

## *SECTION # 12*

### **PERS/PFRS**

Commissioners are entitled to receive compensation pursuant to New Jersey statute. This proposed compensation must be set forth in the budget and is subject to review by the governing body of the Township. Commissioners may be required to enroll in the State pension system if compensation is received. The Attorney and/or Accountant of the Fire District should be consulted in determining this issue. In addition, if a Fire District creates paid positions the paid employee must be enrolled in either PERS or PFRS depending on the paid position.

## *SECTION # 13*

### **CAPITAL PROJECTS**

The law requires that a Fire District receive voter approval prior to undertaking a capital project. A capital project is defined as any purchase with the assets having at least a five-year life expectancy however; for purposes of this section bondable assets shall be considered fire trucks and firehouses.

There are two statutory methods of securing voter approval. One method (40A:14-78.6) is placement of the proposed expenditure on the ballot at either the annual or a special election. The other method (40A:14-84) is the conducting of a special meeting. You should consult your attorney to determine your method of proceeding. The requirements for both proceedings are set forth in the New Jersey statutes. A form of notice for the special meeting is set forth in the appendix.

If voter approval is not secured, a Fire District cannot engage in a capital purchase or project. Voter approval of a capital purchase or project does not allow the expenditure of the money. The amount so voted for shall be included in the next succeeding annual budget of the Fire District under the section for Capital Appropriations.

The New Jersey State Association has fostered legislation to modify the current statutory requirements concerning capital expenditures. Unfortunately, at time of publication, this legislation has not been passed.

## *SECTION # 14*

### **LOCAL PUBLIC CONTRACTS LAW**

The New Jersey statutes set forth the specific requirements to be adhered to when engaging in purchases or procurement of services. The law was recently extensively amended and should be referenced in determining the requirements for public bidding. Of particular importance is the fact that the current bid threshold (at time of publication) is \$17,500 (40A:11-3) is subject to various purchases and/or services set forth in the statute. There are some special conditions that are not subject to this threshold.

## *SECTION # 15*

### **ENFORCEMENT OF FIRE SAFETY ACT**

A Fire District may enforce the Uniform Fire Safety Act and be designated as a Local Enforcing Agency (LEA). The Fire Safety Act sets forth various standards and regulations to be complied with to ensure fire safety relative to commercial establishments. It does not apply to owner occupied one- and two-family dwellings. It should be noted that there are regulatory limits as to the expenditure of funds received from this program.

Various Fire Districts have determined that they do not wish to enforce the Act and have entered into Interlocal Agreements with the Township and/or other Fire Districts to allow the Township or other Fire Districts to enforce with the Fire District receiving the right to enforce in the future. The law does not obligate a Fire District to enforce the Uniform Fire Safety Act.

## *SECTION # 16*

### **FIRE COMMISSIONERS BY-LAWS**

Many Fire Districts utilize by-laws to clearly establish the rights and obligations of each Fire Commissioner and to further establish policies and procedures covering the operation of the Board of Fire Commissioners. The Law does not require that by-laws be adopted. However such a document may be beneficial to present and future Commissioners and allow for a more efficient and effective Board of Fire Commissioners. Set forth in the appendix is a form of by-laws.

## *SECTION # 17*

### **JOINT BOARD OF FIRE COMMISSIONERS**

Fire Districts may engage in activities on a joint basis in order to produce cost savings and avoid a duplication of services. In this regard many Fire Districts create a Joint Board. There is no such entity as a Joint Board which is actually the Fire Districts acting jointly. The law allows for such activities and the only requirement is an Interlocal Agreement between the Fire District setting forth the joint activities to be engaged in and the fiscal arrangement between the parties in engaging in these activities.

DCA has taken the position that when engaging in joint activities one of the participants must reflect the entirety of the joint expenditures in its budget while also reflecting the revenue to allow these expenditures. That Fire District is called the lead agency.

Fire Districts may also enter into Interlocal Agreements with other municipal entities to affect the benefits listed above. The statute sets forth the specific procedure to be adhered to in developing this arrangement and a form of Interlocal Agreement is set forth in the appendix.

## *SECTION # 18*

### **OPEN PUBLIC MEETING ACT N.J.S.A. 10:4-6**

Title 10 of the New Jersey statute addresses the requirements to be satisfied in conducting a meeting. When three or more Commissioners meet to discuss business, a meeting has occurred and the requirements of the Open Public Meetings Act must be adhered to.

The purpose of the Act is to ensure that the public is aware of the business being conducted and may exercise its right to attend the meetings of the Fire District. The statute requires that all meetings be duly noticed. Advertisement must occur in two newspapers and posted at the Municipal Building through the Township Clerk. Pursuant to New Jersey case law the newspapers must have the notice of meeting at least 48 hours in advance of the meeting and have the ability to publish same.

There are issues which may be discussed in open session and closed session. The statute should be referred to in this regard.

Violations of the Open Public Meeting Act are subject to criminal prosecution thus the Act should be carefully adhered to.

Minutes should be kept of all meetings, both open and closed session. Closed session minutes are revealed to the public after the issues discussed in closed session are resolved.

Meetings need not be taped, however if taped, the tapes may only be disposed of in accordance with the requirements of the Secretary of State Division of Archives.

***SECTION # 19***

**CIVIL SERVICE**

Pursuant to New Jersey case law if a municipality where a Fire District is located is subject to Civil Service then the Fire District is subject to Civil Service rules and regulations. The nuances of Civil Service are too numerous and varied to outline here, therefore please consult your attorney concerning these issues. These issues and services are under the jurisdiction of the New Jersey Department of Personnel (D.O.P.).



## *SECTION # 20*

### **FAIR LABOR STANDARD ACT (GARCIA)**

The Fire Labor Standards Act applies to Fire Districts and paid employees of the Fire District. The provisions of the Act must be adhered to and should be examined. The issue to be addressed within the context of this booklet is "Garcia." This concept stands for the principle that a volunteer firefighter cannot be a volunteer and career employee for the Fire District pursuant to the same job responsibilities. Much discussion has ensued at the state and federal level of government to change this law however it would require an Act of Congress which has not occurred to date. A violation of this principle could result in monetary damages and penalties to the Fire District and therefore must be carefully followed. Your Fire District solicitor should address any questions or the State Department of Labor may be contacted. However, be advised that the State Department of Labor in addressing your concerns will issue a written ruling which you may follow only after your issue is addressed in writing to the Department of Labor in Washington, DC. They will provide a written response that will give you their official opinion that must be followed. This procedure has been known to take months to secure.

## *SECTION # 21*

### **EMERGENCY MEDICAL SERVICE (EMS)**

The statutory purpose of a Fire District is the extinguishment and prevention of fires. EMS is not set forth in the New Jersey statutes as a purpose or function of a Fire District. However many Fire Districts provide EMS. There is a persuasive argument that can be presented on either side of the issue of whether a Fire District should be providing EMS. Legislation is being proposed to address this issue and clarify the right of a Fire District to provide same on a permissive basis.

The statute is clear concerning the manner in which Fire Districts can provide financial assistance for first aid organizations. This statute (40A:14-85.1) should be examined carefully and adhered to. There is currently discussion concerning legislation to expand the manner in which a fire district may provide such assistance pursuant to this statutory section.

Fire and EMS are in many instances intermingled and provided by many fire organizations. The legislation will hopefully be enacted to address these activities.

## SECTION # 22

### OPEN PUBLIC RECORDS ACT (OPRA) (N.J.S.A. 47:1A-1 et seq.)

The "OPEN PUBLIC RECORDS ACT" Chapter 404 P. L. 2001 was signed into law on January 8, 2002. This is a law to increase the public's accessibility to view and copy government records maintained by public agencies of the state. The law covers the Executive branch of state government and all independent state agencies, counties, municipalities, school districts and authorities (***FIRE DISTRICTS***). Generally speaking government record means any record that has been made, maintained, or kept on file in the course of official business by a public agency or officer of that public agency or that has been received in the course of official business by a public agency or an officer of that public agency (*Board of Fire Commissioners or a Fire Commissioner*).

There are certain items which are restricted and may not be released, this information is too lengthy to be listed here and at time of publication is still being debated on. Again, in these important legal matters the Board should rely on current rules, regulations and advice of their legal counsel if in doubt. There are time constraints and other wording pertaining to attitude received by anyone requesting information that all Commissioners should be made aware of.

## APPENDIX

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STATE OF NEW JERSEY  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF LOCAL GOVERNMENT SERVICES  
BUREAU OF AUTHORITY REGULATION

2002 FIRE DISTRICT BUDGET CALENDAR

(All due dates are based on calendar periods)

<u>Actions</u>	<u>Statutory Dates</u>	<u>Suggested Dates</u>
Introduction and approval of budget by Fire Commissioners, at least 60 days prior to the annual election. LOSAP resolution must be adopted.	12/18/01	11/01/01
District submits two copies of budget as introduced and approved by the Fire Commissioners to the Director of the DLGS, at least 60 days prior to the annual election. Submit two copies of adopted LOSAP resolution to DLGS.	12/18/01	11/01/01
Advertisement of public hearing, etc., at least ten days prior to such hearing.	01/05/02	11/19/01
A complete copy of the approved budget is posted and made available to each person requesting a copy during the week preceding the hearing and during the hearing.	01/08/02 to 01/15/02	11/22/01 to 11/29/01
Public hearing to be held not less than twenty-eight days after approval of the budget by Fire Commissioners. (After closing hearing, Fire Commissioners may adopt the budget without amendments, or may approve amendments).	01/15/02	11/29/01
Adoption of budget not later than twenty-five days prior to the annual election.	01/22/02	11/29/01
District submits two copies of adopted budget to Director within seven days after adoption.	01/29/02	12/06/01
Division returns one certified copy of adopted budget to District within seven days.	02/05/02	12/13/01
Advertisement of certified, adopted budget at least seven days prior to the annual election.	02/09/02	02/09/02
Annual Election and LOSAP ratification.	02/16/02	02/16/02
Submit annual election results to Director within five days after annual voter referendum.	02/21/02	02/21/02

# *New Jersey State Association of Fire Districts*

Jake Genovay 11 Chinnick Ave. Hamilton, NJ 08619-3401 (609) 586-7564

## 2002 FIRE DISTRICT BUDGET & ELECTION SCHEDULE

### DECEMBER

- |   |                 |
|---|-----------------|
|   | N.J.S.A.        |
| 18 Last day to introduce budget                           | 40A:14-78.1     |
| 18 Last day to submit budget to Local Government Services | 40A:5A-1et seq. |
| 25 Last day to publish notice to absentee voters          | 19:57.7         |

### JANUARY

- |  |             |
|--|-------------|
| 4 Last day to publish 1 <sup>st</sup> election notice  | 40A:14-72   |
| 18 Last day to receive petitions from candidates   | 40A:14:71   |
| 21 Last day to hold public hearing on budget<br>(NOTE) Hearing must be held no less than 28 days after<br>Introduction. Location, date & time must be legally advertised<br>at least 10 days prior to meeting. | 40A:14-78.2 |
| 21 Last day to adopt budget  | 40A:14-78.4 |
| 28 Last day to submit adopted budget to D.L.G.S  |             |

### FEBRUARY

- |   |                       |
|---|-----------------------|
| 8 Last day to pick up registry lists  | 40A:14-74             |
| 8 Last day to publish 2 <sup>nd</sup> election notice & budget  | 40A:14-74 & 78.4      |
| 14 Last day for Secretary to register new voters  | 40A:14-74             |
| 16 <b>ELECTION MUST BE HELD</b><br>(NOTE) <b>POLLS MUST BE OPENED</b><br><b>FROM 2:00 PM TO 9:00 PM</b> | 40A:14-74             |
| 21 Last day to submit "certification of results of election"<br>form to D.L.G.S.                        | 40A:14-76             |
|   | NJAC 5:31-2.4 et seq. |

Petitions must contain specific wording:  
**ALL CANDIDATES MUST FILE WITH  
ELECTION LAW ENFORCEMENT COMMISSION**

### Post Election

### APRIL

- |   |           |
|---|-----------|
| 30 Last day for the Auditor file the Annual Audit with the<br>Division of Local Government Services | 40A:5A-15 |
|---|-----------|

### May

- |   |           |
|---|-----------|
| 5 Last day to file certified duplicate copy of audit to<br>the local governing body | 40A:5A-15 |
| 10 Last day to publish synopsis of audit in newspaper                               | 40A:5A-16 |

**NOTE: A copy of synopsis to be filed with the Director of  
Local Government Services within 10 days of publication**

**Affidavit: Board members must sign an affidavit within  
45 days of receipt of Annual Audit stating they personally  
reviewed the report and noted specifically the General  
Comments & Recommendations sections**

40A:5A-17

S

### CIVILIAN ABSENTEE BALLOT

**PARTY CHOICE:**

You must apply for an absentee ballot for each Election. I hereby apply for an absentee ballot for the:  
(Check one)

- Primary
- General
- Municipal
- Special
- Local
- Regional School
- Voc. Tech.
- Other

A

Fire District • Saturday, February 17, 2001

**CHECK AND COMPLETE**

I live in the  City  Town  Township  Borough  Village of Monroe

My legal residence address including Street Number and/or R.D. Number and Box Number is as follows:  
Street Address \_\_\_\_\_

Municipality \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone \_\_\_\_\_

Mail my ballot to the following address:

Street Address \_\_\_\_\_

Municipality \_\_\_\_\_ Zip Code \_\_\_\_\_ Phone \_\_\_\_\_

**CHECK REASON FOR BALLOT**

I am unable to vote at my regular polling place on election day because:

- I expect to be absent from the State of New Jersey on election day.

Date of Departure \_\_\_\_\_

- Of illness or physical disability including blindness or pregnancy, I will be unable to vote at my polling place on election day.

- I am permanently and totally disabled.

State reason \_\_\_\_\_

- Observation of a religious holiday on election day.

- Resident attendance at a school, college or University on election day.

- Of nature and hours of my employment on election day.

Under penalty of Law, I certify that the foregoing statements made by me are true and correct.

**SIGN YOUR NAME AS IT APPEARS IN REGISTRY BOOK**

**PRINT OR TYPE YOUR NAME**

If sick or confined a voter may apply for an absentee ballot by authorized messenger.

I designate \_\_\_\_\_ to be my authorized messenger.

(Name of Messenger)

(Signature of Voter)

Authorized messenger must sign application only in presence of County Clerk designee.

Signature of Messenger

Street Address

Municipality

Zip Code

MAIL TO:

MIDDLESEX COUNTY CLERK, COUNTY COURT HOUSE, P.O. BOX 1110  
NEW BRUNSWICK, NJ 08903-1110

E

S



**NOTICE TO MILITARY SERVICE  
VOTERS AND TO THEIR  
RELATIVES AND FRIENDS**

If you are in the military service or the spouse or dependent of a person in military service or are a patient in a veterans hospital or a civilian attached to or serving with the Armed Forces of the United States without the State of New Jersey or the spouse or dependent or anyone accompanying or residing with a civilian attached to or serving with the Armed Forces of the United States, and desire to vote, or if you are a relative or friend of any such person who, you believe, will desire to vote in the South Brunswick Fire Districts No. 1, 2 or 3 Fire Districts Elections to be held on February 17, 2001, kindly write to the undersigned at once making application for a military service ballot to be voted in said Election to be forwarded to you, stating your name, age, serial number if you are in military service, home address and the address at which you are stationed or can be found, or if you desire the military service ballot for a relative or friend then make an application under oath for a military service ballot to be forwarded to him, or her, stating in your application that he is over the age 18 years and stating his name, serial number if he is in military service, home address and the address at which he is stationed or can be found.

Military service voters may also apply for a military service ballot by sending a federal postcard application form to the undersigned.

On the application for a military service ballot, military service voters may request that a military service ballot be sent for all subsequent elections held during the calendar year.

**(NOTE: MILITARY SERVICE VOTER CLAIMING MILITARY STATION AS HOME ADDRESS FOR VOTING PURPOSES MAY NOT USE MILITARY ABSENTEE BALLOT UNLESS REGISTERED TO VOTE IN THE MUNICIPALITY WHERE SUCH STATION IS LOCATED.)**

Forms of application can be obtained from the undersigned.

DATED: December 20, 2000.

**MIDDLESEX COUNTY CLERK  
COUNTY COURT HOUSE  
P.O. BOX 1110  
NEW BRUNSWICK, NJ. 08903-1110**

**NOTICE TO PERSONS DESIRING  
CIVILIAN ABSENTEE BALLOTS**

If you are a qualified and registered voter of the State who expects to be absent outside the State on February 17, 2001 or a qualified and registered voter who will be within the State on February 17, 2001 but because of permanent and total disability, or because of illness or temporary physical disability or because of the observance of a religious holiday pursuant to the tenets of your religion, or because of resident attendance at a school, college or university, or because of the nature and hours of employment, will be unable to cast your ballot at the polling place in your district on said date, and you desire to vote in the South Brunswick Fire District No. 1, 2 or 3 Fire District Elections to be held on February 17, 2001, kindly complete the application form below and send to the undersigned, at once requesting that a Civilian Absentee Ballot be forwarded to you. Such request must state your home address, and the address to which said ballot should be sent, and must be signed with your signature, and state the reason why you will not be able to vote at your usual polling place. No Civilian Absentee Ballot will be furnished or forwarded to any applicant unless request therefore, containing the foregoing information is received not less than 7 days prior to the Election, or application is made to the undersigned prior to 3:00pm on the day before said Election.

Voters, who are permanently and totally disabled shall, after their initial request and without further action on their part, be forwarded an absentee ballot application by the County Clerk for all future Elections in which they are eligible to vote. Application forms may be obtained by applying to the undersigned either in writing or by telephone, or the application form provided below may be completed and forwarded to the undersigned.

DATED: December 20, 2000

**MIDDLESEX COUNTY CLERK  
COUNTY COURT HOUSE  
P.O. BOX 1110, NEW BRUNSWICK, NJ 08903-1110**

**INSTRUCTIONS**

- 1. Fill or application. Print and sign your name where indicated.
- 2. Mail or deliver application to your County Clerk.

**INFORMATION**

- 1. You must be a registered voter.
- 2. You will not be permitted to vote at your polling place in the same election.
- 3. Your absentee ballot must be received by the County Board of Election before the close of polls on Election Day (9 pm)
- 4. You will receive instructions with your ballot.
- 5. Your ballot will be mailed on or before the 40th day prior to Election Day.
- 6. Do not submit more than one application for the same election.
- 7. You Must apply for an absentee ballot for each election.

**WARNING**

This application must be received by the County Clerk not later than seven (7) days prior to the election unless you apply in person or if sick or confined via authorized messenger during County Clerk's office hours to 3 pm the day prior to the election.

L



To \_\_\_\_\_, Clerk of the Board of Fire Commissioners of Fire District No. \_\_\_\_ of the Township of \_\_\_\_\_ in the County of \_\_\_\_\_, New Jersey. We, the undersigned by certify that we are qualified voters of Fire District No. \_\_\_\_ in the County of \_\_\_\_\_, State of New Jersey.

We endorse \_\_\_\_\_ as a candidate for election to the Board of Fire Commissioners of said District for the full term of three (3) years at the annual election to be held in said Fire District on the \_\_\_\_ day of February, \_\_\_\_ and request that his or her name be printed on the Official Ballot to be used at said lection. We further certify that the said \_\_\_\_\_ is legally qualified under the laws of the State of New Jersey to be elected a member of said Board of Fire Commissioners and that (s)he resides within said district at \_\_\_\_\_ and the zip code is \_\_\_\_\_.

NAME

ADDRESS

ZIP

M

P

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I, \_\_\_\_\_, the Candidate endorsed in the foregoing petition, hereby certify that I am qualified to be elected a member of the Board of Fire Commissioners of Fire District No. \_\_\_\_ of the Township of \_\_\_\_\_ in the County of \_\_\_\_\_, New Jersey and consent to stand as a Candidate to said Board at the Annual Election to be held in said District on February \_\_\_\_ and if elected, agree to accept election and serve as a member of said Board.

Signed \_\_\_\_\_

State of New Jersey      SS  
County of \_\_\_\_\_

\_\_\_\_\_ being duly sworn according to law upon h\_\_\_ oath deposes and says that he is one of the foregoing petitioners; that said petition is signed in their own proper handwriting by each of the signers thereof, that the said signers are to the best of the knowledge and belief of the affiant, legally qualified to vote at the Annual Election to be held on February \_\_\_\_\_, \_\_\_\_\_ in Fire District No. \_\_\_\_\_ of the Township of \_\_\_\_\_, County of \_\_\_\_\_, in the State of New Jersey; and the petition is prepared and filed in good absolute faith for the sole purpose of endorsing the Candidate herein named in order to secure his or her election as a member of the Board of Fire Commissioners of said District.

Signed \_\_\_\_\_

M

Sworn and subscribed to before \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

P

NOTE:

Petition must be signed by at least ten (10) valid qualified voters of the District.  
Petition must be filed with the Clerk of the Board at least 28 days before the date of the election.

No petition shall endorse the name of more than one candidate; all the names need not be signed to one petition, but that any number of petitions of the same purport may be filed, provided that in the aggregate the signatures thereto endorsing any one person as a Candidate shall contain at least the names of ten signers.

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**NOTICE**

**ALL CANDIDATES ARE REQUIRED BY LAW TO COMPLY WITH THE PROVISIONS OF THE "NEW JERSEY CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORTING ACT" P. L. 1973 C. 83 (C. 19:44A-1 ET SEQ.)**  
For further information, please call (609) 292-8700

E

CANDIDATE - SWORN STATEMENT

FORM A-1

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION  
CN-185 TRENTON, NEW JERSEY 08625-0185

This "Sworn Statement," Form A-1 may be filed in lieu of "Report of Contributions and Expenditures," Form R-1, when the total amount expended or to be expended on behalf of a candidacy by the candidate, any other candidate, person, or committee shall not, in the aggregate, exceed \$2,400 for this election.

FOR STATE USE ONLY

PLEASE TYPE OR PRINT

ELECTION DATE	COUNTY	CANDIDATE NAME	
LEGAL NAME OF ELECTION DISTRICT OR MUNICIPALITY		STREET ADDRESS	
OFFICE SOUGHT			CITY
ELECTION TYPE (PRIMARY, GENERAL, MUNICIPAL, RUN-OFF, SCHOOL, SPECIAL, OTHER)			STATE
			ZIP CODE
POLITICAL PARTY, IF ANY		(AREA) DAY TELEPHONE	(AREA) EVENING TELEPHONE

I, the undersigned, do hereby certify as follows:

- The total amount expended or to be expended on behalf of my candidacy by me or by any other candidate, person, or committee shall not, in the aggregate, exceed \$2,400 for this election.
- I am aware that in the event the total amount expended or to be expended on behalf of my candidacy by me or by any other candidate, person or committee shall, in the aggregate, exceed \$2,400, I am required to file a "Report of Contributions and Expenditures," Form R-1, on each subsequent reporting date.
- I am aware that if I receive contributions from any one source aggregating more than \$300, I am required to report the contributions to the Commission on "Supplemental Contributor Information," Form C-1, including the identity of the source and the aggregate total of contributions therefrom, and, if the contributor is an individual, his/her occupation and the name and address of his/her employer.
- I am aware that if I receive contributions in the aggregate in excess of \$600 from one source during the period between the 13th day before the election and the day of the election, I am required to notify the Commission in writing within 48 hours of receipt of the contribution and to identify the source and the aggregate amount received therefrom during the period, and, if the contributor is an individual, his/her occupation and the name address of his/her employer.
- I am aware that I, as a candidate, am required to designate a campaign treasurer and a campaign depository and that I am required to file with the Commission a "Designation of Campaign Treasurer and Depository," Form D-1, no later than 10 days after receipt of any contribution on behalf of my candidacy or 10 days after making any expenditure on behalf of my candidacy, whichever comes first.

I certify that my statements on this document are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

CANDIDATE SIGNATURE	DATE
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S

**NOTICE OF ANNUAL ELECTION FOR  
THE COMMISSIONERS OF FIRE DISTRICT NO. \_\_\_\_  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_**

NOTICE is hereby given that the Commissioners of Fire District No. \_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, shall ask the legal voters of said fire district on Saturday, February 19, 2000, between the hours of 2:00 p.m. and 9:00 p.m. or longer if necessary, to approve or disapprove of the proposed 2000 Annual Budget. Said voting shall take place at the \_\_\_\_\_ Firehouse, \_\_\_\_\_, New Jersey.

The legal voters of said fire district shall also be asked to elect two (2) Commissioners to said Board of Fire Commissioners for a three (3) year term.

The closing date for the filing of Petitions of Nominations to the Secretary of the Board relative to candidacy for said term shall be January 22, 2000. All nomination petitions may be obtained from the Secretary of the Commissioners of Fire District No. \_\_\_\_, in the Township of \_\_\_\_\_, County of \_\_\_\_\_.

P

BY: \_\_\_\_\_, Secretary  
The Commissioners of Fire District  
No. \_\_\_\_, in the Township of \_\_\_\_\_,  
County of \_\_\_\_\_

L

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IRE S  
COMMISSIONERS

HAMILTON TOWNSHIP FIRE DISTRICT # 4

HAMILTON FIRE COMPANY, INC.  
STATION 14-1  
ENTERPRISE VOL. FIRE COMPANY  
STATION 14-2



Jacob J. Genovay, *Secretary*  
11 Chinnick Avenue  
Hamilton, NJ 08619-3401  
---  
(609) 586-7564  
Fax (609) 587-1836

FIRE COMMISSIONERS  
FIRE DISTRICT # 4  
HAMILTON TOWNSHIP, NEW JERSEY



THE BOARD OF COMMISSIONERS WILL HOLD THEIR ANNUAL ELECTION ON SATURDAY, FEBRUARY 16, 2002. SAID ELECTION WILL BE HELD AT THE HAMILTON FIRE COMPANY HEADQUARTERS LOCATED AT 1805 EAST STATE STREET BETWEEN THE HOURS OF 2:00 PM TO 9:00 PM.

THE BUDGET AS LISTED BELOW WAS ADOPTED AT THE REGULARLY SCHEDULED BUDGET MEETING HELD ON THURSDAY, JANUARY 10, 2002. A FULL COPY OF THE BUDGET IS POSTED AT BOTH FIRE STATIONS IN THE DISTRICT FOR ANY PERSONS WISHING TO REVIEW IT.



ADMINISTRATION – OPERATIONS	\$
OPERATIONS	\$
CAPITAL APPROPRIATIONS	\$
FIRE PREVENTION BUREAU	\$
SURPLUS	\$
TOTAL APPROPRIATIONS	\$
LESS REVENUES	\$
AMOUNT RAISED BY TAXATION	\$



William J. Kiernan, SR. Chairman  
Jacob J. Genovay, Secretary



S

TO PROTECT YOUR VOTE:

IT IS AGAINST THE LAW FOR ANYONE BUT YOU, THE VOTER TO MARK OR INSPECT THIS BALLOT. HOWEVER, A FAMILY MEMBER MAY ASSIST YOU IN DOING SO. IF YOU ARE AN INCAPACITATED ABSENTEE VOTER, A PERSON OTHER THAN A FAMILY MEMBER MAY ASSIST YOU IN DOING SO.

A

FIRE DISTRICT ELECTION BALLOT

TOWNSHIP OF HAMILTON, COUNTY OF MERCER

FIRE DISTRICT # 4

FEBRUARY 16, 2002

HAMILTON FIRE COMPANY

Jacob J. Genovay

ENTERPRISE VOL. FIRE COMPANY

CLERK

TO VOTE FOR ANY PERSON WHOSE NAME APPEARS ON THIS BALLOT, MARK A CROSS (X) OR A PLUS (+) OR A CHECK (✓) MARK WITH INK OR PENCIL IN THE PLACE OR SQUARE AT THE LEFT OF THE NAME OF SUCH PERSON.

M

FOR MEMBERSHIP TO THE BOARD OF FIRE COMMISSIONERS  
FULL TERM - 3 YEARS

VOTE FOR ONE (1)

EDWARD GROBELNY

JOHN L. NEWBON, SR.

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YES

RESOLVED THAT \$ 1,480,300 ITEM # VI IN BUDGET APPROVED JANUARY 10, 2002 AT PUBLIC HEARING BE TOTAL AMOUNT TO BE RAISED BY TAXATION.

NO

J

YES

RESOLVED THAT THE EXPENDITURE OF UP TO \$ 750,000 IS APPROVED FOR THE PURCHASE OF LAND FOR CONSTRUCTION OF A SINGLE FIREHOUSE TO SERVE THE DISTRICT, REPLACING THE TWO FIREHOUSES CURRENTLY IN USE, AND TO APPROVE THE FINANCING OF UP TO FIFTY PERCENT OF THE PRICE

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CERTIFICATION TO THE TOWNSHIP/BOROUGH TAX ASSESSOR

I, , Secretary/Clerk of The Commissioners of Fire District No.

do hereby certify that the amount to be raised

by taxation for the year 1998 is \$ .

This amount was approved by the voters at an election held on February 21, 1998.

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Dated:

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\_\_\_\_\_  
Secretary/Clerk

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# Oath of Allegiance

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I, \_\_\_\_\_ do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the governments established in the United States and in this state, under the authority of the people, so help me God.

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I do further solemnly swear (or affirm) that I will impartially and justly perform all the duties of the office of \_\_\_\_\_ according to the best of my ability. So help me God.

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Sworn and subscribed before me

this \_\_\_\_\_ day of \_\_\_\_\_

19\_\_\_\_

P.O. Address

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

Authorizing Regular Meeting Schedule  
for the 1998-1999 Year

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WHEREAS, Public Law 1975, Chapter 231, Section 13, requires a public body to post and maintain posted, to distribute to designated newspapers, and to further file with the Municipal Clerk for the purpose of public inspections, a schedule of the regular meetings of such public body to be held during the calendar year; and,

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WHEREAS, such schedule of regular meetings is required to contain the location of each meeting, to the extent that it is known, and the time and date of each meeting; and,

WHEREAS, Public Law 1975, Chapter 231, Section 3-D, provides that where the annual notice or revisions thereof, in compliance with sections of the subject act, set forth the location, time and date of any meeting, no further action shall be required for such meeting.

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NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

(1) All regular meetings of the Commissioners shall take place at \_\_\_\_\_ p.m. on the following dates at the \_\_\_\_\_ :

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(2) A summary of this resolution shall be mailed to the \_\_\_\_\_ and the \_\_\_\_\_

(3) A summary of this resolution shall be posted and shall be maintained on the official bulletin board of the Township of \_\_\_\_\_ and shall also be kept on file by the Municipal Clerk for purposes of public inspection.

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**Notice of Special Meeting**

Please be advised that the Commissioners of Fire District No. \_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, shall hold a special meeting on \_\_\_\_\_, at 8:00 p.m. at the \_\_\_\_\_ Firehouse, \_\_\_\_\_ to secure voter approval to purchase a \_\_\_\_\_. At said meeting the legal voters shall either approve or disapprove of said proposed capital project and determine the amount of monies to be expended relative to same. Formal action shall be undertaken.

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Commissioner \_\_\_\_\_, Secretary  
\_\_\_\_\_ Fire District No. \_\_\_\_

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

Authorizing Approval and Payment of Claims

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WHEREAS, the Local Finance Board has adopted rules and regulations which apply to municipal entities, and the fire district is a municipal entity as defined in the rules and regulations as promulgated by the Local Finance Board; and

WHEREAS, Subchapter 4, Section 5:31-4.1(e) provides that payment of claims by the fire district shall be by check on the fire district and signed by the governing body chairman, the chief financial officer and countersigned by such other officer or officials as designated by resolution; and

WHEREAS, Subchapter 4, Section 5:31-4.2 further provides that the Commissioners, at their reorganizational meeting, designate, by resolution, the individuals whose signatures shall appear on checks drawn upon the treasury of the Commissioners; and

WHEREAS, Subchapter 4, Section 5:31-4.1(f) provides that the Commissioners shall, by resolution passed by not less than the majority of the full membership, further designate the manner in which the time in which salaries, wages or other compensation for services shall be paid.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

- (1) The checks as issued by the Commissioners for payment of claims shall be signed by the President, Treasurer and countersigned by one other Commissioner in order that the Commissioners comply with the rules and regulations as promulgated by the Local Finance Board and as set forth herein.
- (2) The manner in which and the time in which compensation for services rendered by

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employees of the Commissioners shall be paid shall be in accordance with individual employment contracts. The Commissioners' salaries shall be paid as determined by the Commissioners.

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

A \_\_\_\_\_  
Authorizing Appointment of Attorney  
for the 1998-1999 Year

WHEREAS, there exists a continuing need for legal services to be provided to the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, \_\_\_\_\_, concerning various responsibilities undertaken by the Commissioners; and,

WHEREAS, the Commissioners are desirous of making an appointment to this position as referenced above for the year of 1998-1999; and,

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, provides that a governing body may award a contract without public advertising for competitive bidding where the nature of said contract is in the form of a professional service; and,

WHEREAS, the subject resolution providing for the awarding of a contract relative to professional services and the notice of the award of contract shall be available for public inspection; and,

WHEREAS, the Local Public Contract Law, N.J.S.A. 40A:11-5(1)(a)(i), provides that a notice of the award of said contract shall be published in a newspaper, said advertisement stating the nature, duration and amount of the contract.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

- (1) Richard M. Braslow, Esq., is hereby appointed to provide legal services to the Commissioners relative to any and all issues presented to the Commissioners pursuant to any of its obligations or responsibilities. This appointment is made pursuant to the proposal attached hereto and made a part hereof.

**S** of the Department of Community Affairs and with the New Jersey statutes. This appointment is made pursuant to the proposal as submitted and attached hereto.

(2) This resolution and the notice of award of contract shall be available for public inspection.

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

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Designation of Official Newspapers for  
Publications for the 1998-1999 Year

WHEREAS, the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, must, by statutory law, publish various items in order to comply with said requirements of statutory law; and

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WHEREAS, the Commissioners are desirous of designating various newspapers as official newspapers in which the Commissioners may publish its various items during the 1998-1999 year.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_, in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

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(1) The official newspapers in which the Commissioners will publish all required notices or other items during the 1998-1999 year pursuant to New Jersey statutes shall be The \_\_\_\_\_, unless said New Jersey statutory law otherwise mandates that a newspaper other than those as referenced herein be used for said publications.

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

A \_\_\_\_\_  
Designating Surety Bonding for Treasurer, Etc.

WHEREAS, the Local Finance Board has adopted rules and regulations which apply to municipal entities, and the Fire District is a municipal entity as defined in the rules and regulations as promulgated by the Local Finance Board; and

WHEREAS, Subchapter 6, Section 5:31-6.1 provides that the fire district shall, by resolution, designate employees and officials required to furnish surety bonds and determine minimum bonds for each such employee and official; and

WHEREAS, the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, deem it necessary to provide bonding for the President, Vice President and Treasurer of the Fire District.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

- (1) All Commissioners shall be bonded in the amount of approximately \$ \_\_\_\_\_

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution

Adoption of Temporary Budget for 2000

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WHEREAS, it has become necessary for the Commissioners of Fire District No. in the Township of \_\_\_\_\_, County of \_\_\_\_\_ by resolution, to adopt a temporary budget to make appropriations and to provide for the period between the beginning of the fiscal year, January 1, 2000 and the adoption of the budget by the legal voters of the fire district, which election is scheduled for February 19, 2000.

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NOW, THEREFORE, be it RESOLVED by the Commissioners of Fire District No. in the Township of \_\_\_\_\_, County of \_\_\_\_\_ as follows:

- (1) A temporary budget is hereby adopted to be effective from the beginning of the fiscal year as noted above and to be in full force and effect until the adoption of the annual fire district budget as referenced above; the total of the appropriations of the temporary budget to reflect not in excess of 14% of the total of the appropriations made for all purposes in the budget for the preceding fiscal year exclusive of appropriations for interest and debt redemption charges and capital improvements.

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THE COMMISSIONERS OF FIRE DISTRICT NO. \_\_\_\_  
IN THE BOROUGH OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

Authorizing Budget Transfers and  
Encumbrances Relative to 1999 Budget

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WHEREAS the Commissioners are authorized to undertake various budget transfers and encumbrances by statute; and

WHEREAS it is necessary to undertake certain transfers and encumbrances.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_ in the Borough of \_\_\_\_\_, County of \_\_\_\_\_ as follows:

- (1) The budget transfers and encumbrances as reflected on Schedule A are hereby adopted.

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution #

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Authorizing Appointment of Auditor  
for the 1998-1999 Year

WHEREAS, there exists a continuing need for certain auditing services to be provided to the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, concerning various responsibilities undertaken by said Commissioners; and,

WHEREAS, the Commissioners are desirous of making an appointment to this position as referenced above for the 1998-1999 year; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, provides that a governing body may award a contract without public advertising for competitive bidding where the nature of said contract is in the form of a professional service; and,

WHEREAS, the subject resolution providing for the awarding of this contract relative to professional services, and the notice of award of said contract shall be made available for public inspection; and,

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), provides that a notice of the award of said contract be published in a newspaper, said advertisement stating the nature, duration and amount of the contract.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

(1) \_\_\_\_\_ is hereby appointed to provide auditing services to the Commissioners for assistance in preparation of the 1999 budget and for establishment and maintenance of the necessary documentation consistent with the requirements and the regulations

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This resolution and the notice of award of contract shall be available for public inspection.

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THE COMMISSIONERS OF FIRE DISTRICT NO.  
IN THE TOWNSHIP OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

Resolution # \_\_\_\_\_

Adoption of Cash Management Plan

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WHEREAS, the Local Finance Board has adopted rules and regulations which apply to municipal entities and the fire district is a municipal entity as defined in the rules and regulations as promulgated by the Local Finance Board; and,

WHEREAS, Subchapter 3, Section 5:31-3.1(a) provides that the governing body shall, by resolution passed by not less than a majority of the full membership, adopt a cash management plan, which shall include the designation of a depository, the State of New Jersey Cash Management Fund or a public depository or depositories.

NOW THEREFORE, be it RESOLVED by the Commissioners of Fire District No. \_\_\_\_\_ in the Township of \_\_\_\_\_, County of \_\_\_\_\_, as follows:

- (1) This resolution shall act as a formal adoption by the Commissioners of a cash management plan, which shall allow for official depositories of the Commissioners to be

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RESOLUTION

WHEREAS, N.J.S.A. 40A:5A-15 requires the governing body of each local authority to cause an annual audit of its accounts to be made, and

WHEREAS, the annual audit report for the fiscal year ended \_\_\_\_\_ has been completed and filed with the \_\_\_\_\_ pursuant to N.J.S.A. 40A:5A-15, and

WHEREAS, N.J.S.A. 40A:5A-17 requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report entitled "General Comments" and "Recommendations," and has evidenced Same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations" in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE BE IT RESOLVED, that the governing body of the \_\_\_\_\_ hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended \_\_\_\_\_, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced Same by group affidavit in the form prescribed by the Local Finance Board,

BE IT FURTHER RESOLVED that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.

IT IS HEREBY CERTIFIED THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON \_\_\_\_\_

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

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LOCAL AUTHORITIES  
GROUP AFFIDAVIT FORM

PRESCRIBED BY  
THE NEW JERSEY LOCAL FINANCE BOARD

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AUDIT REVIEW CERTIFICATE

We, the members of the governing body of the \_\_\_\_\_

Being of full age and being ~~duly sworn~~ according to law, upon our oath depose and say:

1. We are duly ~~appointed~~/elected (cross out one) members of the \_\_\_\_\_

2. We certify, pursuant to N.J.S.A. 40A:5A-17, that we have each review the annual audit report for the fiscal year ended \_\_\_\_\_, and specifically the sections of the audit report entitled "General Comments" and "Recommendations."

[Print]

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[Signature]

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Sworn to and subscribed before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_

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Resolution #

WHEREAS, in accordance with the Single Audit Act, it is necessary for the Fire District to prepare a Corrective Action Plan as part of the annual audit process; and

WHEREAS, it is further required that all findings and recommendations contained in the audit report be addressed by the Chief Financial Officer of the Fire District by means of a Corrective Action Plan which will address the method of resolving any problems as set forth in the findings and recommendations of the audit report; and

WHEREAS, said Corrective Action Plan is to be submitted to the Division of Local Government Services and placed on file with the Clerk or Secretary of the Fire District within 60 days from the date the audit is received by the fire district,

NOW, THEREFORE be it RESOLVED by the Fire District, as follows:

(1) The Corrective Action Plan as attached is hereby adopted by the Fire District in accordance with applicable statutory laws or regulations.

(2) A copy of Same shall be forwarded to all appropriate parties.

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