

Fire District No. 3

TOWNSHIP OF HANOVER, COUNTY OF MORRIS

RESOLUTION ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PAID POSITION OF FIRE CHIEF FOR FIRE DISTRICT NO. 3

FEBRUARY 15, 2024

RESOLUTION 24-02-15-17

WHEREAS, Hanover Township Fire District No. 3 has appointed Joseph M. Martin as the Fire Chief for Fire District No. 3 as a full-time paid position; and

WHEREAS, the Board of Fire Commissioners of Hanover Township Fire District No. 3 desires to summarize in a single document the terms and conditions of employment applicable to the paid position of Fire Chief for Fire District No. 3, as more fully set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF FIRE DISTRICT NO. 3, TOWNSHIP OF HANOVER, COUNTY OF MORRIS, STATE OF NEW JERSEY, as follows:

Term

1. The duration of this agreement shall be four (4) years commencing March 1, 2024 and expiring December 31, 2027. Each year the Chief shall be required to satisfy annual benchmarks to be provided in a separate document by the governing body. The Board of Fire Commissioners will endeavor, if possible to provide the Fire Chief with his benchmarks by February 15 of each year. The Fire Chief can resign on thirty (30) days advanced written notice.
2. Subject to section 1 above, the Chief will be subject to an annual review by the Board of Fire Commissioners or their designee(s).

Salary

1. That the Fire Chief for Fire District No. 3 shall be paid an annual salary of \$120,000.00 for the first year of his employment, and
2. The Fire Chief, upon each satisfactory review and anniversary of his appointment, may have his salary increased by Resolution of the Board of Fire Commissioners of Hanover Township Fire District No. 3 and fixed at a level that the Board of Fire Commissioners shall determine in its discretion, provided that said annual salary shall be set at a level higher than the next-lowest paid uniformed rank in the Fire District No. 3 firefighting force. The Board reserves the right to decrease the Chief's salary or to hold it at the same level in the event that the chief fails to earn a satisfactory review or is subject to discipline.

Schedule

1. The schedule for the Fire Chief shall be set by the Board of Fire Commissioners, and shall be set as an 8-hour workday, standard 40-hour work week. There will be no time owed. Regular hours are 8 am to 4 pm unless approved by the chairman or his designee. The Fire

Chief can adjust his daily hours on those days that he attends a scheduled meeting, outside of the 8:00 am to 4:00 pm regular workday, related to the Fire Chief's job duties and responsibilities, provided that a 40-hour work week is maintained. (No time is to be banked or owed)

Paid Time Off

1. The paid position of Fire Chief for Fire District No. 3 shall receive Paid Time Off (PTO) consistent with the schedule herein:
 - In years 1 through 4 - **160 Hours**
 - In year 5 through 11 – **200 Hours**
 - In year 12 and thereafter – **240 Hours**
2. Notwithstanding any other provision of this Resolution, any unused PTO earned by the Fire Chief for Fire District No. 3, when otherwise required to be paid out to the Fire Chief, be valued at the rate of the Fire Chief's annual salary in effect at the time the PTO was earned; and, any unused PTO that the Fire Chief had earned on or before the effective date of this Resolution shall, when otherwise required to be paid out to the Fire Chief, be valued at the rate of the Fire Chief's annual salary in effect as of the effective date of this Resolution.
3. Scheduled Paid Time Off (PTO) must be approved by the Personnel Committee of the Board of Fire Commissioners, and Emergent PTO shall require notification to the Personnel Committee of the Board as soon as is reasonable in accordance with controlling New Jersey statues and regulations.
4. Notwithstanding any other provision of this Resolution, when the Fire Chief for Fire District No. 3 seeks to use time off from work with pay, the Fire Chief shall be first required to exhaust the PTO time that is eligible to be paid out if unused before the Fire Chief may draw upon any category of time off from work with pay that is not eligible to be paid out if unused. The provisions of this Paragraph 4 shall not apply to the Fire Chief's use New Jersey Paid Family Leave benefits.
5. The Fire Chief for Fire District No. 3 shall be required to maintain and submit accurate records of hours worked and PTO time used, and to submit same on a bi-weekly basis to the Fire District No. 3 Administrator or his/her designee and which must be approved by the Treasurer of the Board of Fire Commissioners.
6. The paid position of Fire Chief for Fire District No. 3 shall be eligible to receive health insurance coverage, at a level not less than that granted to uniformed subordinate members of Fire District No. 3 firefighting force in the current collective negotiations agreement between the Board of Fire Commissioners of Hanover Township Fire District No. 3 and FMBA Local No. 109, except where stated to the contrary herein or in such specific Resolutions that the Board of Fire Commissioner may subsequently adopt.

Holidays

1. The Chief shall be entitled to time off on all holidays as recognized by the Fire District.

Holidays recognized by the District shall be:

- New Year's Day
- President's Day
- Good Friday
- Easter Sunday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Healthcare

1. The Fire Chief, if he or she elects to participate in Healthcare Coverage shall be responsible to pay 25% of the total premiums for Medical, Dental and Vision. Said payments shall be withheld in weekly payroll.
 - a. The Fire Chief may elect to opt-out of Healthcare Coverage, and shall be paid accordingly, on an annual basis, in the payroll following the contract renewal for Healthcare:
 1. Single \$500.00 per Year
 2. Member/Spouse (or Child) \$750.00 per Year
 3. Family \$1,000.00 per Year
2. Except as otherwise set forth in this Resolution, or in such subsequent Resolution as the Board of Fire Commissioners of Hanover Township Fire District No. 3 may adopt, the paid position of Fire Chief of Fire District No. 3 shall be subject to the provisions of the Personnel Policies and Procedures Manual of Hanover Township Fire District No. 3 currently in effect.
3. It is hereby certified that this Resolution is adopted on its first reading by the Board of Fire Commissioners of Hanover Township Fire District No. 3 on this 7th Day of December, 2023.

Pension

1. The Chief has represented to the Board of Fire Commissioners that he has confirmed with the Division of Pensions and Benefits that he is eligible to perform the duties of Chief and contribute and have contributions made on his behalf by the Board of Fire Commissioners

to the Police and Firemen's Retirement System ("PFRS"). The Chief agrees to indemnify and hold harmless the Board of Fire Commissioners for any liability assessed against any party with respect to his enrollment in PFRS.

Indemnification

1. Consistent with the New Jersey Tort Claims Act, District No. 3 shall defend and indemnify the Fire Chief against all claims, suits, and demands arising out of or resulting from the acts or omissions of the Fire Chief in the performance and execution of his duties as Fire Chief, except that the Fire District shall not be responsible for punitive damages assessed against him.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals to this agreement on this 15th day of February, 2024.

ATTEST:

Mary Lou DeSimone
Secretary,
Board of Fire Commissioners

Gary Keyser
Chairman,
Board of Fire Commissioners

Witness

Joseph M. Martin

Fire District No. 3

TOWNSHIP OF HANOVER, COUNTY OF MORRIS

Certification

I, **MaryLou DeSimone**, **Secretary** of the Board of Fire Commissioners of Fire District No. 3, Township of Hanover, County of Morris, State of New Jersey, hereby certify that the Commissioners at a meeting held on the **15th** day of **February, 2024** duly adopted the attached resolution;

24-02-15-17 RESOLUTION ESTABLISHING TERMS AND CONDITIONS OF EMPLOYMENT FOR THE PAID POSITION OF FIRE CHIEF FOR FIRE DISTRICT NO. 3

This resolution was introduced by Commissioner:

Cornine **DeSimone** **Dugan, Jr.** **Waldron** **Keyser**
and was seconded by Commissioner

Cornine **DeSimone** **Dugan, Jr.** **Waldron** **Keyser**

Record of the Vote

	Cornine	DeSimone	Dugan, Jr.	Waldron	Keyser
Yes	X	X	X	X	
No					
Abstain					X
Absent					

MaryLou DeSimone, Secretary