

# *Fire Prevention Bureau*

TOWNSHIP OF HANOVER, COUNTY OF MORRIS

## **JOINT FIRE PREVENTION BOARD BY-LAWS**

**(Adopted June 2, 2022)**

### **ARTICLE I: GENERAL POWERS**

- (1) The Joint Fire Prevention Board shall have the general powers of Commissioners, specifically set forth in N.J.S.A. 40A:14-81 and supplemented by various statutory sections in N.J.S.A. 40A:14, et seq., as a joint body, to conduct business which is determined to be in the best interest of both fire districts and to the entire Township of Hanover.
- (2) The Joint Fire Prevention Board shall periodically review the ordinances of the Township Hanover, specifically those which encompass Fire Safety, and shall recommend changes to the Township Committee when and as need be.
- (3) The Joint Fire Prevention Board shall recommend new Fire Safety ordinances to the Township Committee when and as need be.

### **ARTICLE II: MEMBERS**

- (1) The Joint Fire Prevention Board shall be comprised of the ten collective members of the Board of Fire Commissioners of Fire District No. 2 and Fire District No. 3 in the Township of Hanover, County of Morris.

### **ARTICLE III: OFFICERS**

- (1) The officers of the Commissioners shall be a Chairperson, Secretary, and Treasurer. These officers shall be elected by the members of the Joint Fire Prevention Board from its members at the annual reorganization meeting each year. This meeting shall be held on the day recognized by the host Board's first March meeting.
- (2) 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 such absence.
- (3) In the event of the absence of both the Chairperson and the Vice Chairperson from any meeting, the Secretary shall preside at said meeting.
- (4) The presiding officer at any meeting of the Commissioners, including the Chairperson and Treasurer and Secretary, shall have the right to vote.

### **ARTICLE IV: OFFICER DUTIES AND RESPONSIBILITIES**

#### **The Chairperson Shall:**

- (1) Preside at all meetings of the Commissioners.
- (2) Have administrative oversight of the Joint Fire Prevention Board
- (3) As deemed necessary, delegate administrative duties to an administrative employee employed by either district for that purpose.
- (4) Have general supervision, direction and control of the affairs of the Joint Fire Prevention Board

- (5) Work with the Fire Chiefs/Fire Officials on all aspects pertaining to the Joint Fire Prevention Board.
- (6) Sign all contracts, drafts and checks relative to the Joint Fire Prevention Board general account. Said checks are also to be signed by the Treasurer and a third member of the Joint Fire Prevention Board. .
- (7) Assign Commissioners to any committees of the Joint Fire Prevention Board as he/she see fit. (Chairperson shall be an Absentee/Alternate member of all Committees )
- (9) Shall be the spokesperson for the board if contacted by the media

**The Vice Chairperson Shall:**

- (1) Assume the duties of the Chairperson in his/her absence.
- (2) Sign Checks.

**The Secretary Shall:**

- (1) Keep the minutes and records of the Joint Fire Prevention Board, or cause to have these taken by a person or persons so designated.
- (2) Shall prepare the agenda of all meetings in cooperation with the Chairperson, provide notice of meetings to members, arrange proper and legal notice of hearings, attend to correspondence and perform such other duties as are necessary and incidental to the office of Secretary.

**The Treasurer:**

- (1) Shall have care and custody of and be responsible for all funds of the Joint Fire Prevention Board and shall cause to be deposited the same in the name of the Joint Fire Prevention Board in such bank or banks as the Joint Fire Prevention Board may designate.

- (2) May, subject to the direction of the Joint Fire Prevention Board and in accordance with such requirements for countersignature as the Joint Fire Prevention Board may provide, sign, make and endorse in the name of the Joint Fire Prevention Board, together with the Chairperson or the Vice Chairperson and any other member of the Joint Fire Prevention Board as designated, all checks, drafts and orders for payment of money. Said general account checks of the Joint Fire Prevention Board shall be executed by the Treasurer and one member from each of the respective Boards
- (3) Shall, after the approval by the Joint Fire Prevention Board, shall cause to pay all vouchers and approve such requisitions and purchase orders as may be authorized by the Joint Fire Prevention Board.
- (4) Shall render a report of the finances of the Joint Fire Prevention Board at each regular meeting and at such other times as may be requested.
- (5) Shall make regular reports to the entirety of the Board as to the Joint Fire Prevention Board annual budget status.
- (6) Shall keep, or cause to be kept, accurate and correct books of accounts of all business transactions, requisitions, vouchers and invoices as are necessary and incidental to the operation of the business of the Joint Fire Prevention Board. The Treasurer shall perform all duties incidental to said office.
- (7) The Treasurer may delegate all necessary financial operations to a bookkeeper of administrative personnel, so employed by either Fire District, for the continuity of day-to-day financial operations and record keeping.

- (8) Shall, as required by the Joint Fire Prevention Board, give such security for the faithful discharge of his or her duties as the members may direct, including a corporate surety bond, premiums for which shall be paid by the Joint Fire Prevention Board.
- (9) The Treasurer shall Chair a committee whose express purpose is to develop a succeeding year's budget. The Treasurer shall provide regular progress reports of said committee to the entirety of the Board during the budgetary process, in accordance with Title 40A.

#### **ARTICLE V: ATTORNEY, AUDITOR**

- (1) The Commissioners may appoint an attorney and an auditor, as appropriate, who shall be paid such compensation as the Joint Fire Prevention Boards may approve.
- (2) Any appointment shall be made consistent with the provisions of the Local Public Contracts Law (N.J.S.A. 40A; 11-1 et seq.) which 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
- (3) The attorney shall furnish the Joint Fire Prevention Board with 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 as directed by the Board.
- (4) All contact with the Attorney shall only be made by, or with the prior approval of the Chairperson. There shall be no discussions with the Board Attorneys relating to Joint Fire Prevention Board matters without such prior approval, unless determined to be of an exigent nature.

- (5) In the absence of the Chairperson appropriate legal counsel can be contacted by a member of the Joint Fire Prevention Board with the consent of least three remaining members of the Board.
- (6) Specific committee chairpersons whose responsibility requires the advice of legal counsel in a timely fashion, shall be authorized to contact appropriate counsel when and if need be, and shall report such contact at the next regularly scheduled meeting.
- (7) 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 and by law.
  - a. The Auditor may act as the Accountant to the Joint Fire Prevention Board under the strict provision that he/she is not directly involved in formulating the Joint Fire Prevention Board budget.

#### **ARTICLE VI: MEETINGS AND QUORUM**

- (1) The annual reorganization meeting of the Joint Fire Prevention Board for the election of officers and for the transaction of such other business as may come before the Joint Fire Prevention Board shall be held at 6:30 P.M. at the first meeting of the host board in March.
- (2) The Commissioners shall meet in March, June, September and December at the host board's first meeting of each of these months, except when the scheduling of such a meeting would conflict with a recognized holiday. These meetings shall begin at 6:30 P.M.
- (3) These meetings shall be published and held in accordance with the applicable provisions of

the Open Public Meetings Act of the State of New Jersey; N.J.S.A. 10:4-6 et. Seq.

- (4) Five (5) commissioners shall constitute a quorum. The composition of these five members shall include no less than three (3) members of one district and two (2) members of the other district. Action may be taken by the members of the Joint Fire Prevention Board by a vote of the majority of the those present

#### **ARTICLE VII: SPECIAL MEETINGS**

- (1) In addition to those required by law, the Joint Fire Prevention Board may, at their discretion, hold public hearings which they deem to be in the public interest.
- (2) A record of those who appear and who give testimony to the Joint Fire Prevention Board shall be kept. However, formal proofs will not be required without prior notice thereof to the parties in interest.

#### **ARTICLE VIII: CONFLICTS OF INTEREST**

- (1) The Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et. Seq. shall control in determining whether a conflict of interest exists concerning any Fire Commissioner.

#### **ARTICLE IX: VOTING METHOD**

- (1) Votes on all motions or resolutions shall be by "ayes" and "nays". No secret ballots shall be used.

## **ARTICLE X: COMMITTEES**

- (1) It is the policy of the Joint Fire Prevention Board to operate as a committee of the whole on matters of policy, decisions and expenditures. However, since the business of the Fire Districts is sometimes voluminous in nature, it is the policy of the Board to have members assigned to one or more committee(s) in order to operate more efficiently.
- (2) The Chairperson, 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 by any member.
- (3) The function and formation of said committees shall be as so established by the Chairperson.
- (4) Committees may include a Committee Chair as designated by the Board's Chairperson, and shall include one other Board member and members or employees of the District as designated by the Committee's Chair.
- (5) No committee shall meet in violation of the Open Public Meetings Act. Any committee requiring the attendance of more than two Board members, or any committee holding any public hearing, as shall be deemed within its scope, shall duly announce said meeting or hearing in accordance with Law.



## **ARTICLE XI: ORDER OF BUSINESS**

- 1) Call to Order
- 2) Pledge of Allegiance / Moment of Silence
- 3) Statement of Compliance with Open Public Meetings Act
- 4) Roll Call
- 5) Public Session
- 6) Correspondence
- 7) Approval of Previous Minutes
- 8) Report of the Treasurer
- 9) Report of the Fire Chiefs and any Committees
- 10) Old Business
- 11) New Business
- 12) Resolutions if needed
- 13) Executive Session if needed
- 14) Adjournment

The order of business may change at any time prior to or during said meeting by order of the Chairperson, and with the concurrence of the members of the Joint Fire Prevention Board.

## **ARTICLE XII: AMENDMENTS**

- (1) These by-laws may be altered, amended or repealed at any regular meeting by 6/10 vote of the full Joint Fire Prevention Board upon 14 days' notice to all members of such desired alteration, amendment or repeal. Said alteration, amendment or repeal will not be effective

until same has been voted upon at two consecutive public meetings by the Joint Fire Prevention Board and subsequently adopted by said board.

- (2) Roberts Rules of Order shall be the official publication followed for meeting structure and order for anything not specifically covered in this document.

### **ARTICLE XIII: EXPENDITURES**

- (1) The Joint Fire Prevention Board shall have the authority to expend such funds as are required and deemed beneficial to the good order, effectiveness and efficiency of the Joint Fire Prevention Board.
- (2) An agreed upon balance shall be maintained in the joint account of the Joint Fire Prevention Board; said balance shall be reported by the treasurer as prescribed herein.
- (3) Districts shall be equally responsible for reimbursing the joint account any time that a purchase is approved and made
- (4) The treasurer shall be authorized to expend no more than \$1,000.00 when such an expenditure occurs during the period between meetings, and when the expenditure is consistent with, and beneficial to the Joint Fire Prevention Board. The treasurer shall immediately advise the respective board of the need to deposit funds if and when such an expenditure is made.

### **ARTICLE XIV: REQUIRED ATTENDANCE**

- (1) It is hereby required by the Joint Fire Prevention Board that the Fire Chief/Fire Official of the respective Districts, or their duly authorized representatives, attend all Joint Fire

Prevention Board meetings which are held according to the calendar published annually, unless otherwise specified by the Joint Fire Prevention Board.

- (2) It is further requested that the said Fire Chiefs/Fire Officials, or their duly authorized representative, shall be required to attend all special meetings of the Joint Fire Prevention Board when notified in advance.
- (3) Each Fire Chief /Fire Official shall submit an activity report prior to each Joint Fire Prevention Board meeting.