
From: Minotola Secretary <minotola112secretary@gmail.com>
Sent: Monday, November 28, 2022 8:58 PM
To: Rick Tonetta
Subject: ***EXTERNAL*** Re: Dissolution of Fire District
Attachments: attachment 1.pdf

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Solicitor Tonetta,

Kevin M. Chapman
President
Minotola Vol. Fire Company

On Nov 25, 2022, at 09:47, Rick Tonetta <solicitor@buenaboro.org> wrote:

Dear Chief Habersham and President Chapman,

As you know, I am the Solicitor for the Borough of Buena and Council is presently considering a petition signed by more than 5% of the voters to dissolve the Fire District and have the governing body take up the obligations of the commissioners so as to eliminate duplicative elected officials. They are obligated to consider the will of the voters by law. It has been suggested that some Council members appear at your next meeting to discuss the continuing mission of the Minotola Fire Company and its members in protecting the residents and property from the hazards of fire. As First Responders, Council wants to thank you for your service and dedication to your mission regardless of race creed or political affiliation. Please let me know when representatives from the governing body may appear to discuss your continuing role and their dedication to assuring a seamless transition should they vote to dissolve the fire district. Naturally, they cannot all appear as a quorum would require a public notice on their part.

Respectfully,

Richard P. Tonetta, Esq.
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President Kevin M. Chapman
Minotola Fire Company
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Minotola New Jersey 08341

Richard P. Tonetta, Esq.
Solicitor, Borough of Buena
717 Elmer Street
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Solicitor,

Please allow me to apologize in advance for the length of this letter. I thought that it was imperative to include some history of events, available information and areas of discussion that were considered by the Members of Minotola Fire Company.

Please be advised that a special meeting of Minotola Volunteer Fire Company was convened on Friday, November 25, 2022. Your email and the dissolution of Fire District 2 were discussed in detail. The membership is concerned that no one from Council has extended the professional courtesy of having one single meeting with either the Board of Fire Commissioners of Fire District 2 or the membership of Minotola Fire company to share information and develop possible strategies moving beyond the dissolution of Fire District 1 .

Minotola Fire Company has never had a formal agreement / contract with Fire District 2, as our attorney has advised none is required by statute. There was never a need for a formal agreement because of our successful mutually beneficial 100-year history and working relationship between the Fire Company and Fire District 2.

As a result of the process and methodology to dissolve Fire District 2 which Council has chosen, the membership is only aware of what Council's intentions may or may not be primarily from what they hear on the street, unofficial information presented by attendees of Fire Commissioners meetings, and social media posts.

It is both important and relevant to address the negative manner in which the Minotola Fire Company has been portrayed over the last 18 months. Our response times have been disingenuously represented and publicly criticized repeatedly. When In fact our response times are significantly below the NFPA national average of 14 minutes for a rural fire company with a population of 4000 or less.

Please be reminded that the members of Minotola Fire Company or the Commissioners of Fire District 2 had nothing whatsoever to do with the Landisville health and safety violations, untested ladders, pumps, SCBA, outdated air bottles, unqualified line officers, to cite a few of the contributing factors leading to the Dissolution of Landisville Fire District 1.

Our Fire Commissioners on no fewer than three separate occasions offered to assist Landisville and develop any and all necessary remediation plans necessary for state compliance. Honestly, we will never understand why they chose not to accept our assistance, they could have still been open and operational today. Instead, they opted to malign and impugn our integrity and reject every effort to assist them prior to their dissolution.

From the very first Fire District 2 Commissioners meeting, post dissolution of former Fire District 1, and every meeting thereafter the disenfranchised supporters of Landisville repeatedly questioned everything the Board of Commissioners did that pertained to Former Fire District 1. They also made it very clear that they wanted the name of Minotola Fire Company removed from the fire apparatus and replaced with the Borough Buena Fire Company

Our perception of their actions and social media efforts made it abundantly clear they intended to discredit Minotola Fire Company and its membership in any way they could as a means to that end. We fully understand their strategy, that in order to mitigate the significance associated with the loss of former Fire District 1 and the associated displacement of Landisville Fire Company, it was necessary for them to facilitate the dissolution of Fire District 2 and the displacement of Minotola Fire Company by any means possible.

The membership of Minotola Fire Company discussed the proposed dissolution of Fire District 2 and believes that the Borough of Buena Council has treated the Commissioners of Fire District 2 without any degree of professionalism whatsoever. Council has not extended the courtesy of one meeting with them to inform them of their decision to dissolve District 2 or offer any reason for this action. To this day we have not been given a single reason why District 2 is being dissolved. Councilman Adams attended his first Fire District 2 Commissioners meeting on November 22, 2022 and advised the Commissioners of Borough Council's intention of dissolving Fire District 2 without giving any reason or justification for Council's actions.

Councilman Adams stated that he would like the Members of Minotola Fire Company, under the direct supervision of Borough of Buena, to continue to provide firematic services to the Borough. It appears that membership is wanted and apparently deemed qualified to provide firematic services to the Borough as long as the members are either interested in providing firematic services to the municipality by direct contract, for services only, or by becoming new members under the escutcheon of a newly established Borough of Buena Municipal Fire Company. This in conjunction with the dissolution of Borough Fire District 2 thereby transferring Fire Company management and oversight to Borough Council to direct and manage all administrative aspects of a new Borough of Buena Municipal Fire Company.

Upon considering the manner in which the Council has handled this process to date, including the questionable amending of Local Finance Board's approved Ordinance 701 with an unapproved ordinance 714 while apparently attempting the circumvention of the Local Finance Board, the membership has taken a vote of no confidence with respect to Borough of Buena Council's questionable actions in this matter. That vote was 18 yes out of 18 present.

The council has not demonstrated that they have the long-term best interest of the members of Minotola Fire Company and residents they serve. Further the membership believes that Council may in fact be unaware of the inherently necessary minimum understanding of the requisite knowledge to successfully operate and manage a municipal fire company. We are very concerned that that their collective lack of any firematic experience and knowledge will disproportionally increase risks to the health, safety and welfare of our firefighters and the community they serve.

The fact that we will not agree to continue providing firematic services for a new municipal fire company or providing services by direct contract with the Borough of Buena, further demonstrates our unwavering commitment to ensure that our community has a well-trained, compliant and certified fire company and firefighters, with properly maintained and tested equipment and apparatus. Furthermore, utilizing only qualified line officers that meet or exceed the minimum state requirements for those positions and not political appointees under the Municipal Fire Company option.

Under the contracted services option we have several concerns. Among them who decides what training will be scheduled and who will be responsible for approval scheduling and payment. What assurances will we have to ensure that we will have properly maintained annually tested and certified equipment? It all appears to be extremely problematic. It further appears that it is a perfect recipe of an ongoing adversarial situation where we will be in disagreement as to what and when anything is needed. We do not have any confidence whatsoever with an inexperienced Council responding in the best interest of our firefighters and the community they serve. The members of Minotola Fire Company do not approve of the contracted services option.

If Borough Council continues with the dissolution of Fire District 2 it would be unfortunate for them and our community if in the process they disenfranchise 28 fully trained and state certified structural firefighters, compelling them to seek firefighting opportunities in other communities. With state wide firefighter shortages they will all be very welcome as new volunteer members in any fire company they select and join.

We firmly believe fire companies should never become political footballs which become subjected to annual shifts in political tides. Municipal Fire Departments may be necessary and work in large applications because they have paid career firefighters under the guidelines of civil service or other unions mitigating political influences that may negatively impact management decisions.

What if every time there is a power shift on Borough Council that favors additional operating budget cuts or changes in operational policies without understanding their potential negative impacts on the Municipal Fire Company, putting the firefighters at further unnecessary risk in an already inherently dangerous occupation.

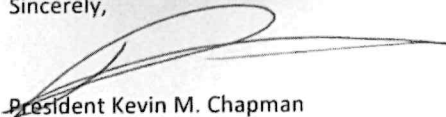
Letters of resignation for each member of Minotola Fire Company who felt compelled to do so will be submitted to Council. They will become effective contingent and concurrent upon the date and time set forth by the final reading and adoption of the dissolution of Fire District 2 by Council. Copies of these letters will also be sent to the Commissioners of Fire District 2, DCA Local Finance board and the NJ Division of Fire Safety. By virtue of the members' resignations there will no longer be an operational fire company to enter into a contracted service agreement with the Borough of Buena. Note: 25 out of 25 members available signed letters.

At the end of the day Borough Council needs to ask themselves two extremely important questions. Is their collective motivation to dissolve Fire District 2 in the absolute best interest for all the residents of our community or is it designed to appease less than 1% out of 4000 constituents. Are we fully aware of the scope of council's responsibilities associated with day to day fire company operations and the emergent nature of issues that must be resolved without delay.

We would welcome the opportunity to continue our 100-year tradition of providing firematic services to our community and all the residents of Buena Borough under the continued administrative oversight, management and direction provided by the Board of Commissioners of Borough of Buena Fire District 2. They collectively have accumulated a combined 100 plus years of actual firematic experience holding the past positions of Chief, Deputy Chief and Firefighter. Through their continued efforts and proven leadership, they have earned our confidence and trust that they will continue to ensure that standards for training and equipment required to safely perform our fire and rescue operations, will not be compromised.

We have endorsed and included a declaration of support for both Fire District 2 and the Commissioners of Fire District 2.

Sincerely,



President Kevin M. Chapman

Cc: Borough Mayor and Council
Board of Fire Commissioners Fire District 2
New Jersey DCA Local Finance Board
New Jersey Division of Fire Safety