

Board Of fire Commissioners

Dist. 3 Commercial Twp.

PO Box 616 Millville N.J. 08332

Special Meeting with the BOC's attorney - Braslow

8/31/2024

A decision was made to make the meeting open
Meeting was called to order by Michelle Ronan
Braslow stated the following:

He has legitimate concerns about how we operate, particularly our EMS department. He began by giving his background and then stating the questions "Should fire districts be doing EMS" and "To what extent can you fund an EMS operation". He has been involved in conversation about amending the NJ statutes over the years with DCA, Department of Health and other parties that were stopped by the First Aid Council. One of the amendments was to allow districts, clearly, to allow EMS services and another was to liberalize the current statute: NJSA 40a:14-85.1" Any fire district may appropriate such sums as it may deem necessary for the purchase of first aid, ambulance, rescue or other emergency vehicles, equipment, supplies and materials for use by duly incorporated first aid, emergency or volunteer ambulance or rescue squad associations rendering service generally throughout the fire district". There was discussion about amending this to include insurance, payroll and other needs. This was again stopped by the First Aid council. There are agreements between some fire districts and first aid squads where the squad are paid to be on any fire scenes. If we have a fire company, that does both fire and first aid, we can make the argument that we are funding the fire company and there are legitimate expenses; but when you have an independent organization you are limited to the extent in which you can fund it. Secondly, fire districts tend not to do first aid, though some larger fire districts like Cherry Hill do provide EMS services. A lot of the districts get away from first aid as it becomes hard to maintain, regulate and becomes a drain on the budget.

James D'Ambrosio asked "what is the issue". Kacy Catalano stated that we are one organization under one charter and the impression given is that it is feasible to argue that the organization is legitimate. Braslow stated that "if we are okay with that it is up to us, it is not his decision, but someone could make the argument that legally it is a bit of a stretch". James D' Ambrosio Jr stated that the "fire department is in charge of EMS and all the funds raised by EMS go to the fire company... It is not on the commissioners, the fire department takes care of it... the commissioners give them money to operate the fire department, supply insurance... and supply fuel". Michelle Ronan stated, "that they also buy supplies for EMS". Kacy stated, "we have a line item in our budget specifically for EMS". Dave Carangi stated, "I think we jumped into this meeting way too early, we should have discussed it before". Michelle Ronan stated, "We can't, we have to have it at a meeting". James D'Ambrosio Jr asked the chairman, Michelle Ronan, "Why was this meeting called". Michelle Ronan responded, "The meeting was called because this was just, very recently, brought to my attention by the attorney, so I went to Larry and told me we should make sure the entire board of fire commissioners is aware." James D'Ambrosio Jr asked, "why is this being brought of now, we have been running this way for ten years". Braslow stated "my relationship with our district is that you come to me with singular issues, and I address those issues, if I see an issue I believe it is my obligation to bring those issues to your attention. Do you think, I didn't know any of your details to the extent I know them now, because had I known certain issues back when I would have brought them to your attention, if you choose to believe that, that's fine, but why in the world if I thought there was an issue would I not bring it to your attention." Dave Carangi stated, "...this should have been in a monthly meeting and then we discussed it out, I still don't understand why we are having this meeting". Kacy Catalano stated, "the lawyer was looking over parts of our operation". Dave Carangi asked, "why was the lawyer looking over our operations and why did this have to be a special meeting... and why was I left outside...". Braslow stated "The bottom line is we made ourselves available on Labor Day weekend because I felt you told me that you felt it was the kind of issue that couldn't wait, my view and purpose of this meeting was to point certain things out to you, if after that you guys are still comfortable then that's fine with me. My obligation is to bring certain things to your attention and having done that if you're comfortable and don't have difficulty with the operation then my job is done". Kacy Catalano asked, "are there any cases that you're familiar with that are similar to our situation, specific cases, you spoke of proposed amendments to title 40a that were stopped by the first aid council, have there been specific local cases where this has been brought into the public light". Braslow responded "... yes there have, and I wish I could identify the districts, but, unfortunately, I am drawing a blank at the moment; but we absolutely have had complaints and so forth by taxpayers. Let me back up for a moment, the fear of fire service has always been and still is, that in a town where a district provides first aid ,regardless of what I can give you, it is my interpretation, that a taxpayer is going to make the argument that when you look at the statute and when you look at the creation ordinance of a district, that districts should not be in the business of providing EMS services. That argument has always been out there, it hasn't quite reached the court with a formal complaint, but the fear continues to be that it will, maybe it never will, we could be talking in a vacuum here, but that has always been the fear of fire service. Should there be things that done with that statute and should be clarified by law as to what the districts has a right to do... Can I tell you that there has been a formal court action that has resolved the question, no, because there hasn't been... Bottom line guys, if you are comfortable, then I have no issue... I told you what the statute is and that's all I can do".

The meeting was then opened to the public. Billy Pettit asked do we have a contract with EMS. Kacy Catalano stated that we are one organization and should have one contract. Michelle Ronan stated that she believes that there are two separate contracts and asked for the lawyer's opinion. The lawyer stated that he doesn't see why we have two contracts, but it's fine. Larry stated that the bottom line is that its okay for us to budget for EMS as long as we are comfortable with it. Braslow asked when we wrote our budget do we put money under the line assistance to first aid or do we put all our money in the fire department. Larry stated that we have a line item for EMS services and Rescue. James D'Ambrosio stated that the fire department manages EMS. Braslow stated that the difficulty is the current landscape. Braslow then asked, if the board take a hands-off approach, is there concern about potential liabilities... the fire company is under the supervision of the board... both faucets are under the jurisdiction of the board of fire commissioners... the buck stops with the board of fire commissioners.

Roll call

Michelle Ronan Present

David Carangi Present

Kacy Catalano Present

Larry Coffman Sr. Present

Motion to adjourn by Larry Coffman and 2nd by David Carangi , no one opposed

