

BOROUGH OF CRESSKILL

ORDINANCE NO. 12-01-1423

CHAPTER 32 - CRESSKILL FIRE DEPARTMENT

WHEREAS, the current and former Fire Chiefs have notified the Borough of its inability to provide sufficient and timely services from fires and other emergencies to the citizens of Cresskill; and

WHEREAS, the Mayor and Council have discussed and researched the matter;

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

SECTION I

I. Establishment; Supervision

A. Fire Department, to be known as the Cresskill Fire Department, is hereby established for the Borough to consist of one or more companies as shall be determined by resolution adopted at a regular meeting of the Mayor and Council.

B. The Cresskill Volunteer Fire Department, created by Ordinance No. 19-54 is hereby dissolved and reconstituted as the Volunteer Division of the Cresskill Fire Department as hereinafter provided.

C. The Fire Department shall be supervised by the Fire Committee of the Council, which shall be appointed by the Mayor and approved by the Council at the organizational meeting of the Mayor and Council on or about January 1 of each year. One of the members of the Fire Committee of the Council shall be appointed as the Chairman of the Fire Committee and shall be known as the "Fire Commissioner."

II. Composition.

A. There shall be three Divisions within the organizational structure of the Cresskill Fire Department: Paid Division, Volunteer Division, and Division of Fire Prevention. All three divisions will fall under the Borough of Cresskill, Division of Fire. (hereinafter referred to as Cresskill Fire Department) and shall be under the supervision and control of the Fire Chief.

B. The Paid Division of the Cresskill Fire Department shall consist of a Fire Chief, and as many officers and firefighters as deemed necessary under a table of the organization approved by the Mayor and Council.

C. In addition to the uniformed force, the Volunteer Division shall consist of an Assistant Fire Chief, 1 Captain, 2 First Lieutenants, 2 Second Lieutenants and as many firefighters as deemed necessary under a table of organization required for the proper operation of the Fire Department approved by the Mayor & Council.

D. The Division of Fire Prevention shall consist of the Fire Official and such other inspectors or personnel as may be approved by the Mayor & Council.

III. Officers

A. Fire Chief.

(1) Office established; appointment; term of office.

(a) The office of Fire Chief of the Fire Department is hereby established in the Borough of Cresskill.

(b) The Fire Chief shall be appointed by the Mayor and confirmed by the Council of the Borough of Cresskill and shall hold office during good behavior and capacity to carry out his duties in an efficient manner.

(2) Powers and duties.

(a) The Fire Chief shall have jurisdiction and supervision over all personnel comprising the Cresskill Fire Department, both paid and volunteer, and all apparatus and equipment used by said Department at all times.

(b) The Fire Chief shall supervise and direct, either personally or through his/her subordinates, the operations and activities of the Cresskill Fire Department with respect to the prevention, control and extinguishing of fires.

(c) It shall be the duty of the Fire Chief to see that all fires are extinguished with the least possible danger to life and damage to property. The Fire Chief shall have the absolute and entire command at fires, extrications, rescues, hazardous materials emergencies, hazardous conditions and all orders issued by him in exercising his discretion to meet any emergency or fire related incidents shall have the full force of law.

(d) The Fire Chief is authorized to inspect, or cause to be inspected by Department members, all buildings and premises for the purpose of ascertaining any condition liable to cause fire or which effects a fire hazard, or for the purpose of investigating any violation of State laws or Borough ordinances relating to fires or fire prevention, and the Fire Official shall be held responsible for the keeping of complete records of all fire prevention work of the Department.

(e) The Fire Chief is authorized to render the assistance of personnel, apparatus or equipment to another municipality in the event of a conflagration or disaster. Such authorization shall be given by the Fire Chief if it does not seriously lessen the efficiency of the Department. Such requests for assistance shall only be recognized when made by or through the other municipality's chief or then commanding officer in charge of the fire and confirmed as closely as conditions permit.

(f) The Fire Chief shall investigate all written complaints made by citizens against a member or members of the Department, regardless of whether or not the alleged offending member or members were on or off duty at the time of the alleged offense.

(g) The Fire Chief shall have the authority in the event of fire to order the demolition of buildings or parts of buildings, the position of which, in his/her judgment, constitutes a serious threat to life or further devastation of property.

(h) The Fire Chief shall devise forms or methods of keeping records and shall see that the records are kept of all alarms of fire, methods used for extinguishing fires, fire losses, drills, conditions of hydrants, inspection of motors and all equipment belonging to the Borough and used by the Fire Department. The form and manner of keeping such records shall be subject to the approval of the Fire Commissioner.

(i) It shall be the duty of the Fire Chief to make and file an annual report, including an inventory of equipment, to the Mayor and Council, specifying the condition of the various pieces of apparatus and all equipment belonging to the Department. This report shall be filed by the Fire Chief not later than February 1 of the succeeding year.

(j) The Fire Chief shall, from time to time, adopt a code of bylaws and rules for the control, management and government of the Department. Such code or codes of bylaws and rules, after review by the Board of Fire Officers, shall not become effective and operative until submitted to and approved by the Mayor and Council.

B. **Chief of Operations.** The Chief of Operations will be assigned to the senior officer of the Paid Division in the absence of the Fire Chief. He/she will have full authority to command the Department in the absence of the Chief.

C. **Tour Commander(s).** Tour Commanders will be added and assigned at such times deemed necessary for the advancement of the Department.

D. **Captain.** Under direction of the Fire Chief, supervises and performs fire suppression, emergency aid, hazardous materials and other emergency situations. The captain is responsible for the safety and operations of his company.

E. **Lieutenant.** The Fire Lieutenant usually performs work on an assigned basis under the direction of the Fire Chief. Lieutenants may perform duties similar to those of a Fire Captain. These activities include but not limited to the supervision of fire personnel at scenes and in Fire Stations.

F. **Fire Fighter.** Protects lives and property through activities associated with fire prevention, fire suppression, hazardous materials, emergency medical incidents and participates in the training and maintenance activities.

Paid Division members shall be appointed upon suitable application for employment. Appointment as a member of the Department will be pursuant to the rules and regulations governing the Borough of Cresskill Fire Department. Approval for appointment will be contingent upon official action of the Fire Chief and the Mayor and Council. General qualifications for membership in the Paid Division are as follows:

- (1) Is a citizen of the United States.
- (2) Has attained the age of 21 years through 35 years, or 40 years if appointed pursuant to N.J.S.A. 40A:14-42 through 44.
- (3) Is sound in body and of good health sufficient to satisfy the Borough Physician and the Board of Trustees of the Police and Firemen's Retirement System of New Jersey as to his eligibility for membership in the retirement system.
- (4) Is able to read, write and speak the English language well and intelligently.
- (5) Is of good moral character.
- (6) Has not been convicted of any criminal offense involving moral turpitude.
- (7) Has complied with all laws of the State of New Jersey.
- (8) Appointments thereto shall be made from the members of the Volunteer Division who shall have served as active fire fighters for at least 2 years next preceding said appointment or from among the exempt firemen of the Volunteer Division. If no such qualified persons are available for appointment, preference for hiring will be given to Borough residents first and Bergen County residents second.
- (9) Nothing herein contained shall affect the employment or continuance in office of any person, as a permanent fireman, employed by the Borough prior to the adoption of this Ordinance.

G. **Per Diem Firefighter-** a firefighter approved for this position by the Fire Chief will be a “fill in” in the event that a member from the Paid Division is excused from duty. These Per Diem firefighters will be required to maintain the same level of certification as members of the Paid Division. He/she must follow all rules and regulations of the Cresskill Fire Department. Members of the Volunteer Division will be given priority for placement on the Per Diem List. In the event that the approved Per Diem List is unable to support the Paid Division, applications

will be opened to the public to fulfill the Per Diem List to meet the Borough's needs. The Per Diem rate of pay will be determined by the Mayor and Council.

H. Any officer or firefighter of the Paid Division who shall refuse or voluntarily neglect to obey or execute any order from any officer in charge of an alarm or drill, or who shall violate or willfully neglect, or who shall refuse to be governed by any of the provisions of this Ordinance or the rules and regulations of the Fire Department that may be adopted, shall be subject to suspension, removal or expulsion from the Fire Department by the Mayor and Council after notice and a hearing. Pending such determination, the Fire Chief may suspend any such officer or firefighter in accordance with state law.

IV. Board of Fire Officers.

The Fire Chief, Assistant Chief and all officers of the Paid and Volunteer divisions shall constitute the Board of Fire Officers.

V. Division of Fire Prevention; General Responsibilities and Duties.

A. The Fire Official shall be solely responsible for inspecting all buildings and premises, including the interiors thereof, as often as may be necessary for the purpose of ascertaining and causing to be correct any conditions liable to cause fire or any violation of the purpose and intent of this ordinance and of any other ordinance affecting the fire hazard. For the purposes of making such inspections, the Fire Official is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, buildings and other premises.

B. The Fire Official shall report to the Mayor and Council and the Fire Chief regarding inspections made, violations noted and other matters within his jurisdiction.

C. Subject to the approval of the Mayor and Council, the Fire Official shall also:

(1) Regulate the use, storage, sale and disposal of flammable or combustible materials.

(2) Create fire zones and districts along with the Fire Chief within the Borough.

(3) Enforce the provisions of this chapter and the New Jersey Uniform Fire Code.

D. Qualifications. No person shall be appointed Fire Official unless such person satisfies the requisite qualifications as established by the Commissioner for the Department of Community Affairs for the position of Fire Official. Such person shall also have at least 10 years' experience in the field of fire fighting and/or fire prevention.

E. In addition to the above requirements, the Fire Official should demonstrate that he or she has received appropriate schooling and shall, to the extent possible, be a current member of the Department.

F. Appointment and removal. The Fire Official with the recommendation of the Fire Chief shall be appointed annually by the Mayor and Council and may be removed by the Mayor and Council for good cause.

G. The Fire Official shall not hold any position on the Board of Fire Officers while holding the position of Fire Official.

VI. Composition of Volunteer Division.

The Volunteer Division of the Cresskill Fire Department shall consist of volunteer firefighters (hereinafter referred to as "firefighters") appointed by the Mayor and Council.

A. Appointment of members to the Volunteer Division.

General Qualifications for membership in the Volunteer Division are as follows:

A. Appointment of members. No person shall hereafter become a member of the Volunteer Division except in accordance with the provisions of the Revised Statutes of New Jersey. Such person shall be at least 18 years of age and not over the age of 45 years; shall be a citizen of the United States; shall have been a resident of the Borough of Cresskill for not less than one year next preceding the date of his appointment; shall be sound in body, of good health and able to read, write and speak the English language well and intelligently; and shall be of good moral character. He shall be physically fit to perform the duties of a fireman, which fact shall be evidenced by a certificate issued by a practicing physician of the state after physical examination by such practicing physician shall have established such physical fitness.

B. Qualifications for continued membership. Hereafter, no person shall remain a member of the Volunteer Division unless such person is a resident of the Borough of Cresskill or a resident of a municipality that borders on the Borough of Cresskill (e.g., Dumont, Bergenfield, Tenafly, Alpine or Demarest).

B. Application procedures for membership; classification of members.

A. Every person seeking to become a member of the Volunteer Division shall make written application on the forms provided by the Fire Department. Such application shall be first submitted to the Board of Fire Officers and, if approved by such Board of Fire Officers, shall be submitted to the Mayor and Council for final action.

B. Classification of members. Volunteer members shall be divided into seven (7) classifications as follows:

(1) Active firefighter.

(a) An active firefighter shall meet the membership qualifications of section VI. (A) for membership and successfully complete courses of instruction entitled Firefighter I, Hazardous Materials Awareness and Hazardous Materials Operational recognized by the New Jersey Division of Fire Safety. The active firefighter shall also attend all training and retraining courses or seminars mandated by law and the Board of Fire Officers. The active firefighter shall annually attend at least 35% annually of all fires, and shall regularly attend drills, meetings and work nights.

(b) An active firefighter attaining 40% annually of all fires, drills, meetings and work nights shall be entitled to a clothing allowance, Cresskill municipal pool rebate and additional benefits when and if made available.

(2) Active reserve member.

An active reserve member is a firefighter who is no longer able to respond to fires and emergency calls because of physical limitations. Active reserve members shall no longer ride out on any Department apparatus to fire or other emergencies. Active reserve members shall be entitled to the same benefits as active firefighters, as set forth in Subsection B(1)(b).

(3) Probationary firefighter.

The probationary firefighter shall meet the membership qualifications of section VI. (A) and shall be considered a probationary firefighter until which time he or she successfully completes courses of instruction entitled Firefighter I, Hazardous Materials Awareness and Hazardous Materials Operational recognized by the New Jersey Division of Fire Safety. If he or she cannot complete Firefighter I within 24 months from the date of application, his or her status will be evaluated by the Board of Fire Officers for continued membership.

(4) Life member.

Life member status shall be bestowed upon all members who have served 25 years as an active firefighter with the Cresskill Fire Department.

(5) Ex-Chief.

Ex-Chief status shall be bestowed upon all members who have served as Chief and/or Assistant Chief of the Cresskill Fire Department. Ex-Chiefs, who are current members, are entitled to a clothing allowance, Cresskill municipal pool rebate and additional benefits when and if made available.

(6) Exempt member.

An exempt member shall be an active firefighter who has obtained an exemption certificate from the New Jersey State Firemen's Association.

(7) Associate member.

(a) An associate member shall be currently 18 years of age and not over the age of 45 years and be a resident of a neighboring municipality that borders the Borough of Cresskill (e.g., Alpine, Bergenfield, Demarest, Dumont and Tenafly). The associate member will hold probationary firefighter status for at least six months and until such time he or she successfully completes courses entitled Firefighter I, Hazardous Materials Awareness and Hazardous Materials Operational recognized by the New Jersey Division of Fire Safety and complies with all training and retaining courses or seminars as mandated by law or the Board of Fire Officers.

(b) An associate member may also be a currently active firefighter in good standing of no less than three consecutive years with a fire company, who works within the Borough of Cresskill, including Borough of Cresskill employees, and who will be available for fire calls during the hours of which he or she is working in the Borough of Cresskill. The member must have a letter of recommendation from his or her current Chief of Department, must have successfully completed courses entitled Firefighter I, Hazardous Materials Awareness and Hazardous Materials Operational recognized by the New Jersey Division of Fire Safety, comply with all training and retraining courses or seminars as mandated by law or the Board of Fire Officers, and will hold probationary firefighter status for six months.

(c) Associate members who have achieved two consecutive years of service in good standing and achieved 45% of his or her Fire Duties with the Cresskill Fire Department may be referred for regular active firefighter status by the Fire Chief and then approved by the Board of Fire Officers. Associate members shall not be eligible for any Cresskill Fire Department Officer positions.

C. Election of Officers to the Volunteer Division.

The officers of the Volunteer Division shall be elected by the active members of the Department at a meeting to be held on or about the first Tuesday of December of each year. The Fire Commissioner shall act as Judge. No officer shall be qualified until his election shall have been approved by the Mayor and Council. After such approval, each officer shall begin his term of duty on January 1 of the following year, his term of office to be for the next calendar year or until his successor qualifies.

A. Eligibility to office of Assistant Chief. Any member of the Department, who has served not less than three years as an officer in the fire service, with at least two years in this Department in any grade lower than Assistant Chief and has been a member of the Department for not less than six years, shall be eligible for the office of Assistant Chief of the Fire Department.

B. Eligibility to office of Captain. Any member of the Department who has served not less than two years as an officer in this Department in any grade lower than Captain and has been a member of the Department for not less than five years shall be eligible for the office of Captain of the Department.

C. Eligibility to office of First Lieutenant. Any member of the Department who has served not less than one year as an officer in the Department in the rank of Second Lieutenant and has been a member of the Department for not less than three years shall be eligible for the office of First Lieutenant in the Department.

D. Eligibility to office of Second Lieutenant. Any member of the Department who has served not less than two years in the Department shall be eligible for the office of Second Lieutenant.

E. Prerequisite of eligibility to any office in the Department. No member of the Department shall be eligible to run for office unless he or she has completed and passed Firefighter I, Hazardous Materials Awareness and Operational and Officers' Training at schools approved by the Board of Fire Officers. He or she must prove to the Board of Fire Officers working knowledge of all fire apparatus owned by the Borough. He or she must be in compliance with any training mandated by the New Jersey Division of Fire Safety.

D. Badge of membership.

Upon approval of appointment, each person shall be provided with a badge furnished by the Mayor and Council. The badge of any member of the Fire Department shall be delivered to the Fire Chief of the Department at any time when the Fire Chief so demands or whenever written charges involving criminal conduct, moral turpitude or neglect of duty shall be made against such member. The badge of any member of the Fire Department shall be returned to the Fire Chief if such person shall cease to be an active fireman.

E. Practice drills.

Practice drills shall be held whenever ordered by the Fire Chief. Drills shall be held at least a month from April 1 to November 1 and at such other times during the calendar year as shall be ordered by the Fire Chief. Upon failure of the Fire Chief to cause such practice drills, the Fire Commissioner may order the Fire Chief to carry out his duty for the holding of drills. If the Fire Chief refuses or neglects to comply with the order of the Fire Commissioner, such neglect of duty shall be reported in writing by the Fire Commissioner to the Mayor and Council.

F. Attendance at drills and fires; records of attendance.

Every member of the Volunteer Division shall in each and every year perform at least 25% of the prescribed fire duties. The records as to attendance by the members of the Volunteer Division at fires shall be kept by the Fire Chief. The Fire Chief shall make reports as to the attendance of all officers and members of the Department to the Mayor and Council in his/her annual report at such other times as shall be designated by resolution of the Mayor and Council. The Fire Chief may grant leave of absence to a member of the Department for a period not to exceed six months. Any such leave of absence granted by the Fire Chief shall be reported to the Council.

G. Failure to perform; removal from membership.

Members who at the end of the Fire Department attendance reporting year (December 1 through November 30) have not performed 25% of fire duties (fires, drills, meetings and work nights) and have not attained ex-Chief status shall be subject to review by the Board of Fire Officers and may be dropped from membership.

H. Refusal to obey orders and rules.

A. The Mayor and Council may suspend or expel the Assistant Chief and any officer or member of the Volunteer Division for failure to serve as an officer or member for six successive months, for criminal conduct, moral turpitude, unbecoming conduct or behavior or neglect in violation of any duty incumbent upon any such person. No suspension or removal shall be made except upon notice to the person and an opportunity to be heard.

B. In addition, the Fire Chief, Assistant Chief or any officer or member may submit charges against any volunteer officer or volunteer member of the Fire Department for any of the actions in Subsection C and the Fire Chief may suspend any such officer or member pending a hearing.

Such charges shall be brought before the Board of Fire Officers. If the charges are made against a member of the Board or if any Board member is unavailable for the hearing of the charges, the Fire Chief shall appoint an alternate to sit on the Board. The Board may suspend any member for a period of up to one year or expel such member from the Cresskill Fire Department.

C. Any volunteer officer, or volunteer member of the Department who shall refuse or voluntarily neglect to obey or execute any order from any officer in charge of an alarm or drill, or who shall violate or willfully neglect, or who shall refuse to be governed by, any of the provisions of this Ordinance or the rules and regulations of the Fire Department shall be subject to suspension, removal or expulsion from the Department by the Board of Fire Officers, after a hearing given by the Board of Fire Officers. Any one of the following, in addition to any other violation of this Ordinance or any rules, regulations or orders promulgated hereunder, shall be cause for suspension, removal or expulsion from the Fire Department, although suspensions, removals or expulsions may be made for sufficient causes other than those listed:

- (1) Neglect of duty.
- (2) Incompetency or inefficiency.
- (3) Incapacity due to mental or physical disability.
- (4) Insubordination or serious breach of discipline.
- (5) Intoxication or under the influence of a controlled substance while at a fire call.
- (6) Chronic or excessive absenteeism.
- (7) Disorderly or immoral conduct.
- (8) Willful violation of any of the Fire Department rules and regulations.
- (9) The conviction of any criminal act or offense.
- (10) Negligence of or willful damage to public property or waste of public supplies or Fire Department property or Fire Department supplies.
- (11) Conduct unbecoming a member of the Cresskill Fire Department.

D. The Board of Fire Officers shall notify the accused officer or member of the charges against him or her and shall provide reasonable notice of a hearing, at which time the accused officer or member shall have the opportunity to defend against the charges and provide evidence and/or witnesses in support thereof.

I. Retirement.

The membership of any active firefighter in the Volunteer Division who has attained the age of 65 years shall automatically be put on inactive status without formal action by either the Fire Department or the Mayor and Council, unless that member, upon his or her 65th birthday and thereafter upon his or her successive birthdays, obtains from the official Borough physician, and delivers to the Board of Fire Officers or Mayor and Council, a certificate that he or she shall be of such good health to be able to continue his or her service as an active firefighter. The membership of any such firefighter shall continue until he or she fails to obtain and deliver the aforesaid certification or until his or her 75th birthday, whichever is sooner, whereupon the active firefighter shall be placed into inactive membership without formal action by either the Board of Fire Officers or the Mayor and Council. The Borough of Cresskill will pay the reasonable cost of the examining physician incurred in connection herewith.

J. Honorary memberships.

In cases where the Board of Fire Officers shall recommend in writing to the Fire Department and where such recommendation is approved at a regular meeting of the Fire Department by a vote of not less than 3/4 of the members present at such meeting, any person may be elected to honorary membership in the Department or to an honorary office, such as Chief of the Department. The Board of Fire Officers shall recommend for honorary membership only such persons as have given unusual service to the Fire Department or who have been forced to retire from membership in the Fire Department because of physical injuries received in the performance of duties as a member of the Fire Department. Such honorary members may attend all meetings of the Fire Department but shall have no vote upon any question presented to the Department.

K. Exemption certificates.

An exemption certificate shall be issued to any member of the Fire Department who shall have performed such duty as required by the Revised Statutes of New Jersey. Such exemption certificate shall be signed by the Mayor and the Chief of the Fire Department and attested by the Borough Clerk.

L. Annual uniformed inspection.

An annual uniformed inspection of the Volunteer Division shall be held at the headquarters of the Fire Department at any time during the year upon such date as shall be fixed by the Fire Chief and approved by the Mayor and Council.

M. Monthly meetings.

The Board of Fire Officers shall meet with the members of the Volunteer Division at least once a month for the transaction of all business of the Department.

N. Platoons authorized.

At the discretion of the Chief, the members of the Department may be divided into two platoons. The Chief of the Department and the Fire Commissioner shall fix the hours of duty for each platoon and make an assignment of the members of the Department to the two platoons. No credit shall be given to a member of the Department assigned to one platoon for services furnished to the other platoon.

VII. Operations of Fire Department.

A. Chain of command at fires.

In all cases of fire, the Fire Chief shall have full power and absolute control and command of all the members and the apparatus of the Department. In the absence of the Fire Chief, the Chief of Operations shall be in charge. In the event that the Paid Division is off duty and the Fire Chief is not available, the ranking Chief or officer of the volunteer division shall be in charge and command of the Department.

The full chain of command at fires is as follows:

- Fire Chief
- Chief of Operations.
- Assistant Chief
- Tour Commander (Paid Division)
- Captain (Paid Division)
- Lieutenant (Paid Division)
- Captain (Volunteer Division)
- Lieutenant (Volunteer Division)

B. Police authority at fires.

The officers of the Department at any fire shall have police authority as granted by the Revised Statutes of New Jersey.

C. Apparatus drivers.

Drivers of the apparatus belonging to the Department shall be appointed by the Chief.

D. Repairing equipment by members.

No member of any company shall be permitted to repair any apparatus of the Fire Department unless so directed by the Fire Chief or, in case of the absence of the Fire Chief, by order of one of the officers of the Department. Such repairs shall be ordered by an officer of the Fire Department, other than the Fire Chief, only in case of an emergency.

E. Use of apparatus; aid to neighboring municipalities.

(1) No person shall be allowed to handle any apparatus, equipment or implements belonging to the Department unless accompanied by an active member of the Department.

(2) No apparatus used by the Department shall be let out for hire.

F. Junior Firemen

(1) Training provisions

The Mayor and Council of the Borough may, on application from the Fire Chief, provide for training of new firemen, who shall be designated as Junior Firemen.

(2) Eligibility.

Any person who is a resident of the Borough and who is at least 16 years of age and less than 21 years of age may become a Junior Fireman.

(3) Application; designation as Junior Fireman.

Any person desiring to become a Junior Fireman shall make application to the Fire Chief or Assistant Chief of the Borough Fire Department and shall complete an application prescribed by the Mayor and Council. The name of the applicant shall then be submitted, together with a report of a medical examination, to the Mayor and Council which, if it approves such applicant, shall designate such applicant as a Junior Fireman.

VIII. Length of Service Awards Program

[Adopted 8-9-2000 by Ord. No. 00-11-1219

Editor's Note: This ordinance was approved by the voters at the General Election of 11-7-2000.]

A. Creation; purpose.

A Length of Service Awards Program (LOSAP) is herewith created in accordance with Chapter 388 of the Laws of 1997, to reward members of the Cresskill Volunteer Fire Department for their loyal, diligent, and devoted services to the residents of the Borough of Cresskill.

B. Contributions to deferred income account.

The LOSAP shall provide for fixed annual contributions to a deferred income account for each volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that shall be established by the Borough of Cresskill pursuant to P.L. 1997, Chapter 388; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U.S. Internal Revenue Code, and this article.

C. Criteria.

The LOSAP shall provide for annual, calendar year, January 1 through December 31 basis of each year, contributions to each member that meets the criteria so as to earn not less than 100 points as follows:

(1) Any volunteer who accumulates 100 or more points in a calendar year will be considered an active volunteer for that year and therefore be eligible for the benefit amount.

(2) The annual contributions shall be \$600 per eligible member for year 1, \$850 per eligible member for years 2, 3 and 4; and \$1,150 for year 5 for an eligible member.

(3) Five full calendar years of eligibility and service are required for vesting.

(4) A member not accumulating 100 points during a calendar year shall receive no contributions and points are not carried into a succeeding calendar year so that each member has no points on January 1 of each year.

D. Cost.

The estimated cost of the program based upon current total combined membership of 71 persons, each earning 100 points in each calendar year has been calculated as follows:

1. For annual services*:

Year	Amount
1	\$42,600
2	\$60,350
3	\$60,350
4	\$60,350
5	\$81,650
6	Unknown

*NOTE: Membership may increase or decrease and not all members may earn 100 points each calendar year.

E. Points credited to members.

To earn eligibility, each active volunteer member shall be credited with points for volunteer services provided to the Cresskill Fire Department (Volunteer Division) in accordance with the following schedule:

(1) Volunteer Fire Department: Schedule A.

Schedule A, LOSAP Point System; 100 Points Needed For a Qualifying Year; Fire Department Point System.

(a) Fire Department responses. Points are credited based upon the following schedule of percent attendance at the Fire Department responses dispatched that year:

Percentage of Attendance	Number of Points
0% — 10%	0
11% — 20%	10
21% — 30%	20
31% — 40%	30
41% — 50%	40
51% — 60%	50
61% and above	60

(b) Years of service points. Points will be given for years of dedicated service to the Department. Points will be awarded as follows:

Years of Service	Number of Points
After 5	5
10	10
15	15
20	20
25	25
30	30
35	35
40	40
45	45
50	50

(c) Holder of elected or appointed positions. Members who are holding or held positions of responsibility shall be awarded points based on the following schedule:

Position	Number of Points
Chief and Assistant Chief of the Department	10
Captain	7
First Lieutenants	5
Second Lieutenants	3
Ex-Chiefs	5
Drivers	3
LOSAP Administrator	10

(d) Points system for additional Departmental activities.

Activity	Number of Points
Meetings	2
Drills	3
Work nights	2
Fire prevention details	2
Extra details prescribed by the Chief (maximum of 20 points)	2
Training classes, per hour of class (maximum of 30 points)	2

IX. STIPEND PROGRAM

A. A stipend program shall be established to encourage active recruitment, retention and participation by members of the Volunteer Division.

B. The terms, conditions and governing rules applicable to the stipend program shall be established by a resolution adopted by the Mayor and Council of the Borough of Cresskill and may be amended, in their sole discretion, by subsequent resolutions of the Mayor and Council.

SECTION II

All other Ordinances of the Borough, or parts thereof, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

SECTION III

If any section, subsection, paragraph, subdivision, or sentence of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such decision shall apply only to the section, subsection, paragraph, subdivision, sentence, clause, phrase or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

SECTION IV

This Ordinance shall take effect immediately upon final passage and publication according to law.