

**TOWNSHIP OF EGG HARBOR  
SPECIAL PLANNING BOARD MEETING**

**October 7, 2015**

**Planning Board Deannexation Professional(s):**

**Special Counsel:** Dean R. Marcolongo, Esq. (present)

**Special Planner:** Stuart B. Wiser, P.P., A.I.C.P., Remington, Vernick & Walberg Engineers (present)

A special meeting of the Planning Board of Egg Harbor Township was held on the above date, 7:00 p.m., prevailing time, Egg Harbor Township Hall, Egg Harbor Township, New Jersey. The Chairperson opened the meeting by reading the statement in compliance with the Open Public Meetings Act.

**Roll Call Taken as Follow(s):**

Manuel E. Aponte, V-Chair., present

Charles Eykyn, present

James Garth, Sr., Chairperson, fam. Illness

Frank Kearns, III

Dennis Kleiner, Alt. #1, excused

Robert Levy, another engage.

Mayor James J. McCullough, Jr., \* **See below**

Peter Miller, Township Administrator, recused

Committeewoman, Laura Pfrommer, present

Daniel Pittaro, Alt. #II, excused

Paul Rosenberg, 2<sup>nd</sup> V-Chairperson, present

**\*May the record reflect:** Mayor James J. McCullough has recused himself from these hearings. He has sent Atlantic County Freeholder, John Carman, in his place.

**May the record reflect:** Board Member Rosenberg advised before the meeting starts he has asked Vice-Chairman Aponte if he could take a few moments. He indicated at yesterday's meeting his behavior was unacceptable. He noted he has a responsibility to his colleagues, whom are also his friends and to the people of the public in Egg Harbor Township that he serves as an appointed member. He would like to, again, not only apologize to his colleagues but to the folks in the audience and to the professionals. He indicated he hopes everyone will accept.

**May the record reflect:** Board Member Aponte stated he would like for a motion to be made to cancel the special meeting originally scheduled for Wednesday, October 28, 2015, 5:00 p.m., prevailing time and schedule a special meeting for Tuesday, October 27, 2015, 5:00 p.m.

**Motion Pfrommer/Rosenberg to cancel the special meeting scheduled for Wednesday, October 28, 2015, 5:00 p.m., prevailing time and schedule a special meeting for Tuesday, October 27, 2015, 5:00 p.m. Vote 5 Yes:** Aponte, Carman, Eykyn, Pfrommer, Rosenberg

**CONTINUATION OF PUBLIC HEARING(S):**

- Public Hearing:** Deannexation petition submitted by the Seaview Harbor section of Egg Harbor Township seeking annexation with Longport Borough.

Special Board Solicitor Marcolongo advised he has called William Higbee to make a presentation to the Board. He indicated Mr. Higbee is Egg Harbor Township's Director of Ambulance Services. Special Board Solicitor Marcolongo advised he had asked Director Higbee to speak about the ambulance services for Egg Harbor Township and informed him of the Planning Board's duty to report to Township Committee

as to the impact the deannexation will have on the residents of Seaview Harbor and Egg Harbor Township. Special Board Solicitor Marcolongo stated he asked Director Higbee before he starts his presentation to tell everyone about himself.

**May the record reflect:** Special Board Solicitor Marcolongo has duly sworn: William Higbee, 14 Farr Avenue, Egg Harbor Township, New Jersey.

Mr. Higbee introduced himself as the Director of Ambulance Services for Egg Harbor Township. Mr. Higbee advised he was appointed in July, 2014. Director Higbee advised he succeeded Linda Cusac, whom was the Director prior to him. He explained he was an employee of Egg Harbor Township from 1988-1992 and returned in 2008 as an EMT, for which he has been since. Director Higbee advised he is a career Fire Fighter at the Atlantic City International Airport where he holds the position of Assistant Chief and he has been there for 28 years. Director Higbee advised he is a volunteer Fire Fighter with the Cardiff Volunteer Fire Company and he has been a volunteer for 32 years.

Director Higbee explained he an instructor at the Atlantic County Fire Training Academy and he has been an instructor for 20 years. He is also a member of the New Jersey Task Force 1 Urban Search and Rescue Team and have been a member for 15 years. He advised he served at Ground Zero for ten (10) days after the 9-11 incident. He has also been on other types of emergencies with the team itself throughout the Country. He indicated he has been to numerous schools throughout the United States and he has been in emergency services for a long period of time.

Director Higbee advised the Egg Harbor Township Ambulance Service is a 24 hour service staffed by part-time personnel that are paid. He explained there are two (2) ambulances staffed from 7 a.m. to 11 p.m. and then we have one (1) ambulance staffed from 11 p.m. to 7 a.m. Director Higbee stated we average between 4,000 to 4,500 calls per year for service and most require transport some not necessarily. Director Higbee stated we have mutual aid agreements with all the surrounding communities around us so we service them and they service us on a regular basis. He again noted they are available 24 hours a day and there are five (5) ambulances ready for use of which we staff with two (2) EMT's per vehicle.

Special Board Solicitor Marcolongo asked Director Higbee how is services provided if an event occurs in Seaview Harbor. Director Higbee stated if an event occurs in Seaview Harbor he is not sure where the 911 call goes but it is dispatched to the Longport Volunteer Fire Company. They would dispatch their vehicle to the incident. He indicated we would monitor their frequency in our building and within our vehicles so we are aware of their response to that area of the Township. He further noted that at this point the Township dispatchers would monitor and let us know if they need assistance or will be handing the call themselves.

Special Board Solicitor Marcolongo asked if that service has changed as a result of the dispatching from Egg Harbor Township on October 1, 2015. Director Higbee indicated the system itself stays the same the only difference is that Egg Harbor Township will be handling the dispatching for Longport's municipality instead of them having their own dispatch service. Special Board Solicitor Marcolongo asked Director Higbee if deannexation occurs how would service in Seaview Harbor change. Director Higbee stated there would be no change at all and the mutual aid agreement would stay in place and there would be no change in service. Special Board Solicitor Marcolongo asked if Seaview Harbor were to deannex. How would this effect the remaining residents of Egg Harbor Township. Director Higbee

stated there would be no effect on EMS services to any of the residents of Egg Harbor Township. It would remain the same. He advised we would respond to all sections the same way we do currently.

Board Member Aponte asked if a call is from Seaview Harbor Longport's Volunteer Fire comes first. Director Higbee stated Longport Volunteer Fire Company is dispatched first, correct. Board Member Aponte asked then you monitor the radio. Director Higbee stated they monitor all the frequency of the surrounding communities concurrently so if an incident occurs so we are aware what is going on around us and if necessary we will intervene depending upon the size and scope of the incident. Board Member Aponte asked if someone were to lose a limb you would not need to back them up. Director Higbee stated it depends upon the incident. He advised if it is a single person incident were a basic life support unit can handle themselves with possibly an advance life support than there is no reason for us to go over there. However, if there is a fire or an incident with multiple victims than they would need more services, vehicles and personnel so at that point we would intervene and assist them

Board Member Aponte stated with mutual aid they are primary and we are secondary. Director Higbee he indicated yes. He advised they cover from the Dolores Cooper Bridge to the Longport Bridge and we go out to assist. Board Member Aponte stated if there is a multiple car crash three (3) or four (4) cars and four (4) or five (5) people need to go to the hospital we will go out. Director Higbee stated yes. Township Committeewoman Pfrommer stated Longport's ambulance service is through their Fire Company she asked if is volunteer. Director Higbee stated yes. They're an all volunteer service. Township Committeewoman Pfrommer indicated they have no paid employees for any of this. Director Higbee stated not to his knowledge.

Township Committeewoman Pfrommer asked if they have the same ambulance capabilities as Director Higbee's does. Director Higbee stated yes. He further noted the State of New Jersey requires all basic life support units be the same including the stock. He stated the only difference is that a volunteer agency does not need two (2) EMT's. He indicated they can have one (1) EMT and a driver. He indicated when you turn into a paid service you need two (2) certified EMT's on the vehicle at all times to maintain your certification.

Freeholder Carman asked if Director Higbee responds to Anchorage Poynte or does Somers Point. Director Higbee advised Somers Point responds first. Freeholder Carman indicated so it would be same way as previously discussed for mutual aid. Director Higbee stated yes. Township Committeewoman Pfrommer asked is it the same for West Atlantic City and Margate Boulevard. Director Higbee stated no. He indicated for West Atlantic City and Margate Boulevard we are the primary response agency but we have mutual aid agreements with Pleasantville and Atlantic City for West Atlantic City and Margate for the Margate Boulevard. Again, he noted we have mutual aid agreements with all surrounding communities. We go to them and they come to us as need be.

Board Member Eykyn asked when you see the Atlanticare ambulance and the SUV's how do they get dispatched. Mr. Higbee stated Atlanticare provides advance life support. They provide advance air way medications. He indicated they are basically a mobile emergency room. He indicated they are dispatched through their own dispatch center which is called MedCom. Director Higbee stated when a 911 all comes in there is a State protocol that depending upon what your problem is such as respiratory, cardiac, diabetic that would initiate an ALS response so our dispatcher would contact MedCom and they will dispatch their paramedics and they come in simultaneously to us.

Board Member Eykyn asked where they (Atlanticare) come from for Longport. Director Higbee stated they are stationed all over. He indicated there is a medic unit stationed in Somers Point, there is one in the Township along Washington Avenue, Atlantic City, Hamilton Township, and Galloway Township. Director Higbee explained and depending on the call volume they are coming from everywhere. He stated you never know where you are going to get a medic unit from.

Special Board Planner Wisner asked if the medic unit services Longport the same as Egg Harbor Township. Director Higbee stated for ALS yes and it is first come, first serve. Special Board Planner Wisner asked if there is any town in Atlantic County that have those advance services on staff as opposed to relying on third party service. Director Higbee stated everyone has to rely on the third party Atlanticare service. He explained the State is set up as a two (2) tier system. He advised the municipalities and private companies handle basic life support and the hospital chains, which is Atlanticare in our area handle the advance life support.

Board Member Aponte asked what about Shore Memorial. Director Higbee stated Atlanticare covers our entire area. He noted they actually cover Atlantic County and Cape May County as well. He indicated it is a consortium. He advised it use to be Virtua years ago but Atlanticare took the service over and handle all towns. Township Committeewoman Pfrommer asked how many people do they have on. Director Higbee stated two (2) paramedics for each unit.

Attorney Doyle asked in what capacity Director Higbee worked during his tenure in 1988 through 1992. Director Higbee stated as an EMT. Attorney Dolyle stated Director Higbee returned in 2008. Director Higbee stated yes. Attorney Doyle asked if Director Higbee is familiar with how emergency services operated in the Township between 1992 and 2008. Director Higbee stated no. Attorney Doyle advised Director Higbee had indicated presently Longport goes first to Seaview Harbor, period. Director Higbee stated under most circumstances. He advised it is not a finite type of thing. He advised for all indications Longport may be out on a call of their own in their own municipal and they may not be available. He stated he cannot say with 100% certainty that Longport would go first.

Attorney Doyle asked if this protocol was the same from 1998 through 1992. Director Higbee stated it has been in place for as long as he has been aware. Attorney Doyle asked how long does his awareness go back. Director Higbee stated he does not know what went on between 1992 through 2008. Attorney Doyle stated Director Higbee's significant training, experience, and volunteering is notable. He asked in terms of what Director Higbee has learned in all of this is consistent with the fact that another municipalities services are providing the services within this municipality to Seaview Harbor.

Director Higbee stated his theory is we want to get the job done efficiently and safely as possible. He indicated we are capable of providing mutual aid services to other communities and other communities are able to provide mutual aid services to us. He indicated the bottom line is that the job gets done safely and the patient gets taken care of properly. Attorney Doyle asked if safely and efficiently a product of time and distance. Such as who can get their first, who has the shortest distance traverse. Director Higbee stated there are a number of variables involved and distance is obviously one of them. He indicated depending upon where the ambulance is at any given time could dictate whether someone is closer than another.

Director Higbee used for an example that Longport Fire Company their volunteer Fire Fighters operate the ambulance at the same time. He indicated if they are out on a fire call they may not have the availability to man the ambulance so they have to depend upon mutual aid to handle the ambulance in

their community. He advised there is no 100% certainty that time and distance will always be the main factor involved in its availability. Attorney Doyle stated if availability is equal then time and distance governs. Director Higbee stated if availability is equal then you would expect time to be a factor, yes. Attorney Doyle asked one of the factors or the factor. Director Higbee stated one of the factors. Again, there are too many variables to speak of, but yes time and distance would be a factor.

Attorney Doyle asked other than these and availability what other factors. Assuming and what has already been indicated based on State requirements are such that they have to be qualified and this is removed because Longport's staffing is qualified, they have to be. Director Higbee stated in order for them to place the ambulance on the street they have to be qualified, yes. Attorney Doyle stated taking qualifications and availability off the table what else is left than time and distance. Director Higbee stated this would pretty much be it.

Attorney Doyle stated he would like to discuss distance and staying with Egg Harbor Township. He asked Director Higbee where is ambulance operations for Egg Harbor Township head quartered. Director Higbee stated 3125 Fire Road. Attorney Doyle asked Director Higbee how far is this from Seaview Harbor if he knows. Director Higbee stated he does not know. Attorney Doyle asked if he knows what the travel time is approximately. Director Higbee stated it would depend upon the time of day, the weather conditions, traffic and what day of the week it is. Again, there are variables unfortunately. Attorney Doyle asked where the Longport Ambulance Operation head quartered. Director Higbee stated he does not know the name of the street. Attorney Doyle asked how far is this from Seaview Harbor. Director Higbee stated he does not know how far it is.

Attorney Doyle asked during his days, 2008, what level the protocol for Longport going first, assuming there is availability, was reached. Director Higbee stated no. He advised this was reached prior to his employment with the Township. Attorney Doyle asked when he became the Director did he meet with the Longport first aid people. Director Higbee stated no, the agreement was already in place. Attorney Doyle asked if this is a written agreement. Director Higbee stated there is a mutual aid agreement that all municipalities signed within Atlantic County.

Attorney Doyle asked Director Higbee if he is aware of the OPRA request he made. Director Higbee stated yes. Attorney Doyle asked if he provided the information that was in it. Director Higbee stated no he did not. Attorney Doyle asked if Director Higbee if he saw the information. Director Higbee stated with respect to the call volume, yes. Attorney Doyle stated as it indicates from 2010 to 2014 calls were between 4025 as a low and a high of 4671. Director Higbee stated this is correct. Attorney Doyle asked if Director Higbee personally recalls during that time an Egg Harbor Township ambulance reporting first to any incident in Seaview Harbor. Director Higbee stated he does not have direct knowledge of it. He indicated he himself has responded to Seaview Harbor but he does not know who has gone first or second. Attorney Doyle asked the times that Director Higbee has went does he recall if where first or second. Director Higbee stated one time they were first and another they were not. Attorney Doyle stated this is over seven (7) years. Meaning 2008 through 2015. Director Higbee stated yes, and to his best recollection.

Attorney Doyle asked if there is any other area in Egg Harbor Township other than Seaview Harbor and Anchorage Poynte that does not have the Egg Harbor Township ambulance squad as the primary service. Director Higbee stated no. Attorney Doyle asked if there is any ambulance squad outside of Egg Harbor Township that is a primary responder within Egg Harbor Township. Director Higbee stated no.

Attorney Doyle stated when previously asked you indicated Longport was primary and you assumed Egg Harbor Township was secondary but you hesitated. Director Higbee stated Longport Boulevard is split into two (2) sections from the Dolores Cooper Bridge to the Longport Bridge and from the Dolores Cooper Bridge to the border of Somers Point. Attorney Doyle stated with Seaview Harbor Longport is the priority. He asked who is secondary. Director Higbee stated we are secondary.

Attorney Doyle asked if Director Higbee has been at any meetings with the emergency management council about what the new dispatching system means. Director Higbee stated no. He then asked Attorney Doyle if he means concerning the agreement with Longport. Attorney Doyle stated no he is speaking about the emergency management council, for which Director Higbee, serves. Director Higbee stated he does not understand. Attorney Doyle asked if there is any discussion in emergency management that Longport is first in fire and ambulance. Director Higbee stated he still does not understand what Attorney Doyle is trying to get at. He advised the agreements have been in place and are on-going to date.

Attorney Doyle stated until 2014 the ambulance squad was a department and the head was the Chief of ambulance services. He indicated that has now changed from a department to a division. Director Higbee stated we are a department within Egg Harbor Township. Attorney Doyle stated Ordinance #19 of 2014 says the title department head is deleted and Ordinance #20 of 2014 indicates you are now a division. He asked if this means anything different in operations. Director Higbee stated no.

Attorney Doyle asked Director Higbee who does he report to. Director Higbee stated Mr. Peter Miller. Attorney Doyle asked Director Higbee who asked him to testify today. Director Higbee stated Mr. Marcolongo. Attorney Doyle asked Director Higbee if has independently determined, since he has been in his position for better than a year, pursuant to past policy that Longport Fire Department would continue to be the first server for the people of Seaview Harbor. Director Higbee stated to date the ments stand.

Attorney Doyle stated the only records they received was the 4,000 calls and another handful of calls for Egg Harbor Township to respond. He asked Director Higbee if there are any other records that would be meaning or bearing concerning calls, timing, anything else he could think of. Director Higbee stated not to his knowledge.

Attorney Doyle asked Director Higbee if he takes care of the budget. Director Higbee stated yes. Attorney Doyle stated there are fees that are charged correct. Direct Higbee stated yes. Attorney Doyle asked, going back to the budget, if Director Higbee is aware of the revenue that comes in based on the fee schedule. Director Higbee stated he is not aware of the exact figures but is aware revenue is drawn from billing services. Attorney Doyle asked if there is a line item in the budget for ambulance fees, which are the billing fees. Director Higbee stated he would assume so. Attorney Doyle stated on the other hand there are expenditures. Director Higbee stated correct.

Attorney Doyle stated in a municipal budget there are two (2) types of expenses in a line item. He indicated the first is salary and wages and the second is others. Attorney Doyle stated in terms of salary and wages he would assume Mr. Higbee is the highest paid because he is the chief. Are all others part timer's. Director Higbee stated this is correct. He advised the others do not work more than 30 hours a week and do not receive health benefits. He advised some are in the pension plan but most of the current employees are not.

Attorney Doyle then presented Director Higbee with a portion of the budget that relates to and is taken from the 2011 and 2014 budget. He then referenced in 2011 under miscellaneous revenues ambulance fees it indicates \$881,149.00. He asked if this is the fee that is collected for the charge that the ambulance service provided. Director Higbee stated he does not know. This would have been checked by the finance department. Attorney Doyle asked without looking at the budget would Director Higbee know what the expenses run. Director Higbee stated not off the top of his head. He would not have exact figures.

Attorney Doyle stated other than salary and wages there are expenses shown as \$85,000.00 in 2011/2010 and down to \$82,000.00 in 2014. Attorney Doyle asked if Director Higbee knows what this is. Director Higbee stated it is operation expenses. Attorney Doyle stated to Director Higbee the budget is his responsibility. Director Higbee stated correct. Attorney Doyle stated what he presented are parts of the 2011 and 2015 budget showing the ambulance fees and how much it is, the ambulance service salary/wages, other expenses, and what it is. This is a compilation of both. Special Board Solicitor Marcolongo marked information 2011 information two (2) pages as S147 and 2015 as S148 and the one (1) page compilation as S149. Freeholder Carman asked why the in-between years not provided. Attorney Doyle stated he provided a five (5) year period based upon the information used by Mr. Ryan and Mr. Costello.

Attorney Doyle asked Director Higbee if he was aware the revenues exceeded the expenses in both 2011 and 2015. Director Higbee stated he does not get involved in the revenue. He advised the finance department handles this. Attorney Doyle stated but as charged under the ordinance you do handle the expenditure side. Director Higbee stated yes. He request budget line items in allocated amounts that he utilizes during the course of the year. Attorney Doyle stated he had noticed the expenditures had went from 526 to 562 which is a jump of five (5) percent over a five (5) year period or 1% to 2% a year which is relatively flat. He asked if Director Higbee's budget needs were flat over those five (5) years. Director Higbee stated relatively so except for the cost of living increases for certain items.

Attorney Doyle stated the revenues have grown by \$260,000.00 since 2010 and represents a 30% jump or about 6% a year. He asked if Director Higbee can give an accounting as to why it jumped that much. Director Higbee stated somewhere between that time frame there was an increase in fees. He stated he is not sure what year it was that it occurred.

Attorney Doyle stated he had occasion to look at the incident reports that came out of Longport and Egg Harbor Township Police Department. He advised in Longport it is noted Police are in attendance at an emergency service call. He asked Director Higbee if he knows the protocol for Egg Harbor Township. He asked if the Egg Harbor Township Police are called at the same time as the ambulance for them to get there first or to participate in the call. Director Higbee stated he does not know. Attorney Doyle would have to speak with the police. Attorney Doyle asked since 2008 through 2015 has Director Higbee went on emergency calls with the ambulances. Director Higbee stated yes. Attorney Doyle then asked how many times over those seven (7) years, at least hundreds of times. Attorney Doyle asked of those hundreds of times has there been a police department presence. Director Higbee stated there has been police department presence on ambulance calls. Attorney Doyle asked always. Director Higbee stated he could not say this with certainty. based on his own knowledge 2008 and 2015 have you went on emergency calls. Attorney Doyle asked Director Higbee knows what the protocol is in Longport. Director Higbee stated no.

Attorney Doyle stated he has looked at the incident reports and most times either one (1) or two (2) police officers have been on an ambulance call. He asked Director Higbee if he ever went to a Seaview Harbor call. Director Higbee stated he has. Attorney Doyle asked if he recalls if there was a police presence at the time. Director Higbee stated not with any certainty. He advised after hundreds of calls they all blend together.

Attorney Doyle have you looked at either for tonight or any other time looked at incident reports from the police for either municipality. Director Higbee stated no. Attorney Doyle asked if Director Higbee has looked at an incident report from any police department. Director Higbee stated no. Attorney Doyle stated there was a circumstance given in previous testimony from several residents of what occurred when they had an emergency and who reported and the timing of the report was.

Attorney Doyle then referred to one of the calls advising there were several conflicting statements made to that call. He advised in this particular case the testimony was a call went from Seaview Harbor to Egg Harbor Township and despite several calls no one showed up for roughly an hour and half. Special Board Solicitor Marcolongo stated is this question being formulated based on a document. Attorney Doyle stated the question was phrased without the document but as he recalls it. He then referred to Exhibit B51 and was submitted on November 17, 2014 and was the call with respect to 49 Sunset Boulevard, the people's name was Klein. Special Board Solicitor Marcolongo asked what the date of the incident was. Attorney Doyle stated the date of the incident was May 24, 2003.

Attorney Doyle then stated he carried the numbers wrong. He advised it was a half hour not an hour and a half. Special Board Solicitor Marcolongo asked that this would have been during Mr. Higbee's hiatus. Attorney Doyle stated this is correct. Attorney Doyle asked Director Higbee is it not extraordinary that despite a call there was no response in 31 minutes. Director Higbee stated not necessarily. Attorney Doyle stated Chief Davis made it clear that under the October 1<sup>st</sup>, 2015 and ongoing all calls will go to the communication center here and there will no longer be a Longport dispatching. He asked if Director Higbee is aware of this. Director Higbee stated yes.

Attorney Doyle stated Chief Davis further testified that they will do what is best and continue the protocol if a call came into an area previously served by Longport it would continue to be. He stated this is meaning the Borough of Longport and Seaview Harbor. He asked if this is Director Higbee's understanding. Director Higbee stated yes. Attorney Doyle asked Director Higbee if from 1988 through 1992 that was the protocol also. Director Higbee stated to be honest his recollection is not a certainty and he does not want to say yes and not be correct.

Attorney Doyle asked he will go back to the question as to why would there not be a response within 31 minutes. Director Higbee stated there are a number of variables that could be in place. Such as call volume, availability of ambulances within the area at the time, weather conditions. He indicated there are a numerous things that play a role in a delayed response.

Attorney Doyle asked what does the dispatcher know about the condition of the patient, only what they are told on the call. Director Higbee stated yes. Attorney Doyle asked how does this translate in sending people. Director Higbee stated we will respond to the calls as they come in. He advised it is on a first come first serve basis. He indicated depending on the nature of the call we could deviate and go to a call that is more serious and leave a call of less priority.



Attorney Doyle asked again how many ambulances are staffed from 11 p.m. to 7 a.m. Director Higbee stated one (1) ambulance. Attorney Doyle and during the other hours of the day. Director Higbee stated two (2). Attorney Doyle asked if Director Higbee knows what the staffing is for Longport. Director Higbee stated it is a volunteer service and depends upon the availability of the volunteers. Attorney Doyle asked if Director Higbee has ever known in the last seven years that a Longport ambulance was not available to respond to a Longport call or a Seaview Harbor call. Director Higbee stated he could not say with any certainty.

Special Board Solicitor Marcolongo asked during 11 p.m. and 7 a.m. if an incident came up and you only had the one staff ambulance would you have the ability to call in other members to handle that incident. Director Higbee stated no not within our system but we would call in mutual aid. He indicated as he has said all along if we are not available we call the next closest community and they cover and vice versa. Special Board Planner Wisner asked if Longport has a schedule where EMT's are sitting and waiting in the station or at the ready to respond or through tone rings. Director Higbee advised he cannot state with 100% certainty. He advised some departments do have duty crews that will be there at night and other departments will drop what they're doing when the calls come in, respond to the fire house, grab what is needed and respond. So no he does not know. Special Board Planner Wisner stated but with Egg Harbor Township the crews are at the headquarters ready to go. Attorney Doyle asked Director Higbee that he has no knowledge that Longport, though they are volunteer, not being ready to report. Director Higbee stated no.

Board Member Eykyn the summary on budget. He asked if there is a capital budget or are the ambulances and the difibulators obtain from the \$80,000.00 + dollars. Director Higbee stated he does have to prepare a capital budget where the ambulances are purchased from the AVE's and other equipment is purchased from. He indicated his O/E budget is more for general supplies. Board Member Eykyn stated so some of the revenue he is collecting is going toward capital. Director Higbee stated he would assume so but would have to check with the finance department.

Board Member Aponte stated summer and winter are two (2) different seasons and we get busier with transient guest. He asked if we staff more people Manny: summer and winter are two (2a) differ. Do we staff more people, have more hours, or do we have a plan. Director Higbee stated our staffing stays the same year round. He did add, however, if we expected a snow storm or a hurricane he has the ability to bring in extra staffing to assist or put on extra vehicles for pending emergencies. He indicated the people come from his part time staff and we have a total of five (5) rigs that could be utilized. Special Board Planner Wisner asked during emergency do you pre-staff the vehicles a various locations within the Township or do you work out of the headquarters. Director Higbee stated they work out of out of headquarters.

Attorney Doyle stated Director Higbee mentioned he is the assistant fire chief at the Atlantic City Airport. So he has separate fire training in addition from your emergency medical training. Director Higbee stated yes. Attorney Doyle stated there was testimony from the Egg Harbor Township Fire Chief and a past Scullville Fire Chief and each testified from a fire standpoint that time and distance was a critical point. He asked Director Higbee as a fire trained person he would agree on the fire side. Director Higbee stated not to be rude but his expertise tonight is for emergency medical services. He does not want to move into another arena because the fire chief has already addressed this and he is in charge of that for Egg Harbor Township. Director Higbee stated he is not going to say anything because he does not believe it is fair to him or himself. Attorney Doyle stated if he asked the same question about police he expects he would receive the same answer.

Attorney Doyle that Director Higbee for his service and his time.

Board Member Rosenberg stated he had a question concerning the 31 minute call that was previously discussed. He asked what was the staffing in 2003. Director Higbee stated he does not know and he does not want to provide a number that is not accurate. Special Board Solicitor Marcolongo stated there was testimony discussed with respect to this incident and a document submitted as B51. Board Member Rosenberg the status of the patient was changed by the caller. Attorney Doyle no it was the call where the status was shown as a "status 1". Director Higbee stated the call was in terms for CHF. He asked what does this mean. Director Higbee stated Congestive Heart Failure. Attorney Doyle stated this is a serious condition. Director Higbee stated it can be depending upon the circumstances. It is an ongoing disease but may not have been the nature of the call.

Attorney Doyle stated he dropped the line because it was during Director Higbee's hiatus. But to refresh Board Member Rosenberg's recollection this was a particular person who testified about the difficulties of getting an ambulance and finally giving up and going. He advised this episode was then brought back up by Mr. Miller. Attorney Doyle stated he is appreciative of the limitations that Director Higbee because he was not here then he decided to drop it. Board Member Rosenberg stated he is not so much interested in details more than weighing in his mind if it is continuing or an isolated incident.

Board Member Rosenberg stated we are placing emphasis on time and distance, however, he is trying to figure if the 2003 incident is. Attorney Doyle stated it had a uniqueness getting a play in the testimony but with respect to tonight we have a schedule of calls that were made for EMS purposes that were made to Seaview Harbor between 2011 and June 2014 and have extracted the response times based on testimony of the police chief. He advised we would like to place in this compilation of calls made in Seaview Harbor and could produce incident summaries for both Longport police department for the 19 calls they responded to and the four (4) incident reports reporting they received a call but of none of the four (4) did they go. He advised this fills in the gap without editorializing because on the incident reports it states the nature of the call.

Freeholder Carman asked why would this summary be needed if it is a given that Longport is called first. He then stated if Seaview Harbor were to deannex their ambulance service would not change because Longport would go there first and mutual aid would be second. Director Higbee stated the system would be exactly the same. Freeholder Carman stated we realize this so why would we need more paperwork. Attorney Doyle understand point. He asked Director Higbee if there is a benefit of having any protocol that when a medical call comes in police will respond from that district as well as EMS. Director Higbee stated it would not make a difference on the EMS side but he cannot answer for the police side. Attorney Doyle stated if the police go there first and radioed the situation or were to get ahead of you and move people aside this would not help. Director Higbee stated it would.

Attorney Doyle stated if the protocol is police are to go on calls this improves the situation versus they do not go. Director Higbee stated if you are speaking in those particular lines it is a benefit but not necessary. Freeholder Carman still indicated he does not understand how this will help in making a decision. Attorney Doyle did discuss the difference of the protocols concerning the police response. Special Board Solicitor Marcolongo stated he will sit down with Attorney Doyle between now and the next meeting and discuss the information he would like to submit. Attorney Doyle stated this has been done before.

Special Board Planner Wisner stated he is aware that Director Higbee was not employed when the 31 minute incident occurred. But mutual aid protocols were in place at the time. Director Higbee stated yes. Special Board Planner Wisner stated so Longport would have been first responder and for whatever reason they were not and Egg Harbor Township ambulances were responding. Attorney Doyle stated he will object to the hypothetical question and if it is a question to the 2003 incident which was during the hiatus and for which he decided not to go into. Special Board Solicitor Marcolongo stated he would encourage to go back to notes concerning this issue. Director Higbee stated the protocol in this area is that Longport responds, if they cannot then it is Egg Harbor Township and then it would be the closest mutual aid and again depending upon the time of year there could be several agencies not available and go through a couple until one is available.

Attorney Doyle the population of Somers Point changes in the summer. Director Higbee stated he would assume and going through Somers Point from our headquarter base is the easiest way.

The Board thanked Director Higbee and was released.

Attorney Doyle stated regardless of the mathematic errors there were questions from Mr. Costello that could not be answered because he kept saying he is not the auditor. Though Mr. Costello's firm represents the Township Mr. Kenneth Moore is the Auditor so he believes the Township would be better served if Mr. Kenneth Moore was present for the next meeting.

Attorney Doyle stated he did go back to the Upper Township case and in Upper Township Mr. Costello is the auditor. He would like the Board to consider now. Special Board Solicitor Marcolongo stated Mr. Costello has begun providing information to the board and he would suggest that he continue. He stated based upon the cross examination given last evening he cannot imagine having Mr. Costello present the entire evening at the next meeting.

Attorney Doyle stated he would on behalf of his clients would order transcripts Mr. Moore would be aware of what happen. He stated he is not done with questioning. Freeholder Carman stated this is the Board's witnesses and you have called your witness. Attorney Doyle have to wonder why the auditor is not whom you called. Freeholder Carman stated if he feels he needs more information he would then asked Special Board Solicitor Marcolongo to call Mr. Moore. Board Member Aponte stated this is the protocol that has taken in the past and we should continue to do so.

Attorney Doyle once again asking the Board to subpoena Chief Danz to address questions concerning the pipeline across the bridge to benefit residents of Seaview Harbor. Special Board Marcolongo stated he did speak with the County Executive concerning any additional information he may have and there is none. He reviewed the Township Committee documents available from that time and all that is available is the minutes, which the Board has already seen. He stated he knows the Board is not incline to subpoena Chief Danz. Board Member Aponte stated he is not incline and Township Committeewoman Pfrommer stated no.

Attorney Doyle was made aware that Chief Coumo would testify but was asked for a proffer. He stated he would do the same as the Board and he would think the issues would go to Mr. Rosenberg's questions concerning response times. He believes he should be no more than a half hour. We will go past October 31<sup>st</sup>, but reluctantly agree but the half hour will not lengthen the process. Special Board Solicitor Marcolongo stated he reached out to the Chief of Longport so he understands what he would

like to discuss with the Board and would ask the Board to hold off until he hears back from the Chief before scheduling.

**Motion Pfrommer/Eykyn to carry public hearing to October 27, 2015, 5:00 p.m., prevailing time.**

**VOTE:** Aponte, Eykyn, Garth, Kearns, Kleiner Levy, McCullough, Miller, Pfrommer, Pittaro, Rosenberg

**SUMMARY MATTER(S):**

**SECTION I: Discussions of matters pertaining to the Board:**

**A: General public discussion: Motion Pfrommer/Eykyn to open public portion**

**May the record reflect no one came forward**

**Motion Eykyn/Carman to close public portion**

**Motion Carman/Pfrommer to adjourn at 8:45 P.M. VOTE:** Aponte, Eykyn, Carman Pfrommer, Rosenberg

Respectfully submitted by,

Theresa Wilbert, Secretary