

**BRIDGEWATER TOWNSHIP**

**FIRE DISTRICT NO.3**

**BRIDGEWATER, NEW JERSEY**

***BY LAWS***

**RULES  
AND  
GUIDELINES  
OF  
THE BOARD OF FIRE COMMISSIONERS  
OF  
BRIDGEWATER TOWNSHIP  
FIRE DISTRICT NO.3  
BRIDGEWATER, NEW JERSEY**

**ADOPTED: January, 2001**

**Revised: Oct./2008**

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COPY # \_\_\_\_\_

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RULES  
and  
GUIDELINES  
of

THE BOARD OF FIRE COMMISSIONERS OF BRIDGEWATER TOWNSHIP  
FIRE DISTRICT No. 3  
BRIDGEWATER, NJ

All gender references shall be understood to be male or female.

**ARTICLE I: NAME & SEAL**

(1) The Name of the organization is Bridgewater Fire District # 3. In some cases the name Bridgewater Township Fire District # 3 or Fire District # 3 of Bridgewater Township can also be used.

(2) The official seal of the Board of Fire commissioners of Fire District No. 3 in the Township of Bridgewater, New Jersey (hereinafter referred to BOFC) shall consist of an embossed impression on a circular metal disc containing, in the outer rim, the words "BOARD OF FIRE COMMISSIONERS- BRIDGEWATER TOWNSHIP". In the inner body of the disc, the words "DISTRICT No.3 BRIDGEWATER, N.J."

**ARTICLE II: GENERAL POWERS**

(1) The BOFC is created pursuant to N.J.S.A.40A: 14-70. The general powers of the BOFC are specifically set forth in N.J.S.A.40A: 14-81 and supplemented by various statutory sections N.J.S.A.40A: 14, et seq., which are incorporated herein by reference.

(2) Since the BOFC is created to represent the Taxpayers of the Fire District, it is charged with the fire protection of the District and maintaining the property and equipment in a high state of working order. Therefore, the members of the volunteer fire companies shall be under the control of the BOFC and in performing fire duties shall be deemed to be exercising a governmental function. The authority of the BOFC to regulate all such fire companies must be recognized by all fire companies to the limits provided by state statute. (N.J.S.A.40A: 14)

**ARTICLE III: MEMBERS**

(1) N.J.S.A.40A: 14-70 details the structure of fire commissioners. Consistent with said statute, the BOFC shall consist of five members elected by the residents of Fire District No.3 at the annual election. The term of office is three years as follows:

Election Date (all in February)	Number of Three Year Seats
2008	2
2009	1
2010	2
2011	2
2012	1
2013	2
2014	2

(2) If a vacancy shall occur in the membership of the BOFC, said vacancy shall be filled by a resident of Fire District No.3, by appointment of the BOFC, until the next succeeding annual election.

(3) Elections to membership to the BOFC 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 BOFC are to be held in compliance

with said statutory sections.

(4) Board Members are prohibited from holding an executive or line position in any volunteer fire company or rescue squad servicing all or a portion of Fire District No. 3.

#### **ARTICLE IV: OFFICERS**

(1) The officers of the BOFC shall be a Chairman, Vice Chairman, Secretary, and Treasurer. These officers shall be elected by the BOFC from its members at the annual organizational meeting in March. The BOFC reserves the right to merge officer positions or to leave positions vacant. The said officers shall be elected to and hold office for one year.

(2) In the case of anticipated prolonged absence of any officer, the Commissioners may, by majority vote of the members present, delegate the powers and duties of that officer to any other officer or member during the period of such absence.

(3) In the event of the absence of the Chairman and Vice Chairman from any meeting, the senior member present (said seniority to be determined by the terms of continuous service) shall preside at said meeting.

#### **SUB-ARTICLE A: CHAIRMAN AND VICE CHAIRMAN**

(1) The Chairman shall preside at all meetings of the BOFC and shall have general supervision, direction, and control of the affairs of the BOFC and shall sign all contracts, drafts, and checks relative to the BOFC's general accounts. Said checks shall be countersigned by such other official or officials as designated by resolution.

(2) The Vice Chairman shall, in the absence or incapacity of the Chairman, assume all duties and powers of the Chairman.

(3) The Chairman or a designate shall approve all press release matters concerning Fire District No. 3.

(4) The Chairman will conduct all meetings using Robert's Rules of Order as the Guiding principle and will be responsible for resolving all procedural issues.

(5) The Chairman shall appoint such subcommittees as are necessary or desirable to fulfill the Commission responsibilities under State Statutes.

#### **SUB-ARTICLE B: SECRETARY**

(1) The Secretary shall keep the minutes and records of the BOFC, prepare an agenda of all the meetings in cooperation with the Chairman, provide notice of the meetings to members, arrange proper and legal notice of meetings and hearings as provided by law, attending 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 BOFC and shall attest to all documents, resolutions, agreements, and obligations.

(3) The Secretary shall serve as the Clerk of the BOFC and perform all formal duties of such office.

(4) The Secretary shall render a written report of the meeting minutes to the BOFC members at or before each regular or special meeting and at such other times as requested. The written reports will be a part of the permanent files of the BOFC.

#### **SUB-ARTICLE C: TREASURER**

(1) The Treasurer shall have care and custody of and be responsible for all funds of the BOFC and shall deposit the same, in the name of the BOFC, in such bank or banks as the BOFC may designate by resolution.

(2) The Treasurer shall, subject to the direction of the BOFC and in accordance with such requirements for counter-signatures as the BOFC may provide, sign, make and endorse in the name of the BOFC, all checks, drafts and orders for payment of money. All requests for payments submitted by suppliers of goods or services shall be by invoice properly countersigned by the person having knowledge and authority, the goods or services were delivered or rendered as ordered and that the invoiced amount is correct.

(3) The Treasurer shall, pay all vouchers and approve such requisitions and purchase orders, properly countersigned, as may be authorized by the BOFC.

(4) The Treasurer shall render a report of the finances of the BOFC at each regular meeting and at such other 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 necessary and incidental to the operations of business of the BOFC. The Treasurer shall do and perform all duties incidental to said office, including the timely surrender of all financial data necessary for the annual audit and submit a copy of same to authorized public officials in the manner and in accordance with the schedules as prescribed by law.

(6) Prepare the annual budget and submit it for approval in the manner and in accordance with the schedules as prescribed by law.

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

(1) The BOFC shall appoint, by resolution, an attorney and an auditor, as appropriate, who shall be paid reasonable fees as the BOFC may establish, by annual contract.

(2) The attorney shall represent the BOFC on all legal matters that come before them.

(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 BOFC and by law.

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

(1) The annual organizational meeting of the BOFC for the election of the officers and for the transaction of such other business that may come before the BOFC shall be held at 7:00pm on the third Wednesday in March following the regular election in each year.

(2) The regular meetings of the BOFC for the transaction of business shall be held at a location designated by the BOFC and with suitable public notice.

(3) All regular or special meetings held by the BOFC shall be held in compliance with the Open Public Meetings Act of the State of New Jersey (N.J.S.A. 10:4-6).

(4) A Majority of the entire authorization membership (three members) of the BOFC shall constitute a quorum. Action may be taken by the BOFC by a vote of a majority of the authorized membership present at a meeting.

#### **ARTICLE VII: HEARINGS**

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

(2) Notice of such hearings shall be published in one or more newspapers of general circulation in the district as required by statute and such notice shall also be posted in a prominent place in the Municipal Building.

(3) A permanent record of these proceedings shall be kept.

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

(1) A BOFC 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 that a BOFC member is employed by a corporation or a business, or has a secondary interest in a corporation or a business which furnishes goods or services to the fire district, the BOFC 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 BOFC member is an employee of it. This policy is designed to prevent placing a BOFC member in a position where his interest in the fire district and 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.

(4) In the event that a BOFC member is in a position to furnish any labor, equipment or supplies to the fire district where it is monetarily or expeditiously advantageous to the district, exceptions to this article may be granted for legitimate reasons by majority vote of the BOFC. Any exceptions shall be voted upon on a one-time basis only. (Per occurrence) That is; NO "blanket" approval shall be given.

(5) All BOFC members shall be required to complete a "Local Government Ethics Law Financial Statement" in accordance with N.J.S.A. 40A: 9-22.1 et seq.

(6) No BOFC member may hold both a commissioner and/or the following elected position in a fire company the BOFC regulates. The positions of conflict have been determined to be President, Vice-President, Treasurer, Chief, Assistant -Chief, or any other line officer.

**ARTICLE IX: VOTING METHOD**

(1) Votes on all motions or resolutions shall be by voice vote of “yes, no or abstain” and all votes shall be recorded in the minutes. Absentee voting is not permitted.

**ARTICLE X: COMMITTEES**

(1) It shall be the policy of the BOFC to operate as a committee of the whole on matters of policy, decisions and expenditures. However, since the details of the BOFC are sometimes voluminous in nature, it will be the BOFC’s policy to have members assigned to committees so concentrated efforts may be spent on a particular segment of Commissioners business.

(2) The Chairman, during his term of office, may appoint permanent and/or special committees at his direction 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 established by the Chairman.

**ARTICLE XI: COMPENSATION FOR BOFC MEMBERS**

(1) N.J.S.A. 40A: 14-88 provides for compensation for BOFC members in such amounts, as the BOFC shall fix pursuant to Public Law. Such members shall receive compensation in accordance with said statutory section.

**ARTICLE XII: HIRING OF EMPLOYEES**

(1) N.J.S.A. 40A: 81.1 et seq. authorizes the BOFC to hire various employees in compliance with that procedure as set forth in said statutes. The BOFC may hire employees in compliance with said statute.

**ARTICLE XIII: AMENDMENTS**

(1) These RULES and GUIDELINES may be may be changed at a regular meeting by a four-fifths vote of the BOFC membership upon 14 days notice to all BOFC members of such desired alteration, amendments or repeal. Said alteration, amendment or repeal will not be effective until it has been voted upon at two consecutive regular meetings by the BOFC members and subsequently adopted by said BOFC.

**ARTICLE XIV: APPOINTMENT AND/OR REVIEW OF APPOINTED AND/OR ELECTION OF OFFICERS.**

(1) The BOFC, pursuant to New Jersey statutory law, do hereby retain the right to review the qualifications of a candidate for prospective Chief and Assistant Chief at the regular November BOFC meeting prior to the annual election of the Fire Company. This right to review by the BOFC shall include the right to reject an applicant for fire command in Bridgewater if he/she is deemed to be unqualified by a super majority (four votes) of the commission at an open public meeting.  
(40A: 14-81)

**ARTICLE XV: REQUIRED RESPONSIBILITIES AT MEETINGS OF THE BOFC OF FIRE CHIEF OR HIS DULY AUTHORIZED REPRESENTATIVE.**

(1) It is hereby required by the BOFC that the Chiefs of Fire District No.3 or their duly authorized representative, attend all BOFC meetings as specified in ARTICLE VI: Section (2).

(2) It is further specifically determined by the BOFC that the said Fire Chiefs, or his duly authorized representative, shall be required to attend all postponed or special meetings of the BOFC, if their attendance is deemed necessary and they are notified within a reasonable time by the BOFC.

(3). The Fire Chief shall be responsible to be the liaison between their company and the BOFC and shall report all concerns of any group.

**ARTICLE XVI: SPECIFIC RULES TO BE OBSERVED BY THE MEMBERSHIP OF FIRE DISTRICT NO.3**

(1) Any member of a fire company within Fire District No. 3 wishing to use any piece of equipment owned by the BOFC must obtain the permission of the Chief or Assistant Chief. The Chief or Assistant Chief shall then include the lending or using of that equipment in their monthly report to the commissioners. Any operator of a BOFC owned vehicle must follow the "VEHICLE USE POLICY" a copy of which is attached to the by-laws.

(2) This section is not intended to preclude Fire District No. 3 Companies from engaging in any of the usual and regular duties of the Fire Companies including but not limiting to responding to Mutual Aide or Assistance calls received from the Bridgewater Township Dispatch or from County Dispatch.

(3) Since it is the policy of the BOFC not to interfere with the internal affairs of the District No. 3 Companies, all efforts to resolve disputes should be made by the Fire Companies. Under no circumstances will the BOFC arbitrate any dispute unless it is an appeal from the findings of the duly elected Fire Companies Board of Review/Trustees. Any and all appeals must be in writing, setting forth all pertinent details.

(4) At the January meeting of the BOFC, the Chiefs shall be presented with a copy of the current RULES and GUIDELINES of the BOFC and sign a receipt for same, which shall be filed by the Secretary with the minutes of that meeting. It shall be the obligation of the Chiefs to review and communicate these RULES and GUIDELINES to the Assistant Chief as well as communicate those pertinent sections to all members of their respected Companies.

(5) It shall be understood and agreed that the Chiefs and Assistant Chiefs and all Line Officers shall perform their duties in accordance with state statute that regulate their authority generally under Title 40.

**ARTICLE XVII: SAVINGS CLAUSE**

(1) Any invalidation of one section or one article shall not invalidate any of the balance of these RULES and GUIDELINES.

**ARTICLE XVIII: ORDER OF BUSINESS**

- (1) Call to Order
- (2) Salute to flag
- (3) Roll Call
- (4) Certification of Public Meeting Law
- (5) Secretaries Report and Adoption of Minutes
- (6) Treasurer's Report
- (7) Commissioner Items / Issues
- (8) Emergency Service Reports
- (9) Standing Committee Reports
- (10) Old business
- (11) New business
- (12) Meeting open to public
- (13) Adjournment

Order of business is subject to change at any time prior to said meeting by order of the Chairman or the Presiding officer.

**ARTICLE XIX: RECEIVER LOG/ COPY NUMBER AND DATE**

A signature Log will be maintained by the BOFC clerk recording recipient, copy number and date for all copies of the Rules and Guidelines handed out. See attached log.

**SIGNATURE LOG OF RECEIPT OF THE RULES AND GUIDELINES OF THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT No. 3 OF**



**BRIDGEWATER TOWNSHIP N.J.**

File with Board of Fire Commissioners Master copy of Rules and Guidelines

I, \_\_\_\_\_, Chief/ Captain of the \_\_\_\_\_, do hereby


acknowledge receipt of a copy of the RULES and GUIDELINES of the Board of Fire Commissioners of Fire District No. 3

\_\_\_\_\_  
Signature/ Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board  
Adopted, 03/04

COPY # \_\_\_\_\_

**Vehicle Use Policy**

# Fire District # 3

Policy applies to all Bridgewater Township Fire District # 3 (BOFC) vehicles. A copy of this policy will be posted for members to review in Green Knoll, Country Hills and North Branch Firehouses. Additionally, it will be posted in the Bradley Gardens First Aid Squad building. The fire chief or squad captain of each company shall be responsible for adherence to the vehicle use policy. Use of the Commission Owned Incident Command Vehicle shall be governed in Section B of this policy. Use of the ambulance shall be governed by Section C of this policy.

## Section A

(Engine, Truck, Ladder, Tanker, Support Veh.)

Any vehicle or combination of vehicles may respond to a dispatched emergency. If mutual aid response affects Fire District #3 then coverage of the district must be arranged.

Vehicle use for training or equipment demonstrations outside of the county shall require the approval of the BOFC Chairman or designate. The two exceptions will be the Hunterdon County and Middlesex County Fire Training facilities which will not require prior approval. The Chairman may require additional procedures to be followed by the operator of the vehicle.

All operators must be in good fire company standing and will be required to be certified by their chief as to ability to operate each vehicle. Driver certification shall be on file with the fire company. The driver shall be responsible for the safe operation of the vehicle.

The BOFC reserves the right to suspend an operator's vehicle use privilege if he or she should cause BOFC vehicle damage. The Chairman may appoint an ad hoc committee to investigate an accident or incident involving any commission owned vehicles.

Any driver of a BOFC vehicle arrested for operating while under the influence of drugs or alcohol shall be immediately suspended by the fire company chief from driving any district vehicles until the disposition of his or her court case.

The chief of the fire company having a BOFC vehicle involved in an incident outlined above shall provide a police report to the commissioners within ten days of the incident. In addition, a narrative report from the driver and fire chief must also be provided to the commissioners within three days of the incident.

FD#3 apparatus shall not be driven by anyone under the influence of alcohol or under the influence of drugs. Apparatus is not to be used for visiting bars and no alcohol is to be consumed at any time in FD#3 vehicles.

## Section B

(Incident Command Veh.)

The Fire Chief shall be the primary operator of the Incident Command Vehicle. He may authorize a certified alternate driver to operate the vehicle.

Vehicle shall be used for

- 1) Dispatched Emergency Calls
- 2) District meetings
- 3) Township / County Fire Association meetings
- 4) Local parades
- 5) State fire meetings
- 6) Fire conventions
- 7) Fire schools
- 8) Equipment evaluations at vendors
- 9) Equipment purchase / pickup at vendors

Use of vehicle for activities other than above should be requested in writing before use from the BOFC.

The Command Vehicle shall not be driven by anyone under the influence of alcohol or under the influence of drugs. The Command Vehicle is not to be used for visiting bars and no alcohol is to be consumed at any time in the Command Vehicle. All accidents, damage, or vandalism to the Command Vehicle shall be reported immediately to the Chairman of the BOFC. The BOFC shall be given a written report of all incidents and a copy of the police report at the next commission meeting.

The Incident Command Vehicle may be kept at the officer's home and/or place of business if within the Fire District or by special permission of the BOFC if outside the Fire District. Personal use of the ICV by the fire chief shall be limited to a fifteen (15) mile circle centered at the principal fire house and subject to review by the BOFC. The Fire Chief and the Assistant Chief will retain keys for the Command Vehicle at all times and make arrangements so that a spare set of keys is available for emergencies.

Monthly written reports on the Incident Command Vehicle's use will be submitted to the Board of Fire Commissioners at the regular monthly meeting. Reports will summarize, on a daily log basis, totals for Fire District use and personal use. In addition all operators are subject to Section A of this policy.

## **Section C**

(Ambulance)

All operators must be in good standing and will be required to be certified by their captain as to ability to operate each vehicle. Driver certification shall be on file with the squad. The driver shall be responsible for the safe operation of the vehicle.

Any vehicle damaged may cause the commissioners to suspend those drivers operating privileges of BOFC vehicles until a review of the accident. The Chairman reserves the right to permanently suspend an operators driving privilege of BOFC equipment. Any driver of a BOFC vehicle arrested for operating while under the influence of drugs or alcohol shall be suspended from driving any district vehicles until the disposition of his or her court case.

The captain of the first aid or rescue squad having a vehicle involved in an incident outlined above shall provide a police report to the commissioners one week prior to the next regular meeting of the Board.

## **Section D**

(Blood or Urine Test Procedure)

The purpose of the test shall be to follow federal guidelines for Commercial Drivers License (CDL) operators involved in an accident.

If an operator of a district vehicle is to be tested then the officer in charge at the time of the accident or vehicle damage shall arrange for two blood or urine samples that are tested for drugs or alcohol according to accepted guidelines of the administering facility. The officer in charge may determine the location used for the test. All associated costs for the test shall be paid by the BOFC.

# Physical Examination for Firefighters District Policy

Policy applies to all persons responsible to support the mission of the Board of Fire Commissioners for District #3 (BOFC), Bridgewater, New Jersey. The commissioners shall cause to put in place a policy that will allow all persons supporting the mission of fire fighting in District # 3 will have the opportunity to participate in a full a medical examination program at a place and time that is convenient to the participating parties. The purpose of this physical examination will be to protect those that volunteer in the firefighting mission of the BOFC. This policy is not designed to take the place of any written fire company policies that may already be in place. Only those members that are off initial probationary status and actively support the fire-fighting mission will be eligible for this physical exam. The BOFC will be responsible for the cost of implementing this policy.

## **Section A: Physical Examination**

Any person authorized to volunteer to receive a physical exam may do so at an authorized place and time as directed by the commission chairman or his designate. Each person will be subject to an initial base line physical. This initial exam is an accepted medical procedure. Subsequent physical exams will allow annual follow-up physicals to chart any changes in the participant .The medical record or history shall remain in the confidence of the patient and the attending doctor. No records will be required to be reviewed by the BOFC. The participating doctor shall be authorized by written consent of the patient, to release a pass, fail comment on the results of examine.

## **Section B: Record Review of Exam Results**

It shall be the responsibility of the BOFC to review the results of a participant failing the voluntary physical exam. If a participant receives a FAIL notice the BOFC Chairman or their designate, the person failed, and the Chief for that person, shall meet at a time and place set by the Chairman to discuss further action. Any action agreed upon by the above parties shall be temporary until the next regular meeting of the BOFC. A two-thirds vote at the next board meeting shall sanction any decision arrived at by the Chairman, designated Chief and the member involved.

## **RADIO STANDARDS**

The Commission hereby establishes the Radio Standards to be followed by all three companies when

responding to a Bridgewater service dispatch by either Bridgewater Police or by Somerset County Emergency Services

When responding to an emergency service call, an authorized driver of the FIRST DUE APPARATUS, upon arrival at the fire station, shall report “**xx-xxx AWAITING CREW**”. This serves several functions including alerting the dispatcher that the call is in progress and also alerts line officers who may be going directly to the scene of what types of resources they may expect.

With the exclusion of the Chief’s vehicle, when a fire truck, engine, tanker, special service or utility vehicle signs on the radio IN RESPONDING to an emergency dispatch, the officer or authorized firefighter acting in that capacity shall report the company / vehicle (ie 34-116) in service and give the CREW SIZE in terms of the number of certified fire fighters. This numeric personnel value shall EXCLUDE juniors, probationary members or any fire fighter not capable of performing an interior fire fighting function for any reason. A second number should follow the crew size and should reflect the number of any additional “ride alongs” to include juniors, probationary members or any certified fire fighters not capable of performing a fire fighting function. In its simplest form this could be radioed as “**34-116 In Service Crew of 4 plus 2**”.

If upon arrival at the scene, and command has not previously been established, the officer or authorized firefighter when establishing command shall specifically identify himself /herself on the radio using his/her unique company and firefighter number. An example would be “34-116 On Location, 34-268 Establishing Command...” followed by appropriate size up information.

When multiple fire companies have been dispatched to the same call, only the ON SITE Incident Commander or a representative of the primary fire company for that area can cancel or hold other companies in quarters. Company cancellation shall not be used unless there is verification by the on site Incident Commander, or proper code acknowledgement from the alarm company.

While not a RADIO STANDARD, a common sense standard is that under no circumstances shall a certified and capable fire fighter be left behind (no access to another vehicle) at a fire station because seats are occupied with juniors, probationary members or any certified fire fighters not capable of performing a fire fighting function.

### Radio Resolution Approval

1<sup>st</sup> Reading 8/20/08

2<sup>nd</sup> Reading 9/15/2008      Approval Date 10/15/2008

**END**

# **FUTURE USE**

# **FUTURE USE**

# **FUTURE USE**



# **FUTURE USE**