

THE COMMISSIONERS OF FIRE DISTRICT NO. 1
TOWNSHIP OF PLAINSBORO
COUNTY OF MIDDLESEX
BY-LAWS

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ARTICLE I

GENERAL

Section 1. NAME

This organization shall be known as the COMMISSIONERS OF FIRE DISTRICT NO. 1 IN THE TOWNSHIP OF PLAINSBORO, COUNTY OF MIDDLESEX hereinafter referred to as the “Commissioners” or “Commission” or “Board”.

Section 2. PURPOSE

The purpose of the Commission is the administration of the fire district. The Commission shall endeavor to cooperate in any cause which is for the good of the community such as, but not limited to, the protection of life and property, and the preservation of law and order.

Section 3. CREATION

Pursuant to N.J.S.A. 40A:14-70, the Commission was created by ordinance of the Township Committee of the Township of Plainsboro, County of Middlesex and approved by resolution on September 18, 1990 by the Local Finance Board of the State of the State of New Jersey.

Section 4. GENERAL POWERS

The general powers of the Commissioners are specifically set forth in N.J.S.A. 40A:14-81 and supplemented by various statutory sections N.J.S.A. 40A:14-70, et seq.

Section 5. LIMITS OF THE FIRE DISTRICT

The limits of Fire District No. 1 of the Township of Plainsboro is as follows: All lands within the physical boundaries of the Township of Plainsboro as the same may exist from time to time.

Section 6. SEAL

The official seal of the Commissioners shall consist of an embossed impression of a circular metallic disc containing, in the outer rim the words “The Commissioners of Fire District No. 1 Township of Plainsboro”

ARTICLE II
MEMBERSHIP

Section 1. COMMISSIONERS

Pursuant to the provisions of N.J.S.A. 40A:14-70 et seq., the Commission shall consist of five (5) persons elected by ballot by the legal voters of said Fire District.

Section 2. ELECTION

Elections to membership to the Commissioners are regulated by N.J.S.A. 40A:14-70 through N.J.S.A. 40A:14-78, inclusive, All elections for membership to the Commissioners are to be held to compliance with said statutory sections.

Section 3. CLASSES OF MEMBERSHIP/ELECTION TERMS

N.J.S.A. 40A:14:-70 states that the Commissioners shall divide themselves into three classes of members. The first class of member shall consist of two (2) members to be elected for terms of one (1) year each. The second class of members shall consist of two (2) members to be elected for terms of two (2) years each. The third class shall consist of one (1) member to be elected for a term of three (3) years.

Section 4. VACANCY

If a vacancy shall occur in the membership of said Commissioners, said vacancy shall be filled by the remaining members until the next succeeding annual election, at which time, a resident of the Fire District shall be elected for the unexpired term.

ARTICLE III
ELECTED OFFICERS

Section 1. TITLES

The elected officers of the Commissioners shall consist of the following:

Chairman,
Vice-Chairman,
Secretary,
Treasurer,
Purchasing Agent,
Commissioner of Personnel
Commissioner of Insurance

Commissioner of Computer Systems/IT
Commissioner of Development Review Committee (DRC)
Commissioner of Apparatus, Equipment and Facilities

These officers shall be elected by the Commissioners from its members at the annual organizational meeting each year, which meeting shall be held on the first regular meeting after the election regarding Commissioners membership, which is held each year. The said officers shall be elected to and hold office pursuant to the provisions of Article II of this document.

Section 2. MULTIPLE OFFICES

Commissioners may hold multiple offices from the list provided in ARTICLE III, Section 1, however, the offices of Chairman and Treasurer must be held by different individuals.

Section 3. ABSENCE

In the absence of any officer, the Commissioners may, by a majority vote of the members present, delegate the powers and duties of each officer to any other officer or member during the period of absence.

Section 4. BONDING

All Commissioners shall be bonded.

ARTICLE IV

OFFICERS AND THEIR DUTIES

Section 1. CHAIRMAN

(1) The Chairman shall preside at all meetings of the Commissioners; provide general supervision and direction of the affairs of the Board; appoint committees and act as a member Ex-Officio of the same; make all appointments not otherwise provided for in these By-Laws; call all special meetings, as necessary; act in the capacity of the Chief Executive Officer of the Board; and sign all contracts, drafts, and checks relative to the Commissioners general account. Said checks are also to be signed by the Treasurer and a third member of the Commissioners as designated. The Chairman shall perform such other duties as are necessary and incidental to said office.

(2) The presiding officer at any meeting of the Commissioners, including the Chairman, shall have the right to vote.

Section 2. VICE-CHAIRMAN

It shall be the duty of the Vice-Chairman in the absence of the Chairman to assume and preform all duties of the office as specified in ARTICLE IV, Section 1. Also, he/she may be called upon to assist in such administrative duties as may be required by the Chairman.

Section 3. SECRETARY

(1) The Secretary shall keep the minutes and records of the Commissioners, prepare the agenda of all meetings, provide notice of meetings to members, arrange proper and legal notice of hearings, be responsible for all aspects of the Fire Commissioners Election, attend to correspondence, and perform other duties as are necessary and incidental to the office of Secretary.

(2) In addition, the Secretary shall be the custodian of the official seal of the Commissioners and shall attest to and be responsible for the compilation of all minutes, documents, resolutions, agreements, and obligations.

Section 4. TREASURER

(1) The Treasurer shall have care and custody of and be responsible for all funds of the Commissioners in such bank or banks as the Commissioners may designate.

(2) Subject to the direction of the Commissioners and in accordance with such requirements for countersignature as the Commissioners may provide, the Treasures shall sign, make, endorse in the name of the Commissioners, together with the Chairman and any third member of the Commissioners as designated, all checks, drafts, and orders for payment of money. Said general account checks of the Commissioners shall be executed by the Chairman, Treasurer and any third party of the Commissioners as designated, and the bond account checks shall be executed by the Chairman and the Treasurer and any third member of the Commissioners as designated.

(3) After approval by the Commissioners, the Treasurer shall pay all vouchers and approve such requisitions and purchase orders as may be authorized by the Commissioners.

(4) The Treasurer shall render a report of the finances of the Commissioners at each regular meeting and at such other time as may be requested.

(5) The Treasurer shall keep accurate and current books of account of all business transactions, requisitions, purchase orders, vouchers, and invoices as are necessary and incidental to the operations of the business of the Commissioners. The Treasurer shall perform such other duties as are necessary and incidental to said office.

Section 5 PURCHASING AGENT

(1) The Purchasing Agent shall be responsible for all major purchases required by the Board and shall perform such other duties as are necessary and incidental to said office. These responsibilities shall include:

- a) Acquisition of price quotes for the item(s) to be purchased. These price quotes will be presented at a board meeting for the selection and approval of the vendor prior to completing a purchase order.
- b) Completion of purchase order form(s) within three (3) days after approval to purchase items by the Board at a Board meeting.
- c) The filing and tracking of all purchase orders approved.
- d) Submit a report at monthly business meeting as to the status of all outstanding purchase orders.

(2) In the event the Purchasing Agent cannot perform the defined duties, the Treasures shall be authorized to act on behalf of the Purchasing Agent.

Section 6 COMMISSIONER OF PERSONNEL

(1) The Commissioner of Personnel shall be responsible for the supervision of all paid personnel. Additionally the Commissioner of Personnel shall perform all such other duties as are necessary and incidental to said office. These responsibilities include:

- a) matters pertaining to the paid personnel; and
 - maintaining personnel files
 - recording of time worked, vacations, and sick days
 - submitting payroll information in a timely manner, signing and issuing of payroll checks to employees, and
 - administering all contract agreements including 1st step grievances.

(2) Submit a report at monthly meetings as to the status of all personnel and equipment.

Section 7 COMMISSIONER OF INSURANCE

(1) The Commissioner of Insurance shall be responsible for the administration of all insurance provided by the Commissioners. These responsibilities consist of the following:

- Filing accident reports,
- Payment of premiums,
- Clarification of coverage when requested, and
- Renewal of policies

Section 8 COMMISSIONER OF COMPUTER SYSTEMS/IT

(1) The Commissioner of Computer Systems/IT shall be responsible for the Commissioner's computer system which consists of direction and control of the following:

- Hardware,
- Software,
- Web Site
- Maintenance, and
- Training

(2) The Commissioner of Computer Systems/IT shall interface with the Fire Company Computer Committee and any outside consultants retained by the Board. Shall assure that all requirements for Web Site postings are up to date.

Section 9 COMMISSIONER OF DEVELOPMENT REVIEW COMMITTEE

(1) The Commissioner of Development Review Committee shall attend DRC meetings as required according to the agenda.

(2) Provide to the Fire Company Line Officers and career staff any drawings, plans or other documents for review.

(3) Inform the Board of any proposed projects coming up for review that may have an impact on the operation of the Board or Fire Company.

Section 10 COMMISSIONER OF APPARATUS, EQUIPMENT AND FACILITIES

(1) The Commissioner of Apparatus, Equipment and Facilities shall be responsible for maintenance and/or repair of all fire apparatus, firematic equipment and facilities. Additionally the Commissioner of Apparatus, Equipment and Facilities shall perform all such duties as are necessary and incidental to said office. These responsibilities include:

- a) matters pertaining to the maintenance and repair of all the fire apparatus and firematic equipment owned, leased, or administered by the Board.
- b) matters pertaining to the maintenance and repair of all facilities, buildings and property owned, leased or administered by the Board.
- c) interface with the Fire Company Trustees and Facility Committee regarding building additions, repairs or related projects.
- d) submit a report at monthly meetings as to the status of all apparatus and equipment.

(2) The Commissioner of Apparatus, Equipment and Facilities or the Fire Chief shall have the authority to authorize emergency apparatus or equipment repairs up to \$500.00.

Said repairs shall be reported to the Board at the next regularly scheduled meeting. Should emergency repairs exceed \$500.00 the Commissioner of Apparatus, Equipment and Facilities may straw poll the other Commissioners for approval or request that a special meeting be called.

(3) The Commissioner of Apparatus, Equipment and Facilities shall be an active participant of any Apparatus Committee regarding the purchase of new or used Fire Apparatus or equipment.

ARTICLE V
APPOINTED POSITIONS

Section 1. ATTORNEY

(1) The Commissioners shall appoint an attorney, as appropriate, who shall be paid such compensation as the Commissioners may, from time to time, provide.

(2) The attorney shall furnish the Commissioners all legal services outlined in the attorney's contract with the Commissioners and, additionally, such legal advice and counsel as shall be requested and shall represent the Commissioners in all legal matters.

Section 2. AUDITOR

(1) The Commissioners shall appoint an auditor, as appropriate, who shall be paid such compensation as the Commissioners may, from time to time, provide.

(2) The auditor shall be a registered municipal accountant or a certified public accountant and shall render such auditing or accounting services as may be required by the Commissioners.

Section 3. SECRETARIAL AID

(1) The Commissioners may appoint a secretarial aid, as appropriate, who shall be paid such compensation as the Commissioners may, from time to time, provide.

(2) The secretarial aid shall furnish the Commissioners secretarial services as shall be requested by the Commissioners.

ARTICLE VI
COMMITTIES

Section 1. POLICY

(1) It is the policy of the Commissioners to operate as a committee of the whole on matters of policy, decisions, and expenditures. However, since the details of the Commissioners are sometimes voluminous in nature, it is the Commissioners policy to

have members assigned to one committee so concentrated efforts may be spent on a particular segment of the Commissioners work.

(2) The function and formation of said committee shall be as so established by the Chairman.

Section 2. APPOINTMENT

The Chairman, during his/her term in office, may appoint permanent and/or special committees at his/her discretion for determined periods of time. These appointments shall not exceed the term of office of any member.

ARTICLE VII MEETINGS AND HEARINGS

Section 1. REGULAR MEETINGS

The regular meeting of the Commissioners for the transaction of its business shall be held on the second Tuesday of each month at 7:00 P.M. unless otherwise scheduled by the Commissioners.

Section 2. ORGANIZATION MEETINGS

The annual organization meeting of the Commissioners for the election of officers and for the transaction of other business as may come before the Commissioners shall be held at the start of the first regular meeting following the regular election in each year.

Section 3. OPEN PUBLIC MEETINGS ACT

All regular or special meetings held by the Commissioners shall be held in compliance with the Open Public Meetings Act of the State of New Jersey, P.L. 1974, C-231. Notification of said meeting shall be in compliance with said Open Public Meeting Act of the State of New Jersey.

Section 4. QUORUM

A majority of the entire authorized membership of the Commissioners shall constitute a quorum. Action may be taken by the Commissioners by a vote of a majority of the authorized membership.

Section 5. VOTING MEMBERS

(1) Votes on all resolutions and motions as deemed necessary at the discretion of the Chairman shall be by roll call vote signifying “ayes” or “noes.” No secret ballots may be used.

Section 6. ORDER OF BUSINESS

(1) Meeting shall follow the following order of business:

- Call to Order,
- Certification of Public Meeting Law,
- Roll Call,
- Reading of minutes from previous meeting,
- Correspondence,
- Chief’s Report,
- Committee Reports,
- Old Business,
- New Business,
- Bills to be Paid,
- Treasure’s Report
- Open to Public, and
- Adjournment.

(2) The order of business is subject to change at any time prior to said meeting by order of the Chairman of the delegated Commissioner in the absence or incapacity of the Chairman.

Section 7. HEARINGS

(1) In addition to those required by law, the Commissioners may at their discretion, hold public hearings which they deem to be in the public interest.

(2) Notice of such hearings shall be published once in two newspapers of general circulation within the district at least five (5) days prior to the date thereof, and such notices shall be posted in a prominent place in the Municipal Building.

(3) A record of those appearing shall be kept. However, formal proofs will not be required without prior notice thereof to the parties in interest.

ARTICLE VIII

ATTENDANCE (NON-COMMISSIONERS)

Section 1. CHIEF OF FIRE COMPANY

(1) It is hereby required by the Commissioners that the Fire Chief of the volunteer fire company within the fire district, or his duly authorized representative, attend all

Commissioners Business meetings which are held in accordance with ARTICLE VII of this document.

(2) It is specifically determined by the Commissioners that the said Fire Chief, or his duly authorized representative, shall be required to attend all further meetings of the Commissioners when notified within reasonable period of time at the discretion of the Commissioners.

Section 2. PRESIDENT OF FIRE COMPANY

(1) It is hereby required by the Commissioners that the President of the volunteer fire company within the fire district, or his duly authorized representative, attend all Commissioners Business meetings which are held in accordance with ARTICLE VII of this document.

(2) It is specifically determined by the Commissioners that the said President, or his duly authorized representative, shall be required to attend all further meetings of the Commissioners when notified within reasonable period of time at the discretion of the Commissioners.

ARTICLE IX

OTHER

Section 1. MEMBER CONFLICTS OF INTEREST

(1) A member shall not have any direct pecuniary interest in a contract with the fire district, nor shall a member furnish directly any labor, equipment, or supplies to the fire district in exchange for any monetary compensation.

(2) In the event a member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the fire district, the member shall declare his/her interest and refrain from discussing or voting upon the question.

(3) It is not the intent of this policy to prevent this fire district from contracting with corporations or business where a member is an employee of same. This policy is designed to prevent placing a member in a position where his/her interest in the fire district and his/her interest in his/her place of employment or other indirect interest may conflict and to avoid appearances of conflicts of interest even though such conflicts may not exist.

Section 2. COMPENSATION FOR MEMBERS

N.J.S.A. 40A:14-88 provided for compensation for members in such amounts as the Commissioners shall fix pursuant to Public Law. Said members may receive compensation in accordance with said statutory section.

Section 3. HIRING OF EMPLOYEES

N.J.S.A. 40A:81.1 et seq. authorizes the Commissioners to hire various employees in compliance with that procedure as set forth in said statute. The Commissioners shall hire employees in compliance with said statute.

ARTICLE X ADMENTS

These by-laws may be altered, amended, or repealed at any regular meeting by four-fifths vote of the total membership upon fourteen (14) days prior notice to all members of such desired alteration, amendment, or repeal. Said alteration, amendment, or repeal will not be effective until same as been voted upon and passed with the above required four-fifths majority at each of two (2) consecutive meetings by the Commissioners and subsequently adopted by said Commissioners.