

## **BOROUGH OF BERGENFIELD**

### **PUBLIC NOTICE**

ORDINANCE 15-2480 – AN ORDINANCE CREATING THE POSITION OF FIRE DIRECTOR OF THE BERGENFIELD FIRE DEPARTMENT

was introduced at a regular meeting of the Mayor and Council of the Borough of Bergenfield, in the County of Bergen, New Jersey, held on Tuesday, July 21, 2015, and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Executive Chambers, Bergenfield Municipal Center, 198 North Washington Avenue, Bergenfield, New Jersey on Tuesday, August 4, 2015 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend Section 12-26 entitled “Supplemental Force of Paid Firefighters” within Chapter 17 of the Borough of Bergenfield, to include Section 17-26A creating the position of “Fire Director” and Section 17-26B creating the position of “Fire Official UFD,” and delineating the duties and responsibilities of the positions. The ordinance will also amend Section 17-19 titled “Composition” to include Fire Director and Fire Official UFD and their respective duties among the department, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 8:30 a.m. and 4:30 p.m. at the office of the Borough Clerk, 198 North Washington Avenue, Bergenfield, New Jersey.

Anne Dodd, RMC  
Borough Clerk

## **BOROUGH OF BERGENFIELD**

### **ORDINANCE 15-2480 – AN ORDINANCE CREATING THE POSITION OF FIRE DIRECTOR OF THE BERGENFIELD FIRE DEPARTMENT**

WHEREAS, the Borough of Bergenfield (“Borough”) has determined that the creation of the new position of “Fire Director,” is required in order to ensure efficient, orderly, and effective operation of the Borough’s Fire Department;

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Bergenfield, County of Bergen, State of New Jersey, as follows:

1. Section 17-26A shall be included in the Borough Code, creating the position of Fire Director and delineating the duties and responsibilities of this position. This section shall read as follows:

#### **§ 17-26A Fire Director.**

- A. The Fire Director shall be a confidential employee of the Borough.
- B. The Governing Body possesses the authority to appoint the Fire Director, which appointment shall be for an indefinite term.
- C. The Fire Director serves at the pleasure of the Governing Body and may be removed at any time, with or without cause, by a two-third’s (2/3) vote of the Governing Body.
- D. In the event of a vacancy, the Governing Body reserves the right to leave the position of Fire Director vacant where it deems such action appropriate, based on the totality of the circumstances. When the position of Fire Director is vacant the duties and responsibilities of the position shall be performed by the Borough Administrator.
- E. The duties and responsibilities of the position of Fire Director shall be as follows:

- (1) The Fire Director shall be the Chief Executive Officer of the Borough’s Fire Department and shall have full charge of its administration;

- a. The Fire Director shall exercise complete authority over the Borough's supplemental force of paid firefighters ("Paid Firefighters").
  - b. Consistent with New Jersey law, the Fire Director shall exercise supervision and control over the general affairs and administration of the individually incorporated volunteer fire companies which operate within the Borough's Fire Department. As per § 1.D of this Ordinance, in the event of a vacancy the Borough Administrator shall exercise supervision and control over the general affairs and administration of the individually incorporated volunteer fire companies which operate within the Borough's Fire Department.
  - c. The Fire Director shall have no role in the day-to-day operations of the individually incorporated volunteer fire companies in the Borough;
- (2) The Fire Director shall answer directly to the Governing Body and the Borough Administrator;
  - (3) The Fire Director shall present to the Governing Body recommendations for acceptance or denial of any proposed changes in rules, regulations, policies, or procedures governing the operations of the Paid Firefighters.
  - (4) The Fire Director shall present the proposed operating and capital budgets of the Fire Department to the Governing Body;
  - (5) The Fire Director shall approve, process, and authorize any and all purchases of the Fire Department;
  - (6) The Fire Director shall oversee the operations of the Fire Official UFD, who is a chosen from the ranks of the paid firefighters, consistent with the laws of the State of New Jersey;
  - (7) The Fire Director shall have full authority over all Borough employees serving within the Fire Department, including all Paid Firefighters. This includes, but is not limited to, full authority over the delegation of work assignment to individual employees, approving or rejecting requests for time off, and approving or rejecting any requests to work overtime;
  - (8) The Fire Director shall be responsible for seeking out any and all grants from the Federal or State governments, or private organizations, which are available to the Paid Fire Force. The Fire Director shall also be responsible for the completion of any application necessary to secure funding via these sources;

(9) The Fire Director shall provide monthly reports to the Governing Body on the activities of the Fire Department.

F. The Fire Director shall work an average of fifteen (15) hours per week.

2. Section 17-26B shall be included in the Borough Code, creating the position of Fire Official UFD and delineating the duties and responsibilities of this position. This section shall read as follows:

**§ 17-26B Fire Official UFD.**

- A. The Fire Official UFD shall be a career service employee of the Borough.
- B. The Fire Official UFD shall be selected from among the ranks of the career service firefighters by the Fire Director, and shall be appointed to this position for an indefinite term.
- C. The Fire Official UFD shall be a permanent title, and shall hereby replace the existing practice of having a paid firefighter temporarily serve as the Borough's "Fire Official."
- D. The terms and conditions of employment for the Fire Official UFD—including compensation and removal—shall be set via negotiation between the Borough and the Bergenfield Fireman's Assoc., F.M.B.A. Local No. 65.
- E. The duties and responsibilities of the position of Fire Official UFD shall be set by the Fire Director.

3. Section 17-19(A) of the Borough Code be and hereby is amended to read as

**§ 17-19 Composition:**

- A. The Fire Department shall consist of a Chief and two Deputy Chiefs, and as many paid and volunteer firefighters as hereinafter approved, including a paid Fire Director and a paid Fire Official UFD.

4. Section 17-26 of the Borough Code be and is hereby amended to read as follows:

**§ 17-26 Supplemental force of paid firefighters.**

- A. There is hereby established in the Borough of Bergenfield a supplemental force of paid firefighters. Said paid firefighters shall receive salary and compensation as set forth in the salary ordinances of the Borough of Bergenfield heretofore or

hereafter adopted. Such paid firefighters shall be considered members of the Bergenfield Fire Department, and they shall be subject to all ordinances, regulations, and rules applicable to members of said Fire Department. The paid members of the Bergenfield Fire Department shall work in accordance with work rules promulgated by the Fire Director. At the scene of fires, other similar disasters, or firematic assignments, such paid firefighters of the Department shall be under the supervision of the officers of the Department and the line officers of the fire companies. The Fire Official UFD shall be responsible for conducting fire inspections as directed by the Fire Director.

5. There are no other changes to this Chapter of the Borough Code of the Borough of Bergenfield.

6. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

7. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed to be valid and effective.

8. This ordinance shall take effect immediately upon passage and publication in accordance with law.

**IT IS FURTHER ORDAINED** that the remainder of Section 17 of the Code of the Borough of Bergenfield shall remain in full force and effect.