

ORDINANCE NO. 3472-18

**AN ORDINANCE AMENDING CHAPTER 33, ENTITLED "FIRE DEPARTMENT" OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF RUTHERFORD,
COUNTY OF BERGEN AND STATE OF NEW JERSEY**

BE IT ORDAINED by the Mayor and Council of the Borough of Rutherford, County of Bergen and State of New Jersey that Chapter 33 of the Code of the Borough of Rutherford entitled "Fire Department" shall be amended and that those portions of the Ordinance set forth below are hereby amended as follows and that those portions of the Ordinances not set forth below shall remain unchanged:

§33-26 Member in good standing

The purpose of Sections 26 through 33 of this Chapter is to establish a procedure to determine a member in good standing along with penalties and the establishment of a committee to review these members. Sections 26 through 33 of this chapter shall also establish fair and objective standards that apply to all members of the Rutherford Volunteer Fire Department. A further purpose is to establish a Life Member Status for the Rutherford Volunteer Fire Department. The policy set forth at Sections 26 through 33 of this Chapter were approved by the Rutherford Volunteer Fire Department Officer's Association in October of 2017. Sections 26 through 33 of this chapter shall be retroactive to January 1, 2018 as the purpose of these amendments is to protect the health, safety, and welfare of the public.

§33-27 Member in Good Standing Committee:

- A. The committee will consist of two members from each company and each company will appoint a member to the committee.
- B. To be eligible to be on the committee, the member must be an ex-chief or have 30+ years on the department for the first position and a member with less than 7 years on the department for the second.
- C. The committee will review excuses and evaluate what will constitute a valid excuse regarding the percentage of calls set forth at Section 33-28.
- D. The committee will meet at least 1 time per quarter, which meeting will be formal with the department secretary present to record minutes.
- E. For voting purposes:
 - a. 8 out of 10 members must be present to take action or vote on anything.

- b. Recommendation will be given by the committee to the Chief and Officers association who will have the ultimate decision on the action taken.

§33-28 Requirements for Member in Good Standing status

- A. The percentage of calls that the Rutherford Fire Department membership will be required to make is as follows:
 1. 0-7 years – 25%
 2. 8 – 14 years – 20%
 3. 15 – 25 years – 15%
 4. Over 25 years – Exempt from a percentage requirement and minimum drill attendance
 5. 20% for all company officers and chiefs
 6. Members must make a minimum of 50% of company and department drills per quarter.
- B. Members can be excused from the percentage requirement upon documenting the excuse and presenting their excuse to the Member in Good Standing Committee. Approved excuses are as follows:
 1. Medical with doctor's note – to be reevaluated after 18 months.
 2. Personal
 3. Leave of absence

§33-29 Penalties for not making percentage of calls:

- A. The following are penalties for not making a percentage of calls set forth at Section 33-28A:
 1. Must make 1 out of 4 quarters to get 25% clothing allowance
 2. Must make 2 out of 4 quarters to get 50% of clothing allowance
 3. Must make 3 out of 4 quarters to get full clothing allowance
 4. Attending Department Dinner at no cost based upon total percentage for the year.
 5. Voting at Chief's Elections based upon total percentage for the year.
- B. Percentages are reviewed quarterly by the Member in Good Standing Committee, January – March, April – June, July – September, and October – December.

§33-30 Eligibility

To be eligible to run for a position of a line officer, the member shall maintain Good Standing status for 2 quarters in the current year.

§33-31 Mandatory Training:

- A. Per Section 33-8A (9), members are required to take mandatory training.
- B. There will be a 30-day grace period to complete all mandatory training.

- C. Failure to take the mandatory training as set forth at Section 33-8A (9) shall result in being a member not in good standing.

§33-32 Life Member Status

- A. Any member who has served as Chief of the Department and who has achieved 35 years of service may request Life Member Status. Any member who has served 40 years but not served as Chief of the Department may request Life Member Status.
- B. Life members shall:
 - 1. Not respond to incidents, but may staff radio positions and may serve as the communications officer
 - 2. Not drive Fire apparatus
 - 3. Not be issued turnout gear
 - 4. Are not responsible to attend mandatory training
 - 5. Continue to receive clothing allowance
 - 6. May hold corporate office
 - 7. May serve on Fire Department Committees
 - 8. May vote at company and department elections
- C. Each company may have an unlimited number of life members in addition to the authorized strength of the fire companies established by Borough Ordinance.

§33-33 Severability and Repealer.

If any article, section, paragraph, clause or provision of this chapter shall be adjudged invalid by any Court of competent jurisdiction, such adjudication shall apply only to the article, section, paragraph, clause or provision so adjudged, and the remainder of this chapter shall be deemed valid and effective.

ATTEST:

BOROUGH OF RUTHERFORD

Margaret M. Scanlon

Margaret M. Scanlon, Borough Clerk

Joseph DeSalvo Jr.

Joseph DeSalvo Jr., Mayor

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Mayor and Council at a meeting held on August 14, 2018.

Margaret M. Scanlon

Margaret M. Scanlon, Borough Clerk