

**THE COMMISSIONERS OF WEYMOUTH TOWNSHIP
FIRE DISTRICT NO.1
BY-LAWS**

Article I: SEAL

1. The official seal of the Fire Commissioners of Weymouth Township Fire District No. 1 (hereinafter referred to as 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, in the Township of Weymouth

Article II: GENERAL POWERS

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

Article III: MEMBERS

1. NJSA 40A:14-70 states that the Commissioners shall divide themselves into three classes of members. The first class of members shall consist of 2 members to be elected for terms of one year each. The second class of members shall consist of 2 members to be elected for terms of 2 years each. The third class of members shall consist of one member to be elected for a term of three years. Upon the expiration of said terms, said successors to the Commissioners shall be elected for terms of three years.
2. 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.
3. Elections to membership to the Commissioners are regulated by NJSA 40A:14-70 through NJSA 40A:14-78, inclusive. Commission elections must comply with relevant statutory sections.
4. Any elected member of the Weymouth Township Fire District #1 who misses three (3) consecutive meetings without notifying either the Chairman or the Secretary may be dismissed from the Commission by the remaining members. To dismiss an elected member after three missed meetings, the Commission requires a majority vote of at least 66% of the remaining members.

Article IV: OFFICERS

1. The officers of the Commissioners shall be a Chairman, *Vice* Chairman, Secretary, Treasurer. 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 Article III referenced above.
2. In the absence of any officer, the Commissioners may, by a majority vote of the members present, delegate powers and duties of each officer to any other officer or member during the period of absence.
3. In the event of the absence of both the Chairman and the Vice Chairman from any meeting, the Commissioners may, by a majority vote of those present, delegate the parliamentary powers of such officer to any other officer or member present for the purpose of conducting Commissioner business at such meeting. If said Chairman and Vice Chairman are absent from said meeting, the senior member present (said seniority to be determined by the terms of continuous service) shall preside at said meeting.

Article V: CHAIRMAN AND VICE CHAIRMAN

1. The chairman shall preside at all meetings of the Commissioners and shall have general supervision, direction, and control of the affair of the Commissioners and shall sign all contracts, drafts, and check relative to the Commissioners general account. Said checks are also to be signed by the Treasurer and/or a third member of the Commissioners as designated.
2. The Vice Chairman shall, in the absence or incapacity of the Chairman, assume all duties and powers of the Chairman.
3. The presiding officer at any meeting of the Commissioners including the Chairman and Vice Chairman, shall have the right to vote.

Article VI: SECRETARY

1. The Secretary shall keep the minutes and records of the Commissioners, prepare the agenda of all meetings in cooperation with the Chairman, provide notice of meetings to members, arrange proper and legal notices of hearings, attend to correspondence and perform such 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 all documents, resolutions, agreements, and obligations.

Article VII: TREASURER

1. The Treasurer shall have care and custody of and be responsible for all funds of the

Commissioners and shall deposit the same in the name of the Commissioners in such bank or banks as the Commissioners may designate.

2. The Treasurer may, subject to the direction of the Commissioners and in accordance with such requirements for counter-signature as the Commissioners may provide, sign, make and endorse in the name of the Commissioners, together with the Chairman and/or the Vice Chairman and/or 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 and/or Vice Chairman and/or the Treasurer and/or any third member of the Commissioners as designated, and the bond account checks shall be executed by the Chairman and/or Vice Chairman and/or the Treasurer and/or any third member of the Commissioners as designated.
3. The Treasurer may, after approval by the Commissioners, 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 times as may be requested.
5. The Treasurer shall keep accurate and correct books of account of all business transactions, requisitions, purchase orders, vouchers, and invoices as are necessary and incidental to the operation of the business of the Commissioners. The treasurer shall do and preform all duties incidental to said office.
6. When required by the Commissioners, the treasurer shall give such security for the faithful discharge of their duties as the members may direct, including a corporate surety bond, premiums for which shall be paid by the Commissioners.

Article VIII: ATTORNEY, AUDITOR

1. The Commissioners shall appoint an attorney and an auditor, 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.
3. 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.

Article IX: MEETING AND QUORUM

1. The annual organizational meeting of the Commissioners for the election of officers and for the transaction of such other business as may come before the Commissioners shall be held at 7:30 pm on the regular meeting night in the month of December following the regular election in each year.

2. The regular meetings of the Commissioners, during which official business is transacted, shall be convened according to the schedule established for the following year. This schedule, specifying the date and time of each meeting, must be formally adopted by motion during the month of December each year. The approved meeting schedule will serve as the official timetable for all regular sessions of the Commissioners in the subsequent year.
3. 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 meetings shall be in compliance with said "Open Public Meetings Act" of the State of New Jersey.
4. 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.

ARTICLE X: HEARINGS

1. In addition to those required by law, the Commissioners may, at their discretion, hold A
2. Notice of such hearing shall be published once in a newspaper of general circulation in the district at least five days prior to the date thereof, and such notice 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 to the parties of interest.

ARTICLE XI: MEMBERS CONFLICTS OF INTEREST

1. A member shall not have any direct pecuniary interest in a contract with the Fire District, nor shall he 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 interest and refrain from bidding or voting upon the question of contracting with that company.
3. It is not the intent of this policy to prevent this Fire District from contracting with corporations or businesses where a member is an employee of same. This policy is designed to prevent placing a member in a position where his interest in the Fire District and his interest in his place of employment or other indirect interest may conflict and to avoid appearances of conflicts of interest even though such conflict may not exist.

ARTICLE XII: VOTING METHOD

1. Votes on all motions or resolutions shall be by " ayes" and "noes" . No secret ballots shall be used.

Article XIII: COMMITTEES

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 Commissioner work.
2. The Chairman, during their term in office, may appoint permanent and/or special committees at their 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 such be as so established by the Chairman.

ARTICLE XIV: COMPENSATION FOR MEMBERS

1. NJSA 40A: 14-88 provides 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.

ARTICLE XV: HIRING OF EMPLOYEES

1. NJSA 40A: 81.1 et seq. Authorizes the Commissioners to hire various employees in compliance with that procedure as set forth in said Statutes. The Commissioners shall hire employees in compliance with said Statute.

ARTICLE XVI: ORDER OF BUSINESS

1. Call to Order
2. Roll Call
3. Certification of Public Meeting Law
4. Reading of minutes from previous meetings
5. Correspondence
6. Committee report

7. Old Business
8. New Business
9. Treasurer's Report
10. Public Participation
11. Adjournment

Order of business is subject to change at any time prior to said meeting by order of the Chairman or the Vice Chairman, in the absence or incapacity of the Chairman.

ARTICLE XVII: AMENDMENTS

1. These By-Laws may be altered, amended or repealed at any regular meeting by four-fifths vote of the membership 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 2 consecutive meetings by the Commissioners and subsequently adopted by said Commissioners.

ARTICLE XVIII: APPOINTMENT AND/OR REVIEW OF APPOINTMENT AND/OR ELECTION OF VOLUNTEER FIRE COMPANY OFFICERS

1. The Commissioners, pursuant to New Jersey Statutory law, do hereby retain the right to appoint and/or review the appointment and/or election by the volunteer fire companies within the Fire District of Line Officers relative to said Fire Companies. These line officers are specifically defined as Chief, assistant Chief, Captain and Lieutenant. This right of review by the Commissioners shall include the right to reject an appointment and/or election of a line officer by the volunteer fire companies if same is deemed to be undesirable by the Commissioners.

ARTICLE XIX: REQUIRED ATTENDANCE AT MEETINGS OF THE COMMISSIONERS BY THE VOLUNTEER FIRE COMPANY FIRE CHIEF OR HIS DULY AUTHORIZED REPRESENTATIVE

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 meetings which are held on the date and time as specified by the districts adopted yearly schedule, unless otherwise specified by the Commissioners.

2. It is further 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 a reasonable period of time at the discretion of the Commissioners.