and actually has done a few classes on this. He has been applying for quite a few grants. So that is an awareness thing and it is happening and we do have a specialist for that.

Committeewoman Nocito

Have you received any of the grants that he has applied for?

Mr. Hanney

You know, is he here do you know?

Someone from audience spoke. Unable to be heard on audio recording.

Mr. Hanney

Deputy Chief, would you like to answer that, what grants were applied for this year.

Committeewoman Nocito

Which grants were received that were applied for?

Mayor Mignogna

Deputy Chief, just trying to keep some order, if you want to testify we would welcome your testimony but we would like you to come up just so we can make sure we record it and get the information properly. We would rather avoid people speaking for the audience if we could thanks. Mr. Hanney did you have a question for Deputy Chief?

Mr. Hanney

Yes, the question was Ms. Nocito.

Deputy Chief Wharton – Voorhees Fire District

This year there were off hand there were three grants that were applied to. One for staffing, one for equipment which was full replacement of SCBA due to the aging of the equipment, and one is a fire prevention grant, which was for trading materials and a vehicle that would transport that as well as work for our fire marshall's borough. At this time, none of those grants this year have been received.

Mayor Mignogna

They haven't been received or they've been turned down?

Deputy Chief Wharton

I believe all three have been denied. I have got denial letters in hand for two of them but I do believe all three have been turned down.

Mayor Mignogna

Okay, thanks.

Deputy Chief Wharton

Absolutely.

Mr. Hanney

In the past we have gotten grants for staffing and for other things.

Committeeman Ravitz

Just because this is so important, you just said they were denied? What is going to be the plan for the turnout gear and the breathing apparatus?

Mr. Hanney

It is being budgeted for the new gear, but we were hoping-

Committewoman Nocito

Question-

Mr. Hanney

To also get grants so we wouldn't have to spend that money.

Committeeman Ravitz

What the cost to replace in 2018 if the useful life is done, do you know the cost?

Mr. Hanney

When it turns to 2019.

Committeeman Ravitz

What is the cost to replace?

Mr. Hanney

I'm going to say probably about \$600,000.00 to replace the turnout gear. Approximately, it is just a ballpark, I'm not sure if it's exactly right.

Solicitor Platt

Do you know if during last year any other towns have applied for these so called gear grants, do you know if other towns have applied?

Mr. Hanney

Oh yeah.

Solicitor Platt

Did they get those grants?

Mr. Hanney

Well those grants are out there, somebody got them. I believe Camden City got a huge one, I'm not sure who else got them.

Solicitor Platt

What about Berlin? I thought Berlin.

Mr. Hanney

Could be. I mean a number of towns definitely got them in South Jersey. It really, I don't know, I know that Captain Rampino did, actually went through a school on this and how to write it and I think he actually had the help of some local political folks that really were trying to aid him in this, but we just didn't get it. Number thirteen. He said that the fleet of ambulances is aging out, the latest equipment does not have the latest technical innovations, such as electric lifting capabilities. This situation exposes the EMS staff to possible lifting injuries. When we talk about this, three of the units are five years old, so we are not talking aging out. Ambulances go fifteen to twenty years, we having three of them five years old they are not very old at all. One is fifteen years old and is next to be replaced. When we replace it, just like you buy a brand new car, things are available on new cars that were not available five years on an older car. So when we replace this one that is fifteen years old, that will have the electric lift capability for it, but five years ago they didn't have that, so that's where that stands. The five year old ones are not old at all. The fire apparatus fleet is going to be leased again. This was confirmed to me at a workshop meeting on April 7th. That is true. We had a committee that worked very hard on this, and we got three new fire apparatus that is going to be arriving next summer some time. These have been very specifically designed by the truck committee to fit Voorhees Township's needs to a T. They spent a lot of time on this, the goal here is to get these trucks, you lease them for five years and then in the sixth year you pay the equivalent of one more years lease and then you would own them. We're not locked into that, but that would be the goal because they spent a lot of time designing these trucks specifically to work for Voorhees Township, for exactly how we use them. So that was a pretty good committee that put this together and it would be really nice in six years to actually own these vehicles because we would get another five or six years out of them past that where we would literally not have that expense.

Committeeman Ravitz

Can you give Township Committee any details about the three leases?

Mr. Hanney

Not at this time, I do not have it with me. But it is a good question and it is available. There is a good plan for that. I don't know why he has fifteen in here, but it was said to me by more than one person the board intends to buy out the existing American LeFrance lease, the American LeFrance vehicle has been gone for a couple of years and it has been a lawsuit and everything else so we do not actually have that, he was probably referring to the ladder truck, which the voters approved by a large margin in the last election. It saved us over a million dollars by buying that ladder truck because it only had fifteen thousand miles on it. We bought it for a little over two hundred thousand, it was two hundred and thirty six or two hundred and thirty seven thousand dollars and literally to replace that it would be one point four million dollars. So, with only fifteen thousand miles on it, what a bargain. It was overwhelmingly approved and that's probably what he was talking about. Number sixteen, the Board of Fire Commissioners did not plan for the cost of running and maintain the new station to be included in the budget. Actually it is a line item in the budget, so I don't understand why that is in there. Oh, you know what he was probably talking about in the 2015 budget. But in the 2016 budget this is a line item, as well as 2017. So, it is a maintenance thing running the station and we are increasing as little each year. When it's new it doesn't need that much stuff, but as it moves along it's going to need a few new things as it ages. So that is a regular line item in the budget. I think when he was talking about that in 2015 he was probably referring to, well actually I don't know what he is referring to because it couldn't be the new station. Number seventeen, based on comments from many individuals, there is confusion within the fire department with who is supposed to do what. This is a serious safety issue as it can lead to important fire department operational personnel training and operational task being over looked and performed. This is just false because all positions and responsibilities have been defined in writing. Everybody knows what their responsibilities are and who they report to as part of the operational plan. That is being refined all of the time, we were just talking about that the other day for some of the maintenance and having to make sure that that is properly assigned responsibilities from the top down the way it needs to be. Every single person's job is defined in writing so I'm not sure where that comes from. Review of the standard in reports rating. The standard reports rating went from a triple a to a double a simply because we spent down the bond and when you reduce the amount in the bond it goes down. So it went from AAA to double AA as we spend it down on the new station and that's what the spending was for. So that's what the standard in reports is about. Our ISO level was maintained for this safety rating for the Township and has been maintained at its rate, it was almost lowered, but it was not. So therefore the insurance stayed the same level, so that did not cost the Township more. That's what I have right now for the Carter Report I know my Solicitor Tavani wants to speak on a certain number of things and I am available to come back up for other things.

Committeewoman Nocito

Can I just ask you a question? This I think is the second or third time that you've appeared before Committee and I, first of all appreciate it because your position is not an easy one to defend. We have a fire safety expert who says that we are in trouble, we have a financial expert who says that we are in trouble, we have a vote of no confidence on the behalf of our firefighters, so I do appreciate that your position here is not a popular one and I sincerely sense your sincerity when you come before committee. So I applaud you on that, but based upon the history that you took us through and where things are now do you think that your just in a position where you've taken this as far as you can go and you're at a point of no return and you need the Township's help.

Mr. Hanney

When you look at where we were and where we are it's a huge, huge leap. I mean, eighteen months ago this once not a good position and I'll just be the first to tell you, you know I realize I mean I realized were a little far into my term on this board to know exactly where things stood and the turnaround took a lot of time and you know, the last year it has really picked up steam and we've gotten to a good place. Is there room for a lot of improvement? Sure. I mean wow, yes. But is it getting there? First on the budget side, it's not perfect which is why we budgeted that sixty thousand dollars for hopefully a financial expert to come in and be able to look at this and say 'do this' because the Deputy Chief cannot do this by himself and even the Board working with him, I'm not a financial person. So we are looking at this line by line and we're trying to make things work and put things in the right lines as best we can and still looking at all the staffing levels and guessing as to what is going to work and how and why when you've got injuries costing you unexpected costs.

Committeewoman Nocito

I understand that but do you think that the residents of Voorhees deserve better than a guess.

Mr. Hanney

I'm sorry, say that again?

Committeewoman Nocito

You said you're guessing on what is going to work, do you think that the residents of Voorhees deserve better than a guess?

Mr. Hanney

When I say a guess I'm talking about an educated guess, I've been in business for forty years-

Committeewoman Nocito

I'm not debating, I'm just- I'm concerned that you're passionate that you want to see this through and I appreciate that, I really do. But what I'm concerned about is, you're asking this Committee for more time but you don't have the resources to support that.

Mr. Hanney

How do you get the resources? You, now that we are in the black and again it has not been finished, the audit by Bowman, but about two hundred thousand dollars.

Committeewoman Nocito

That's not a lot of money.

Mr. Hanney

Yes, but now you can budget \$60,000.00 and you can get some financial help to do that budget.

Committeewoman Nocito

But you don't have enough money.

Mr. Hanney

No, but now we do. Last year we didn't.

Mayor Mignogna

Mr. Hanney, for years we offered Dean Ciminera's help to the fire commission. For years, as long as I've been involved and we were met with every turn, with no we do not want his help. So, this is-

Mr. Hanney

I never turned it down, maybe the previous people did, but I didn't.

Mayor Mignogna

Well Maybe you didn't, but I can tell you that that offer was made and over and over again they said no thanks. So, you know it's been a process. This is not something new, it has been a process.

Mr. Hanney

It is a process and it is moving forward and when I look at this, all I can say is that the Carter report is out of date because we have made that turn and that corner and we have come a long, long way. So when you look at that and you look at everything else that's going on in terms of future saving, we saved, we cut from the budget this year, over \$250,000.00. There were a number of different things that we did, which actually reduced it and it was in our leasing, it was in our bonds it was in our mechanical abilities to do our own repairs, it was in a lot of different things. But by lowering that two hundred and fifty thousand dollars, it's really that plus the fact that the schedule really did work to a degree, allowed us to finish the year in the black, which a lot of people were betting wouldn't happen. We do have a handle on where we're going, we know we need some professional help on the financial side,

Committeewoman Nocito

How long have you felt that way?

Mr. Hanney

Probably, only confidently, the last six or seven months that we were actually going to get there, where we were going to go.

Committeewoman Nocito

No, that you needed financial help. How long have you felt that way?

Mr. Hanney

Oh, two and a half years.

Committeewoman

So, not being snarky here, but how come we didn't engage that before?

Mr. Hanney

One, we still had the previous administrator in place. Two, I didn't have his replacement on the horizon, we found out we didn't have the money to do it, to hire anybody to actually do that. And three we had to discover where we were in order to get to where we are. So, you're talking about an evolving process in something that has to move in the right direction and it is. There is no doubt about it that this is moving in the right direction. Understanding the financial concerns, yep we do need some professional help there. I

understand that, when you talk about operationally, I think we are getting there very, very much so. With a lot of the new vehicles, with a lot of the, just the plan that has been laid out in terms of the combination of the volunteers and the career folks working together, the hours that they cover have been manipulated and changed to the most advantageous to make sure that our response times are absolutely the best they possibly can be. And that is working, we have very, very good response times and that is probably number one in what we need to be concerned about.

Committeeman Ravitz

Tom, when the \$200,000.00 is that the surplus as of 12/31?

Mr. Hanney

Yes, approximately

Committeeman Ravitz

Is there a state statute or a statute of some kind that would require off your budget to maintain a certain surplus?

Mr. Walling

It's a recommendation.

Mr. Hanney

Bowman recommended \$1,200,000.00 in surplus and that's our aim. Take part of that and put it toward that.

Committeewoman Nocito

And you have how much?

Mr. Hanney

I'm being conservative, but I believe it's at least \$200,000.00. I think it might be more, but I'm not going to say that.

Solicitor Platt

So unaudited, you believe you have \$200,000.00 worth of surplus, your own auditor suggests you have \$1,200,000.00 in surplus.

Mr. Hanney

That's the goal we need to get to and he said this about three years ago. That's when we first found out really where we stood. When they come in and said this isn't working. Maybe it was only two years ago.

Committeeman Platt

And Mr. Walling, you said you anticipate \$135,000.00 in surplus by your figures?

Mr. Walling

No, I don't know because I didn't get the revenue side, there's \$139,000.00 in unrestricted cash fund balance as of 12/31/15. But there's \$181,000.00 cash deficit for 2015 that needs to be funded.

Committeewoman Nocito

And who's presently doing the general ledger and the bank reconciliations?

Mr. Hanney

Deputy Chief Wharton

Committeewoman Nocito

Can I ask him a question, is that ok? The number that Mr. Hanney is talking about, are you familiar with that?

Deputy Chief Wharton

Yes

Committeewoman Nocito

Do you have a better, more accurate figure?

Deputy Chief Wharton

Not off hand, without reviewing numbers. I wasn't really prepared for that this evening. I do know that at least on initial glance, it looks like we are going to be below on expenditures and we are definitely ahead on revenues for 2016, but I don't have those figures with me so I can't accurately speak on that.

Committeewoman Nocito

Ok. I remember you came to committee before and we talked about the bank recs, your're obviously very busy, do you feel confident in your abilities to manage the general ledger and bank reconciliations?

Deputy Chief Wharton

I believe I'm doing them to the best of my ability at this time. Reconciliations are on time at this time and have been done within the first 7-10 days of the month after the bank statements are received, so I am on schedule at this time and doing it to the best of my ability. I won't by any means say that they can't be done better, I'm not a CFO, obviously I'm a deputy chief, but I am doing them to the best of my ability at this time.

Committeewoman Nocito

Have you expressed to the Board of Fire Commissioners in the past that you have concerns about your ability to complete them?

Deputy Chief Wharton

Absolutely, especially in the earlier part. When I first began, it was definitely overwhelming because I was doing so many different functions. I believe I have a lot better handle on them now than I did then, but obviously there's always going to be room for improvement there.

Committeewoman Nocito

The last question I have for you. Who is responsible for posting the minutes to the website?

Deputy Chief Wharton

I send them to our IT person to post them, the minutes are done by our clerk, Nancy Saunders for typing.

Committeewoman Nocito

Are you aware as to why there is a delay? I think Mr. Walling said they haven't been posted since...

Mr. Walling

The June minutes were posted.

Deputy Chief Wharton

They are audio recorded, they are not all typed and approved by the board yet for posting. I don't post anything until they are all done and approved on resolution by the board.

Committeewoman Nocito

So they're waiting to be approved by the board?

Deputy Chief Wharton

Some are, I don't know how many, I'd have to ask. Once I get them from the clerk, I send them through, the board approves them at a meeting then I send them to the IT person to post.

Committeeman Ravitz

The union that represents the fire and EMS, members of your fire district, they took a vote of no confidence. Explain to me why Township Committee should be confident in the fire commissioners' ability to keep this, I'm using your words, the upswing going, or like Michelle said, finish what you started when you've been a fire commissioner for five years, I'm really not aware of your colleagues, how long they've been, but if you want to tell committee you can. The \$1,200,000.00 in surplus that you had or \$1,400,000. Or whatever you had, Oliver, what was that?

Solicitor Platt

They had \$2,000,000.00 at one point.

Committeeman Ravitz

Ok, so the \$2,000,000.00 in surplus was like a black diamond on a ski slope, not a cliff but like a black diamond. Why should we have the confidence when you and I'm assuming some of your colleagues presided over it?

Mr. Hanney

No, that \$2,000,000.00 was here in 2008, that was mostly disappeared by the time I got here.

Committeeman Ravitz

In 2010?

Mr. Hanney

That was being spent down by the previous administrator every single year.

Committeeman Ravitz

What was the surplus in 2010? Do we have any information on that?

Committeeman Platt

\$1,300,000.00.

Mr. Hanney

How about in 2014?

Committeeman Platt

2014 was \$400,000.00

Mr. Hanney

He spent it every year, every year it went down and down.

Committeeman Ravitz

Ok, so were' going to go back, I don't want to have to ask Solicitor Platt again, but when you take that oath of office, whether us over here, or fire commissioner or you're the governor, or wherever, you have a fiduciary responsibility to the taxpayers and not only that, the people that work for you execute policy, execute budgets that you approve via resolution. So, therefore, if it was \$1,300,000.00 as Committeeman Platt said in 2010, I hate to tell you but you presided over the black diamond down to last year, it was even lower the surplus and that's your responsibility. It's not Chief Pacifico's responsibility whether he did it or not because at some point, and we could go research and OPRA request, you're affirmative vote is on the things that he did. Yes or No?

Mr. Hanney

I can't say that in the final end of it that I wasn't there for that, yep, I was, ok? I didn't realize and I told you this before, that up until about 2 ½ years ago I didn't realize the shape was in financially the department was because that's not the way it was done. It was done with the previous chair and the previous chief and they said everything was fine, vote for this, we're good. And that's how it was done. Now, as soon as I found out that we were actually in trouble, then I got into the weeds and it's taken this time to get to where we are now. It is what it is, I can't explain it any better than that, I really can't. It just is what it is and it is better and that's all I can say. 2016 was good, 2017 will be better. And in 2017 I'm hoping we're \$400,000.00 in the black and then more will be put towards that \$1,200,000.00 and hopefully we will be able to hire a financial person to come in and help out with all the books and advise us because in the past we relied on our auditor to simply make recommendations which they're very limited in doing. So, we can't continue with that.

Committeeman Platt

And this resolution will be able to provide the fire district with the professionals now, and save money at the same time, that's what we're talking about. You're saying, we'll hopefully this will happen next year and so on, this resolution will allow for the professionals like Chief Bordi, like Dean Ciminera to be able to look and know exactly what we're talking about by the history over the years and by their experience and make those corrections now, not three years from now. A \$200,000.00 surplus and we know this from the township level, on our business, if a sewer pump breaks, your surplus is gone right there, there's so many things that can happen that can make that surplus vanish in a heartbeat. And that's part of the problem.

Mr. Hanney

Understanding where you're at right now with the fire department, last year we were in a deficit, now we're in a surplus and it's a pretty good surplus, I think it's going to be well in excess of \$200,000.00. And I know that for 2017 that we're going to be in even better shape as we move forward. The point is and the only point that I really have here tonight is most of this is getting, not most of it, 99% of it is getting completely fixed and it's taking time to get there and I told you this back in the spring when I came. I said give us time, we're there, we're working on it, we're doing this, we're doing that and all the things we've been doing are happening. And they are getting there and our budget shows it and our future planning shows it and we know that the savings that are going to come to the taxpayers are showing it and operationally I think we're really good from a safety standpoint, but for the firefighters and for the citizens of Voorhees. I think we are going in the right direction. I think you could always take it over, because you have the authority to do that, but I'm saying that if you do, you're doing it on past sins, not present situations because I think we're really close to being a smooth, efficient running operation. It's taken a while to get there but we're a lot closer than where we were six months ago when I talked to you.

Committeeman Ravitz

Tom, I just have concerns about the \$200,000.00 surplus. I hear you, that last year you were in a deficit or \$50,000.00 left or whatever the number was, without re-hashing the history, but to me \$200,000.00 doesn't give a lot of wiggle room, I know it's progress to you and that's great, but when I'm being told that the recommended amount, the delta is \$1,000,000.00, that concerns me as having a fiduciary

responsibility to the taxpayers when we're tax collectors for you guys. The other thing I have to say is if our CFO, Dean, came to me and said vote for this or sign this, everything will be fine, what do you think I'd say? So, I cannot wrap my arms around the first 2 ½ years that you were there, because you have a lot of business experience and you're inquisitive, I have a hard time wrapping my arms around that.

Mr. Hanney

All I can say is it is what it is and here we are and we are moving forward and it is working now.

Mayor Mignogna

Thank you Mr. Hanney we appreciate it.

Mr. Richard Tavani, Solicitor Voorhees Township Fire District

It's been so long I feel like its morning. Good evening Township Committee, Stuart Platt, I'm going to address a couple of the questions that the committee had asked our chairman. I have a couple of comments as well. The first comments I have is this wasn't the first opportunity that you were going to do this. We had this, I know the township committee had this scheduled back in December and of course that meeting was canceled because unfortunately, I believe, you didn't follow all the regulations and statues specifically to Title 20, excuse me Section 20 of Title 40A to do the dissolution. And I see a lot of documents here tonight and we talk about OPRA requests tonight and yes, the township served them upon us and we served them upon you and what concerns me, since we're all trying to get to a point where we can improve things for fire safety for the residents of Voorhees, why we weren't provided with these reports promulgated by Mr. Walling, promulgated by Chief Bordi? Back in December when we made an OPRA request for them, we were advised that they didn't exist. The document from Mr. Walling is dated December 14th, which would have been before your December 19th meeting and the document from Chief Bordi, again, it's the middle of December. We should have had this stuff. Unfortunately, we had to go to court and we had to file an order to show cause. I didn't want to waste taxpayers dollars doing that, but we wanted to make sure this was being done right and correct to protect the interest of the taxpayers of Voorhees Township and to protect public safety. We get it, we have issues, we've been addressing these issues. I'm not sure it helps anybody if the township responds to an OPRA request in December saying we don't have any of these documents then on January 3rd, same response when it should have been presented to us back in December. That's one comment I have in reference to the ORPA request. There is an action pending tomorrow before a judge in Superior Court. A motion to stay the township from going into the fire district tomorrow and closing us down. Now, based on the representations I heard here tonight from the solicitor, it sounds to me like you're going to wait through the process of dissolution. When you get the ok from the Board of Local Finance, or your ordinance, then you'll do your second reading and then you'll dissolve. If you're going to do that, then I'm willing to withdraw our action for tomorrow.

Mayor Mignogna

Just to be clear Mr. Tavani, I think Mr. Platt explained this at the beginning of the meeting. Tonight is a public hearing that ultimately may result in the introduction of an ordinance. The introduction of an ordinance for dissolution, that's step one. Step two would be the Local Finance Board hearing. Then there would be step three which would be the adoption of the ordinance that was introduced tonight. So, if an ordinance is introduced tonight, no one is going to be closing any fire department tomorrow.

Mr. Tavani

Mr. Mayor, I appreciate that representation and based upon that, we'll certainly withdraw our action tomorrow. A couple of things in reference to..

Solicitor Platt

Does that mean you're dismissing the lawsuit?

Mr. Tavani

We will.

Solicitor Platt

Well, I preparing a Stipulation of Dismissal while you talk and you'll sign that?

Mr. Tavani

And can you email that to me, that would be great?

Mayor Mignogna

You can both bill for it.

Mr. Tavani

We both try to be civil and not bill the taxpayers too much.

Solicitor Platt

This meeting is not finished yet. You have three minutes left, go ahead Mr. Tavani.

Mr. Tavani

Thank you. I have a couple of questions in reference to the traditional (un-audible). Who is going to be the new Fire Marshall if the township adopts this ordinance and dissolves the fire district? Has that decision been made?

Solicitor Platt

No.

Mr. Tavani

Who's going to be the new fire official, if any?

Chief Bordi

The decision hasn't been made yet

Mr. Tavani

Do we have a plan in place to create the legal enforcing agency for a fire official? Because once you dissolve this fire district, you're going to have to do that because it won't exist. Are you creating an EMS Medical Director? It's mentioned in the plan.

Chief Bordi

It's in my plan, sir.

Mr. Tavani

Is it a paid position, civil service position?

Chief Bordi

We haven't decided that yet.

Mayor Mignogna

Rich, (Mr. Tavani) do you have Chief Bordi's plan?

Mr. Tavani

I do.

Chief Bordi

It's page 6, middle of the page.

Mr. Tavani

So, the plan calls for the creation of that position?

Chief Bordi

Fire Marshall, fire official, EMS Medical Director appointment.

Mr. Tavani

Is that appointment, again, I would ask if it's a civil service position, or is it one of the current firefighters?

Chief Bordi

That hasn't been determined yet.

Mr. Tavani

Ok. I guess the point we're making is this is still a plan in progress? Correct?

Committeewoman Nocito

As is yours.

Mr. Tavani

True, but we're improving. I thank the members of committee, Mr. Platt, send me the stipulation.

Solicitor Platt

Actually, I haven't answered the lawsuit so you can actually prepare a Notice of Dismissal with Prejudice sent that over to me and we'll inform the court.

Mr. Tavani

Will do.

Solicitor Platt

We have you're word in that?

Mr. Tavani

Yes

Mayor Mignogna

Thank you Mr. Tavani. Any other questions or comments from our public this evening?

Keith Kemmery, President, International Association of Firefighters, Local 3249

26 Poplar Street

Gloucester Township, NJ

Thank you for the opportunity to speak tonight on this issue. As you're well aware, and as my letter that's been well publicized has indicated, this is a public safety issue. I know we're talking about finances and administration, but when you pare everything back, this is a public safety issue. This is to make sure there is finances and administration so that when one your residents or your visitors calls 911 on the worst day of their life, our first responders are able to respond effectively and in a timely fashion and help them and bring a positive outcome to a bad situation. And also, when your first responders get to an incident, and they need help, they get it as well. We have serious concerns, as has been indicated, with current operation being able to reach those benchmarks. There's been several representations by the fire district, with regard to the four hires, just to clarify, there's actually two new people into the operation. A third person was an existing temporary position but tested high enough and he was retained and became probationary permanent and then a fourth person replaced an existing temporary person, who didn't successfully rate high enough to stay in the operation. So we got two new firefighters on the street, and some changing capacities with some others. Also, there was a representation of seven new volunteer members. Our information is seven people went to the county's fire academy to attend the required program and only one was successful in graduating and obtaining certification. The others, for various did not successfully complete the program. So we got two new firefighters on the pay side and one new volunteer firefighter that can perform because he has the required certifications. Also, as of this evening, as I was sitting and listening, you can imagine how the firefighters and EMT's that I represent, when different representations were made, like things are getting better. I spoke at length in September about the importance of staffing on the individual pieces of apparatus, that four firefighters should be the bare minimum, and sometimes more. The members sitting in the audience indicated to me clearly that there are still regularly are riding with three personnel on the apparatus, not the four that's recommended by the National Fire Protection Association. And again, just to clarify, when an apparatus responds with three qualified firefighters, that company, when it arrives at a significant event, has more than a 60% chance of being overwhelmed by the situation that is confronting them. And of course, if that company is overwhelmed, well, then they're at risk, and the people or person who called them for help in a bad situation, those people are at risk. Of the hires, also it should be noted that a request has been made through the fire department's chain of command and it has not been responded to yet, but a request was made to send one member who was hired out of the volunteer force but for whatever circumstance, never responded to an alarm, not one single alarm as a member of the volunteer force. And then had his turnout gear pulled, it was reassigned to someone else who would be answering it. There was a request through the chain of command that that firefighter be sent for basic training again because, again, there had been minimal field experience before moving from the volunteer side to the paid side, or the career side. We certainly don't a firefighter out in the field not realizing the limitations of their capability and getting overwhelmed and getting hurt. We want all of our first responders going home after an alarm. We also have a situation where again, your fire department responded to a cardiac arrest call, a person with no heart beat and not breathing, so an ambulance from your fire department, a fire company from your fire department, and a paramedic unit were dispatched. When the fire company got there with the ambulance, one of the people who had been represented as being field ready, was directed to take over CPR on the victim and that firefighter responded that he can't I do not have the certification. So, you had somebody in the field who didn't have the CPR certification, so during a life-saving emergency, he was put in a situation where he couldn't deliver. So, of course, another more seasoned firefighter jumped into that spot. After there was a realization that all personnel hired newly hired to the force were in possession of necessary certs, there was discussion of sending someone to a basic life support CPR course. And again this firefighter expressed apprehension as to going to a CPR class because he needed to get used to the new job capacity he was in. Probationary firefighter, he is brand new. This is why "probies", as we call them, they're joined at the hip with a senior firefighter, they don't operate independently, because it is very easy for them to be overwhelmed by a situation because either they are hurt or the person they are trying to help is hurt when they're efforts fail. These new personnel, it's interesting, the Board of Fire Commissioners conducted these interviews, not the fire department chain of command, not the operational officers who will be overseeing the emergency operations, who will be overseeing these people when they're hired and placed on the back of the truck, the fire commissioners conducted these interviews. And again, based on what I just reported to you, obviously some things slipped through the cracks by those interviews. Again, I sat and listened as representations were made that yeah, we've had

problems, and part of the problems or the initial problems were laid at the feet of the previous fire chief, Chief Pacifico. I believe the Chairman of the Board reported at a previous meeting, when the union took a vote of no confidence against the then fire chief, that's when they realized that they had to step in because they were having problems with their chief. Well, I will submit to you all, as I did at the previous meeting in September, I will submit through the clerk to give you copies for your review, a copy of the vote of no confidence, a copy of the September 2, 2014 letter from Mr. Tavani, not sanctioning the chief for not recognizing that there was a problem with the chief, but attempting to threaten the union if we didn't honor his request which said, and I quote "At this time I request you issue a public retraction of this statement (meaning our vote of no confidence) to avoid further legal ramifications." We of course responded with a letter of our own by our attorney and we stood by our word on our position. So again, oh, we had a problem with the previous chief, but we replaced him, so it's all fixed. Well, no, you didn't recognize that you had a problem with the first chief and you're not recognizing that you have a problem with the current administration. There was a representation made that there was never a threat for layoffs. Well, I'm here to tell you there was. In December of 2013, after a significant at approximately 5:05pm, at one of the condominium complexes, there was an alarm transmitted of a building fire with reports of people trapped. I was in the union's headquarters and I heard the alarm. I looked at the clock, saw it said 5:05 and immediately became concerned if somebody was trapped in a fire, was there going to be timely response. Fortunately there were still full time firefighters in the fire station at that time and the mounted up and responded from the Burnt Mill Road fire house and they were the only fire suppression company on location with a multi-story building with heavy fire conditions in the upper floors and still not knowing whether or not people were trapped and for quite a while and when we raised that issue, then Chief Pacifico directed Battalion Chief Lafferty, who you've heard from before, to conduct an analysis of the responses and response times. And he collected some facts and figures and made a presentation in December of 2013 and his response to the commissioners was it's your call, or his message was it's your call, if you are satisfied if someone dials 911 and someone in a fire SUV showing up, then we're good. But if you're expecting a staffed apparatus to show up in a timely fashion when somebody dials 911, then we have an issue. He delivered that message to the Board of Fire Commissioners, union representatives, volunteer representatives, the fire chief and the senior command staff. After that meeting it is when Chief Pacifico approached me on behalf of the fire district and said he needed to speak so we lined up a meeting for the following morning and we were told that they were looking at lay-offs. And those repeated meetings, the fire district again indicated there would be lay-offs. And the lay-offs would be compounded because we had a Safer Grant, which is a staffing grant, where you had several firefighters, their salaries being paid by the federal grant and if we had laid firefighters off, we were going to have to give, the fire district was going to have to give the grant money back. So you're going to lose those firefighters as well as the other firefighters. It equated to about six people in what I believe, we had twenty-one the, so almost a third of the department. And much like I heard tonight, as time went on, and quite honestly, we weren't buying it, we thought it was an excuse, and as time went on, like I heard tonight, yeah, we know we have problems, but we're fixing them. Yeah we shouldn't have relied so much on one person, but we're changing. Well I heard that from the previous chairman. The following month, he didn't bother to file a petition for re-election, he just got out of office. So I've heard this time and time again from the administrations. And again, as we hear these messages, time and time again from the changing administrations, when the rubber hits the road because a 911 call has been placed, and the alarm has been transmitted, we're having issues out in the field where it counts most, it cannot continue. There's been discussion of an administrator. There's also been discussion of a dual capacity to improve your spending, get you a better bang for your buck. Well, that's what we said to the fire district some time ago. We said hire a fire chief appoint a deputy chief. As a general rule, firefighters spend most of their time in the stand-by mode, training, maintain the equipment. You spend less than 10% of your time answering an alarm, so if the rank and file firefighters are handling the daily tasks, and the company supervisors are making sure those daily tasks are done, that leaves management to be handling the administration. We expressed concern about hiring a civilian because again, with the funds available, you'd have somebody calling the shots, if they're a civilian, setting the table, let's say, but when again that 911 call is placed and that alarm is transmitted, that person is no good to us. They're a civilian, they can't help when we need them the most. There's been reference to budget conditions getting better, but the representation is conveniently made without recognition that we have six outstanding matters before an arbitrator that involve considerable sums of money. There was a representation that yeah, we made an offer to the union, the union just didn't get back to us. Yes we did. One of the biggest things was we demanded the work schedule be identified in the future contracts just like it is in the current contracts, just so everybody understands what the rules are, just so everybody understands what they're working. It's not unreasonable. The fire district refused to memorialize that. That is why it went to arbitration or went to impasse. There was representation with regard to the fleet, an ambulance can last 15 to 20 years. No. Ambulances, short of the support vehicles, which do a lot of running around on ancillary tasks, and not emergent department business, the ambulances answer most of the alarms. A 5 year old ambulance is an old ambulance. What has happened before and can happen again is you can take the box or the patient transport compartment off the 5 year old chassis and put it on a new chassis. The boxes can last the 15 or 20 years, but not the chassis. I'll get to the apparatus shortly. With regard to the grants, the Federal Emergency Management Agency, FEMA, they administer 3 grants, assistance to firefighters, which is training and equipment, SAFER and fire prevention grants. All 2015 grants had to be issued by the federal government by the end of their budget by September 30th. So if the fire district didn't get notified,

whether they have a letter in hand it's way after September 30th, they're not getting the grants. 2016 Assistance to Firefighters Program panel review was just conducted, so before long FEMA should start issuing grants in that regard. Currently right now the staffing grant is open and the fire prevention is soon to be announced also as a funding opportunity. The union has offered the fire district, much like the township offer the district help with its CFO, we've offered the fire district help with grant preparation. It's gone unanswered, our offer has gone unanswered. The last grant that we are aware of the fire district receiving, the last major grant would have been 2014 when the fire district received a fill station for the self-contained breathing apparatus. The fire district also requested self-contained breathing apparatus, actually the air packs themselves however that part of the grant wasn't awarded due to some deficiency. Just so we know what we're talking about as far as money, the self-contained breathing apparatus or the air packs, they can go anywhere from \$6,000.00 to \$8,000.00 and the personal protective equipment, the turn out gear ensemble can be in the neighborhood of \$3,000.00. The apparatus and the 5 year lease, representation was made, take the lease for 5 years then maybe we can get 6 more years out of it. Well, if you're taking care of the apparatus, you should be able to get more than 11 years out of it for the large apparatus. Of course, if it starts to wear on you then you can address it. There's a reference to the tower ladder truck that was purchased from the lease for \$225,000.00. If you recall from our discussion in September that there were issues with that. Well, I think those issues were corrected, but they were only replaced by damage to the aerial apparatus's waterway. Instead of running a hose up the arrow to flow water out of the bucket, there's a pipe that's pre connected. Well, the truck at some point around October, November, the truck must have hit something or was hit by something, because the waterway was severely damaged and couldn't be used. And the truck is just now undergoing repairs as we speak. Some 2 to 3 months later. So your apparatus went through some minor malfunctions to now some major damage and to date, no investigation has been conducted to find out what happened to it. The only thing the union knows is that the full time firefighters went off duty at 6:00pm on a Friday night, everything was fine and they came back on Monday morning at 6:00am and the waterway is smashed to the aerial apparatus and no investigation. There's a representation that and some sympathy for the fire district because it's not a position, their position is not an easy position to defend, that's because it's indefensible. None of this should have been going on. Going back to the schedule, again, while listening to representations made this evening, I checked with a few members of the audience. We went from at nighttime, when we had emergency medical technicians riding the ambulances, now we have Lieutenants and Captains, senior level officers, sometimes riding the ambulance. So you're paying a premium pay supervisor to do a rank and file job. Doesn't sound like an efficient cost measure to me. Chairman makes representation that "I didn't realize", as I already indicated, I heard that from the last chairman. The fact of the matter is the current chairman was on the board when it was going on starting in 2013, the day after, we're talking about a major fire and how to address responses and they're talking about how to lay-off firefighters. And yes they did, at a fire commission meeting was packed because citizens, firefighters, first responders were all concerned. They did deny it but believe me, it was said to me, we're laying off. And we took the position, do what you gotta do and we didn't let off the pedal because we know that if we did, tonight would never have happened because the inefficiencies, the long standing inefficiencies and mismanagement in the fire district would have continued. Again, to summarize, it's a public safety issue. It's not a labor issue, it's not a union issue, it's not paid vs. volunteer, it's not the fire district vs. the town. My letter was clear. Every day that the current conditions are allowed to exist is another day there is an unreasonable risk to the citizens and the first responders working to protect them. I fully support the facts in the reports, I've read those reports, they're correct. If anything else, they're a little lenient and that's mainly because, you know, unless you're truly on the inside, you get most of it but you don't get everything. Those reports are correct. To quote the chairman "It is what it is." You know what you have to do, please do it, dissolve the Voorhees District and bring the fire, rescue and emergency medical services under township control for the improvement of the service. Thank you and again I will provide the clerk with copies of the previous documentation for review at your pleasure.

Solicitor Platt

We'll mark at P-1. Before you leave the podium, I just want to ask you 2 questions. There were 2 exhibits that were part of the ordinance and we'll mark, one was the Vote of No Confidence and one was your famous letter. I take it from your testimony, but I don't want to assume anything, that the Vote of No Confidence and your letter are still valid event to this moment, correct?

Mr. Kemmery,
Absolutely, unequivocally, unchanged.

Mayor Mignogna
That's a yes?

Mr. Kemmery
The firefighters, the first responders, everybody stands by their word with those representations.

Mayor Mignogna and Solicitor Platt
Thank you

Mayor Mignogna
Any other comments from our public.

MOTION TO CLOSE

PUBLIC PROTION: MR. PLATT
AYES: 4

SECONDED: MR. FRIEDMAN
NAYS: NONE

FIRST READING ON ORDINANCE

ORDINANCE OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY DISSOLVING VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20

MOTION TO APPROVE: MR. RAVITZ
AYES: 4

SECONDED: MS. NOCITO
NAYS: NONE

ABSTAIN: 1 – MR. FRIEDMAN – Due to the fact that I didn't receive 2 of the major documents until yesterday, on a holiday. I am an attorney in Philadelphia, I was taking depositions all day, didn't have time to read, Lou I don't know how long your report is, I assume you worked really had on it. I didn't have time to read your report, I didn't have time to read Mr. Walling's report. I need the time to review those reports and at that time my vote may very well change to the affirmative, but at this time, I can't vote for something where I didn't read or review the major evidence on which the vote is based. Public safety is undoubtedly the number one priority of this committee. I have four little kids, we've used EMS before, unfortunately so it's definitely a priority for all of us, but I'm not going to sit here and make decision when 2 major documents just get dumped in my lap yesterday, on a holiday. So, therefore, at this time I'm going to be abstaining.

Mayor Mignogna
Any other comments from committee?

Committeewoman Nocito

Mr. Friedman, I have the utmost respect for you and our community, but I'm confused about your position because we all sat here tonight and heard the same thing. I understand your need to review the documents but are you stating that the experts that all 5 of us voted to hire, the communication that they gave us tonight, doesn't give you the confidence to vote?

Committeeman Friedman

Ms. Nocito, I'm an attorney, I review documents and I make my own decisions. The testimony was helpful but it's not the only evidence that I'm going to listen to or review. I would never dump a document on a client the day before something was due, I would never give them a brief the day before that brief was due, I would never give them a hearing outline the day before the hearing was due. That should have been given to me weeks before ahead of time. This document is dated December 14th, I'm just seeing it last night for the first time. It's inexcusable. So I need to review that document, I need to do my due diligence and at that time my vote may very well be in the affirmative, but at this time I'm not going to hurry up and vote one way when I haven't had ample time to review the documents.

ROLL CALL:	FRIEDMAN ABSTAIN	RAVITZ Y
	PLATT Y	NOCITO Y
	MIGNOGNA Y	

Mayor Mignogna

I have something I would like to say. The paramount concern of the township committee is the safety of our residents and each firefighters and first responders. When I consider this vote of no confidence. When we've talked about Mr. Kemmery's letter that Mr. Platt calls that famous letter and when I hear Mr. Kemmery, whom I respect, say that the system is broken and it's a public safety issue. When I hear Dr. Carter say that this is a serious public safety issue and it may be the most poorly managed fire district he's ever encountered. When I consider Mr. Walling's report, in pertinent part it says "the residents will realize a greater benefit with financial professionals in control of their tax dollars, this will enhance public safety". And finally when I consider the opinions of our Police Chief Lou Bordi, who, from a public safety standpoint, I respect more than anybody in this room, when I hear him say it's a hazard for this community, we're in crisis mode, and to put the fire personnel in jeopardy, I see no other way than to vote yes on this. That ordinance carries.

RESOLUTION NO. 48-17

RESOLUTION OF THE TOWNSHIP OF VOORHEES,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING AN APPLICATION TO THE LOCAL
FINANCE BOARD FOR THE DISSOLUTION OF
VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO
N.J.S.A. 40A:14-91 AND 40A:5A-20

MOTION TO APPROVE: MR. RAVITZ

SECONDED: MS. NOCITO

Mr. Ravitz stated, and Mr. Tavani just walked out, as Mr. Platt previously made everyone aware in the room, and as Mr. Tavani should have been aware of as he was asking leading questions of Chief Bordi, there's only 2 thresholds that this township has to meet. In front of the Local Finance Board as long as anything funny doesn't happen to get their approval for this consolidation and in fact, in the Local Finance Board circles, and state government circles, for better or worse in general, consolidations are looked upon favorably. The two thresholds that have to be met and the solicitor, if I'm not getting all of the legalese right, is that the township has made adequate provisions of the debt service and number two, township must be able to provide continuity of fire and EMS lifesaving services. Chief Bordi's plan that Mr. Tavani had all weekend to pick up from Solicitor Platt's office, instead of fiddling around wasting taxpayer's dollars filing frivolous lawsuits and going after injunctive relief to stop this, could have picked up Chief Bordi's plan and read it and thus would have understood what was going to happen. I, like the Mayor, if there was anyone that this plan could be created by and executed by in this state, that I would lay this in the hands of, with the transition team's support, it would be Chief Bordi. And all you have to do is look at his police department to see that and talk to his police officers and talk to his union and it is crystal clear that he has a plan and he will get it done. So unequivocally, I vote yes on this resolution authorizing application to the Local Finance Board.

AYES: 4

NAYS: NONE

ABSTAIN: 1 – MR. FRIEDMAN – for the reasons previously mentioned.

ROLL CALL:

FRIEDMAN ABSTAIN
PLATT Y
MIGNOGNA Y

RAVITZ Y
NOCITO Y

RESOLUTION NO. 49-17

RESOLUTION OF THE TOWNSHIP OF VOORHEES,
COUNTY OF CAMDEN, NEW JERSEY APPROVING
THE FINDINGS OF ACACIA FINANCIAL GROUP,
INC., AS RELATED TO THE DISSOLUTION OF
VOORHEES TOWNSHIP FIRE DISTRICT NO. 3

MOTION TO APPROVE: MR. RAVITZ

SECONDED: MS. NOCITO

AYES: 4

NAYS: NONE

ABSTAIN: 1 – MR. FRIEDMAN – for the reasons previously mentioned.

ROLL CALL:

FRIEDMAN ABSTAIN
PLATT Y
MIGNOGNA Y

RAVITZ Y
NOCITO Y

There is no need for an Executive Session this evening.

COMMENTS FROM COMMITTEE - No one spoke

COMMENTS FROM THE PUBLIC - No one spoke

MOTION TO ADJOURN: MR. PLATT

SECONDED: MR. FRIEDMAN

AYES: ALL

NAYS: NONE

ORDINANCE NO.

**ORDINANCE OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND
STATE OF NEW JERSEY DISSOLVING VOORHEES FIRE DISTRICT NO. 3
PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20**

WHEREAS, there is established in the Township of Voorhees, County of Camden, State of New Jersey the Voorhees Fire District No. 3 (“VFD”) which provides fire and emergency medical services to the residents of Voorhees Township (“Township”); and

WHEREAS, it has come to the attention of the Mayor and Township Committee that there is substantial and serious financial mismanagement of the VFD by the Board of Fire Commissioners which has resulted in serious public safety issues; and

WHEREAS, the Mayor and Township Committee have authorized various evaluations of the VFD; and

WHEREAS, Harry R. Carter, Ph.D., an expert in fire administration and public fire safety matters has rendered a report dated October 14, 2016 attached hereto and made a part hereof as Exhibit “A” wherein he has rendered the opinion that there is serious financial mismanagement by the Board of Fire Commissioners in the operations and administration of the VFD which has had a negative impact on the level and quality of fire services in the Township and it has created serious public safety issues; and

WHEREAS, Dr. Carter has opined that in his entire career, the Voorhees Township Board of Fire Commissioners is perhaps the most poorly managed fire district with which he has ever interacted and he recommends that the VFD be dissolved; and

WHEREAS, the Township is in receipt of the Standard and Poor’s May 4, 2016 credit profile regarding the Voorhees Township Fire Commissioners entitled “Voorhees Township Commissioners Fire District No. 3, New Jersey; General Obligation” wherein it states, “S&P Global Ratings lowered its rating on Voorhees Township Commissioners Fire District No. 3 N.J.’s General Obligation (“GO”) debt one notch to AA from AA+. The outlook is negative. The rating action reflects our opinion of the district’s significant financial deterioration. Officials are projecting the combined general and capital fund balance totaling \$303,000 at fiscal year–end 2015, down from the roughly \$2 million of general fund balance in the past. The negative outlook reflects our opinion that there is, at least, a one-in-three chance the district will not return reserves to their former strong levels over the next couple of years;” and

WHEREAS, the Mayor and Township Committee have received a Resolution of a Vote of “NO CONFIDENCE” in the Board of Fire Commissioners, Voorhees Fire District No. 3 and Deputy Fire Chief Michael J. Wharton, attached hereto as Exhibit “B” from the International Association of Fire Fighters, Local 3249 which represents the full-time professional firefighters, fire officers and emergency medical technicians which outlines multiple financial and safety failures of the part of the Board of Fire Commissioners of the VFD and Deputy Fire Chief Michael J. Wharton; and

WHEREAS, the Mayor and Township Committee have also received a letter from the International Association of Fire Fighters, Local 3249 dated October 11, 2016 attached hereto as Exhibit “C” which states in pertinent part, “Voorhees Township’s current fire, rescue and emergency medical services delivery system is broken” and “public safety and service would be

best served by disbanding Voorhees Fire District #3 and transferring the current emergency and other related service functions to the control of Voorhees Township as a municipal fire department;” and

WHEREAS, Koerner & Koerner, P.A., certified public accountants, has issued a report entitled, “Analysis, Evaluation and Recommendations on the Financial Condition of the Board of Commissioners, Fire District No. 3, Township of Voorhees,” dated December 14, 2016, attached hereto as Exhibit “D” and made a part hereof, wherein Oliver S. Walling, III, CPA has rendered the opinion that there is serious financial mismanagement and violation of statutory obligations and duties by the Board of Fire Commissioners in the operation and administration of the VFD and recommends that the Township dissolve the VFD; and

WHEREAS, pursuant to N.J.S.A. 40A:14-91, the Township adopted Resolution 217-16 authorizing the circulation of a petition to consider the dissolution of the VFD; and

WHEREAS, pursuant to N.J.S.A. 40A:14-91, upon written application of at least five percent (5%) of the registered voters of the Township, the Mayor and Township Committee shall consider the dissolution of the VFD and upon receipt of such an application the Mayor and Township Committee shall fix a time and place for a hearing thereon. After the hearing the Mayor and Township Committee shall determine the question of the proposed dissolution; and

WHEREAS, there are 20,503 registered voters in the Township of Voorhees; and

WHEREAS, the Mayor and Township Committee have received a report from Stampede Consulting, LLC, which administered the circulation of the petition, a copy of which is attached hereto as Exhibit “E,” confirming that no less than 1,447 registered voters of the Township have signed the petition seeking the dissolution of the VFD where a minimum of 1,026 registered voters is required, thus satisfying the five percent (5%) requirement pursuant to N.J.S.A. 40A:14-91; and

WHEREAS, the Township has received a report entitled, “Voorhees Public Safety Consolidation Transition Plan,” prepared by Voorhees Chief of Police Louis Bordi and reviewed by Dr. Carter and Mr. Walling, dated December 14, 2016, attached hereto as Exhibit “F,” and made a part hereof which provides for the safe, efficient and orderly transition of the consolidation of the VFD into a department of the Township; and

WHEREAS, the Mayor and Township Committee held a special meeting on January 17, 2017 on notice to the public for the purpose of conducting a public hearing on the question of the dissolution of the VFD, where public input on the question was solicited and comments from the public were received; and

WHEREAS, after careful examination and analysis of independent firematic and municipal finance experts, the governing body has determined that it is in the best interest of the Township and its residents to dissolve the VFD and to assume responsibility for the services and financial obligations of the VFD as set forth herein; and

WHEREAS, the governing body recognizes a compelling public safety interest in consolidating the VFD into a department of the Township; and

WHEREAS, the Township finds that the efficient, proficient, fiscally responsible and effective delivery of fire and emergency management services shall be achieved by the dissolution and consolidation of the VFD; and

WHEREAS, the Voorhees Township Committee adopted Resolution No. 48-17, RESOLUTION OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD FOR THE DISSOLUTION OF VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20; and

WHEREAS, the Voorhees Township Committee adopted Resolution No. 49-17, RESOLUTION OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN, NEW JERSEY APPROVING THE FINDINGS OF ACACIA FINANCIAL GROUP, INC., AS RELATED TO THE DISSOLUTION OF VOORHEES TOWNSHIP FIRE DISTRICT NO. 3; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, any municipal governing body which has established a Fire District, is empowered to dissolve the Fire District by ordinance, providing said ordinance is approved by the Local Finance Board within the Department of Community Affairs, prior to adoption; and

WHEREAS, the Local Finance Board must approve the dissolution if it finds that said ordinance makes adequate provision for the payment of all creditors or obligees of the authority and that adequate provision has been made for the assumption of those services provided by the Fire District which are necessary for the health, safety and welfare of the recipients of those services; and

WHEREAS, it is the desire of the Township Committee of the Township of Voorhees to dissolve the VFD, to assume the debts and obligations of said VFD and to itself provide all services previously provided by said VFD; and

WHEREAS, N.J.S.A. 40:48-2 provides that any municipality may make, amend, repeal and enforce such ordinances, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Voorhees, County of Camden and State of New Jersey as follows:

SECTION 1. DISSOLUTION. Voorhees Fire District No. 3 is hereby dissolved and abolished subject to the terms and conditions hereof and the terms of the offices of the members of the Board of Commissioners of the Voorhees Fire District No. 3 are hereby terminated.

SECTION 2. TRANSFER OF TITLE OF ALL FACILITIES. All real and personal property owned or titled in the name of Voorhees Fire District No. 3 and all monies remaining in Voorhees Fire District No. 3's treasury shall be transferred to the Township of Voorhees and all documents and records pertaining to same shall be delivered to the Township Clerk of the Township of Voorhees forthwith.

SECTION 3. PAYMENT OF ALL CREDITORS AND OBLIGEEES. The Township of Voorhees shall assume responsibility for the payment of all lawful debts and obligations of the Voorhees Fire District No. 3 and the Township of Voorhees hereby covenants and agrees to comply with and perform all covenants, obligations and agreements of Voorhees Fire District No. 3, except as may be modified between the Township of Voorhees and said creditors and obligees.

SECTION 4. RESERVATION OF RIGHTS. The Township of Voorhees reserves the right to challenge the validity of any and all debts, covenants, obligations and/or agreements of the Voorhees Fire District No. 3 and to determine whether it is truly a lawful debt, covenant, obligation and/or agreement incurred by the Voorhees Fire District No. 3.

SECTION 5. INJUNCTION AGAINST FURTHER ACTION WITHOUT CONSENT. Voorhees Fire District No. 3 is hereby enjoined from taking any further action without the Township of Voorhees's consent including, but not limited to taking any and all legal action. All pending legal actions against the Township shall be dismissed with prejudice. Simultaneously, upon the effective date of this dissolution as set forth above, Voorhees Fire District No. 3 shall cease all operations and activities and all operations and activities shall be transferred to the Township automatically and without further action either by the Township of Voorhees or Voorhees Fire District No. 3.

SECTION 6. TOWNSHIP AUTHORITY. The Mayor, Township Committee, Clerk, Solicitors, and other appropriate employees and professionals of the Township of Voorhees are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof. The members of Voorhees Fire District #3, its officers, employees, and representatives are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof.

SECTION 7. APPOINTMENT OF FIRE AND EMERGENCY SERVICES DIRECTOR. Voorhees Chief of Police Louis Bordi is hereby appointed as the Township Fire and Emergency Services Director in order to implement the Voorhees Public Safety Consolidation Transition Plan as may be amended from time to time by the Mayor and Township Committee. Chief Bordi shall have full operational and management control of the Voorhees Fire Department during the transition subject to the direction and approval of the Mayor and Township Committee.

SECTION 8. ESTABLISHMENT OF FIRE ADVISORY BOARD. A Voorhees Fire Department Advisory Board is hereby established consisting of ten (10) members. The purpose of the Advisory Board shall be to provide advice, information and assistance to the Township of Voorhees regarding fire department matters during the transition period. The initial ten (10) members are:

1. Lawrence Spellman – Township Administrator;
2. Dean Ciminera – Township CFO;
3. Michelle Nocito – Township Committeewoman and Public Safety Director;
4. Deputy Mayor Jason Ravitz;
5. Chief of Police Louis Bordi;
6. Special Fire Counsel – Stuart A. Platt, Esquire;
7. Former Fire Commissioner – Vaughn Vandegrift;
8. One Career Firefighter – James Poland;
9. One Volunteer Firefighter – Harry Lauletta;
10. One EMS Member – Craig Fallstick; and

SECTION 9. APPROVAL OF LOCAL FINANCE BOARD. Pursuant to the provisions of N.J.S.A. 40A:5A-20, after its introduction and before its adoption, a copy of this Ordinance and application for dissolution shall be submitted to the Local Finance Board of the State of New Jersey (“Board”) for review and approval. Final adoption of this ordinance shall be subject to the Board’s approval. A copy of the ordinance as adopted shall be filed immediately with the Board and with the Secretary of State of the State of New Jersey.

SECTION 10. EFFECTIVE DATE OF DISSOLUTION. The dissolution of the Voorhees Fire District No. 3 shall be effective upon adoption of this Ordinance and the automatic transfer of all assets and liabilities from Voorhees Fire District No. 3 to the Township.

SECTION 11. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 12. REPEAL OF ALL INCONSISTENT ORDINANCES. All ordinances of the Township of Voorhees that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 13. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication, as required by law, and upon approval by the Local Finance Board.

ROLL CALL:	FRIEDMAN ABSTAIN	RAVITZ Y
	PLATT Y	NOCITO Y
	MIGNOGNA Y	

APPROVED BY: _____
MICHAEL MIGNOGNA, MAYOR

Introduced: January 17, 2017

Adopted:

I, Dee Ober, Clerk of the Township of Voorhees, County of Camden, State of New Jersey hereby certify the foregoing to be a true and correct copy of an Ordinance introduced by the Mayor and Township Committee of the Township of Voorhees at a special meeting on January 17, 2017, held at the Municipal Building, 2400 Voorhees Town Center, Voorhees, New Jersey.

Dee Ober, RMC
Municipal Clerk

RESOLUTION NO. 48-17

RESOLUTION OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING AN APPLICATION TO THE LOCAL FINANCE BOARD FOR THE DISSOLUTION OF VOORHEES FIRE DISTRICT NO. 3 PURSUANT TO N.J.S.A. 40A:14-91 AND 40A:5A-20

WHEREAS, there is established in the Township of Voorhees, County of Camden, State of New Jersey the Voorhees Fire District No. 3 (“VFD”) which provides fire and emergency medical services to the residents of Voorhees Township (“Township”); and

WHEREAS, it has come to the attention of the Mayor and Township Committee that there is substantial and serious financial mismanagement of the VFD by the Board of Fire Commissioners which has resulted in serious public safety issues; and

WHEREAS, pursuant to N.J.S.A. 40A:14-91, upon written application of at least five percent (5%) of the registered voters of the Township, the Mayor and Township Committee shall consider the dissolution of the VFD and upon receipt of such an application the Mayor and Township Committee shall fix a time and place for a hearing thereon. After the hearing the Mayor and Township Committee shall determine the question of the proposed dissolution; and

WHEREAS, the Mayor and Township Committee held a special meeting on January 17, 2017 on notice to the public for the purpose of conducting a public hearing on the question of the dissolution of the VFD, where public input on the question was solicited and comments from the public were received; and

WHEREAS, the Local Authorities Fiscal Control Law, N.J.S.A. 40A:5A-1, *et seq.*, permits a municipality that has established an authority to dissolve such authority and sets forth the process whereby same may be accomplished; and

WHEREAS, after a careful examination and analysis, the Governing Body has determined that it is in the best interests of the Township and its residents to dissolve the VFD and to assume responsibility for the services and financial obligations of the same as set forth herein; and

WHEREAS, dissolution of the VFD is authorized by N.J.S.A. 40:14-91 and by ordinance pursuant to N.J.S.A. 40A:5A-20, subject to the review and approval of the Local Finance Board; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Voorhees that the making of an application to the Local Finance Board for dissolution of Voorhees Fire District #3 is hereby approved and the Clerk, CFO and Special Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto; and

BE IT FURTHER RESOLVED that the Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statutes.

BE IT FURTHER RESOLVED, the Township Clerk is hereby authorized to publish notice of this Resolution as required by law.

DATED: JANUARY 17, 2017

MOVED: COMMITTEEMAN RAVITZ

AYES: 4

SECONDED: COMMITTEEWOMAN NOCITO

NAYS: NONE

APPROVED BY: _____

Michael R. Mignogna, Mayor

ABSTAIN: 1 COMMITTEEMAN FRIEDMAN

I, Dee Ober, Municipal Clerk of the Township of Voorhees hereby certify the forgoing to be a true and correct copy of a resolution adopted by the Mayor and Township Committee of the Township of Voorhees at their reorganization meeting of January 17, 2017 held in the Municipal Building, 2400 Voorhees Town Center, Voorhees, NJ 08043

Dee Ober, RMC
Municipal Clerk

RESOLUTION NO. 49-17

RESOLUTION OF THE TOWNSHIP OF VOORHEES, COUNTY OF CAMDEN AND STATE OF NEW JERSEY APPROVING THE FINDINGS OF ACACIA FINANCIAL GROUP, INC., AS RELATED TO THE DISSOLUTION OF VOORHEES TOWNSHIP FIRE DISTRICT NO. 3

WHEREAS, pursuant to the provisions of the Local Authorities Fiscal Control Law, Chapter 313 of the Laws of 1983 of the State, as amended and supplemented (N.J.S.A. 40A:5A-1 et seq.) ("Local Authorities Fiscal Control Law"), the governing body of a local unit which has established an authority shall have the power and is authorized by ordinance to dissolve the authority upon approval by the State Department of Community Affairs, Division of Local Government Services ("LFB"); and

WHEREAS, pursuant to the Fire District Law of the State of New Jersey ("State") (N.J.S.A. 40A:14B-70 et seq.), and the acts amendatory thereof and supplemental thereto, the Board of Commissioners of Fire District No. 3 of the Township of Voorhees ("Fire District") was created, upon application of at least 5% of the registered voters of the Township of Voorhees, County of Camden, State of New Jersey ("Township"), by virtue of an ordinance adopted by the Township Committee; and

WHEREAS, the Fire District has certain series of bonds outstanding in the principal amount of \$4,035,000, consisting of the Fire District's: (i) General Obligation Bonds, Series 2008, of which \$550,000 are currently outstanding; and (ii) General Obligation Refunding Bonds, Series 2016 ("2016 Bonds" and, together with the 2008 Bonds, the "Outstanding Bonds"), of which \$3,485,00 are currently outstanding; and

WHEREAS, the Outstanding Bonds were issued to finance and refinance certain capital improvements and capital equipment in and for the Fire District; and

WHEREAS, the Township Committee has determined that the dissolution of the Fire District is in the public interest of, and will better serve the health, welfare and convenience of, the inhabitants of the Township, and that dissolution will achieve a more efficient means for providing the services provided by the Fire District, including the financing of the costs of operation thereof; and

WHEREAS, the Township, as part of the dissolution of the Fire District and in connection with the provision for the payment of all creditors or obligees of the Fire District, desires to assume the responsibility for the payment of the Outstanding Bonds; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, as a requirement of the dissolution of the Fire District, the governing body of the local unit dissolving the authority shall adopt a resolution setting forth facts that constitute the basis for the determination that the assumption of such Outstanding Bonds, as compared with issuance by the Township of its own debt obligations to refund or repay the Outstanding Bonds, will be a cost effective means of meeting the debt obligations of the Fire District; and

WHEREAS, in furtherance of such requirement, the Township obtained the services of Acacia Financial Group, Inc., an independent financial advisory firm ("Financial Advisor"), to review the Fire District's outstanding debt and for purposes of making a recommendation to the Township as to the most cost effective means of dissolution of the Fire District; and

WHEREAS, in furtherance of such engagement, the Financial Advisor has undertaken a comprehensive review and analysis of the Outstanding Bonds of the District and has made a recommendation to the Township as to the most cost effective means of dissolving the Fire District by formal written report dated January 10, 2017, a copy of which is attached hereto as Exhibit "A"; and

WHEREAS, in particular, the Financial Advisor Report has concluded that the direct assumption of the Outstanding Bonds by the Township in lieu of the refunding of such Outstanding Bonds, would be the most cost effective means of dissolving the Fire District; and

WHEREAS, the Township Committee, in accordance with N.J.S.A. 40A:5A-20, desires to adopt this Resolution to formally approve the findings of the Financial Advisor set forth in the Financial Advisor Report.

BE IT ORDAINED by the Township Committee of the Township of Voorhees, County of Camden, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Authorities Fiscal Control Law, as follows:

SECTION 1. The Township Committee hereby certifies that each member of the Township Committee has reviewed the findings and recommendations contained in the Financial Advisor Report attached hereto and made a part hereof with respect to the proposed assumption of the Outstanding Bonds of the Fire District by the Township, and hereby approves the recommendation set forth therein.

SECTION 2. The Township Clerk is hereby authorized and directed to submit a certified copy of this resolution to the LFB to demonstrate evidence of compliance with the provisions of N.J.S.A. 40A:5A-20.

SECTION 3. All resolutions, or parts thereof, inconsistent herewith are hereby rescinded or repealed to the extent of any such inconsistency.

SECTION 4. This Resolution shall take effect immediately upon adoption this 17th day of January, 2017.

BE IT FURTHER RESOLVED, the Township Clerk is hereby authorized to publish notice of this Resolution as required by law.

DATED: JANUARY 17, 2017

MOVED: COMMITTEEMAN RAVITZ

AYES: 4

SECONDED: COMMITTEEWOMAN NOCITO

NAYS: NONE

APPROVED BY: _____
Michael R. Mignogna, Mayor

ABSTAIN: 1 COMMITTEEMAN FRIEDMAN

I, Dee Ober, Municipal Clerk of the Township of Voorhees hereby certify the forgoing to be a true and correct copy of a resolution adopted by the Mayor and Township Committee of the Township of Voorhees at their reorganization meeting of January 17, 2017 held in the Municipal Building, 2400 Voorhees Town Center, Voorhees, NJ 08043

Dee Ober, RMC
Municipal Clerk

**VOORHEES TOWNSHIP COMMITTEE
WORK SESSION MINUTES
JANUARY 23, 2017**

PRESENT: Mayor Mignogna; Mr. Platt; Deputy Mayor Mr. Ravitz; Mr. Friedman, Ms. Nocito; Mr. Spellman, Township Administrator; Mr. Long, Township Solicitor; Lou Bordi, Police Chief; Dean Ciminera, CFO; Debra DiMattia, Director of Personnel; Mario DiNatale, Director of Community Development

SUBJECT EMPLOYEE HIRES

Debbie DiMattia stated that Vincent Buzby and Thomas Struckus will be hired as Laborers in the Department of Public Works. These employees have been employed with the township through Labor Ready. They both possess CDL licenses.

DECISION

Township Committee approved the hiring of Vincent Buzby and Thomas Struckus.

SUBJECT HUNTING ON TOWNSHIP PROPERTY

Mr. Spellman has received two letters from residents upset about hunting on township, county or state owned property. He has spoken to Terry Caruso at the state and she said we can restrict if we choose. Mr. Long stated that the DEP does not allow us to ban because it is public property. Case law says it's preemptive. Mr. Spellman stated that Terry Caruso is going to consult her legal counsel and get back to him with a written opinion.

SUBJECT PROTESTING

Mr. Spellman stated that we had a resident request use of the soccer field location to conduct a peaceful protest. Ms. Nocito stated that work had recently been performed at the field and she didn't want people walking on them. Question is related to permits and whether they should be required.

DECISION

Mr. Long stated that we don't have a permit to allow protests, and permits are not required for protests. However, we don't have to allow protesting on township owned property. We will revisit this subject as requests are made.

SUBJECT BILLBOARD ORDINANCE

Mr. Long distributed information on billboards. (Attached) A general and brief discussion ensued. Committee generally expressed concern about the proliferation of billboards within the Township. Mr. Long stated that we cannot outright prohibit billboards unless certain criteria are met. The cases interpreting this matter are all over the place. It is considered part of free speech and can be difficult to prohibit under certain circumstances.

DECISION

Mr. Long suggested that it would be appropriate with past practice for the Planning Board to look at doing a study to see if it's appropriate to ban, limit and/or restrict billboards.

SUBJECT STURBRIDGE WOODS

Mr. Spellman stated that he has received a letter from the Sturbridge Woods Association regarding the intersection on Rt. 73 at Cooper Road. Travelers of this intersection are asking that it be re-designed because of traffic back-ups in the stacking lanes and the lack of designated right turn lanes. He added that the homeowner's association for Sturbridge Woods has also written to the Freeholders regarding their concerns, who then reached out to County Engineer Kevin Becicia. Ms. Becicia contacted Mr. Spellman and advised him that it is up to the municipality to engineer a new design.

It was suggested that the timing of the lights be adjusted to help alleviate the back-ups but Mr. Long stated that it (Cooper Road) is a county road and we aren't authorized to do that. Mr. Long stated that we could look into doing an engineering study however Berlin Township has not offered to share in the expense of a study. He added that we would have to reach out to the

NJDOT for funding options. Mr. Platt asked if the state will eventually close the existing cut through that exists and Chief Bordi said yes, eventually.

DECISION

Mayor Mignogna will reach out to Berlin Township Mayor Phyllis Magazzu to see if they would be willing to share the costs of an engineering study.

Mr. Spellman said that he will reach out to the county to discuss the right turn lane.

SUBJECT PARKING FOR POLICE CARS

Mr. Long stated that Chief Bordi advised him that with the sale of 620 Berlin Road, spaces for parking police and other vehicles was not taken into account prior to the property being sold. The vehicles in question are mostly confiscated vehicles that we are required to keep for some time. Royal Farms has agreed to reduce the selling price by \$50,000.00 and allow the police department to maintain a 5,600 sq. foot parcel for parking. Another alternative would be to enter into a 10 year lease with the owners of Public Storage at \$15,000.00 per year for a rear portion of their property that is adjacent to the police station. Chief Bordi explained that he needs space for 40 – 50 vehicles. Mr. Platt asked if we could enter into a shared lease agreement to park the vehicles off site and Ms. Nocito was against that idea. Mr. Platt suggested storing them at Connolly Park, possibly adding cameras and shielding the vehicles with additional fencing.

Mr. Long stated that in a recent conversation with the county, he and Mayor Mignogna learned that there are 2 gaps in the survey. One being a 20 ft. gap on one side that creates a title issue and should take 30 days to fix. He added that the issue of police parking needs to be finalized before the plans can be finalized and closing to take place and would like some direction from committee.

Ms. Nocito asked how long this has been an issue and stated that it should have been negotiated earlier. Mr. Platt suggested we agree to the \$50,000.00 reduction in sale price for the 5,600 sq. feet parcel and look for other parking alternatives, again suggesting Connolly Park.

DECISION

Mr. Long advised that we should proceed with the \$50,000.00 price reduction and he will enter into negotiations with Royal Farms.