

**BOROUGH OF EMERSON
COUNTY OF BERGEN**

NOTICE OF ADOPTION

Introduced: November 1, 2022

Adopted: November 22, 2022

NOTICE IS HEREBY GIVEN that the following ordinance was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 22nd day of November, 2022. Copies of Ordinance 1661-22 are available by contacting the Borough clerk or visiting our website at www.emersonnj.org.

ORDINANCE NO. 1661-22

**AN ORDINANCE TO AMEND CHAPTER 35
ENTITLED FIRE DEPARTMENT SECTION 10 MEMBERSHIP**

Chapter 35 -10 Membership

Membership in the Emerson Fire Department is open to all persons who are able to perform the duties of volunteer firefighters without discrimination on the basis of the applicant's race, creed, color, sex, age, national origin, ancestry, marital status or physical handicap.

B.

The Department shall establish objective qualifications for membership, which shall relate directly and solely to the physical and technical ability and character fitness of an applicant to perform the vocational duties of a volunteer firefighter.

C.

All persons desirous of becoming members of the Emerson Fire Department must obtain a membership application from the Fire Chief or Borough Clerk and submit the completed application to the Membership Committee for review and action.

[Amended 4-20-2021 by Ord. No. 1627-21]

D.

Any person who is a resident of the Borough of Emerson or any municipality which borders on the Borough of Emerson for a period of six months, a citizen of the United States, at least 18 years of age and of good character is eligible for membership in the Emerson Fire Department.

E.

The Membership Committee shall be solely responsible for evaluating and ruling upon applications for membership. It shall, within 60 days of receipt of the completed application and subsequent review of the Investigating Committee, make a report to the Department as to whether or not the applicant qualifies for membership. Its decision shall be binding on the Department, and no vote of the membership shall be conducted on the issue of whether an applicant shall be admitted to probationary membership.

F.

Applicants reported by the Investigation Committee to be qualified for membership shall be admitted in the order in which their applications were received as soon as vacancies exist. If at any time the number of applicants found to be qualified exceeds the number of current vacancies, a waiting list shall be established according to the order on which the applications were received, and appointments shall be made therefrom in that same order. The quota shall be filled in the order in which the applications were received, except if any former member of the Department applies for reinstatement within a period of one year from the date of his or her resignation, he or she shall be given preference over any pending new applicants and transferees. Transferees shall also be given preference over any new applicants.

[Amended 4-20-2021 by Ord. No. 1627-21]

G.

If the Membership Committee determines that an applicant does not meet the minimum requirements for membership, the Department Secretary shall promptly advise the applicant in writing of the rejection and the qualifications described with particularity which he or she has not substantially met.

H.

Newly accepted applicants must serve a one-year probation. During the probationary period, the applicants are required to take and pass Firefighter I training course at the Bergen County Law and Public Safety Institute. During the probation period and at the conclusion thereof, each probationary member shall be evaluated solely by the line officers of the Department who supervise him or her in the performance of his or her duties. They may cause the dismissal of any member during the probationary period only for failure to perform the established duties of probationary member in a reasonably satisfactory manner or other good cause, and may do so by notifying the probationary member in writing of his or her rejection and particular reasons therefore. At the end of the probationary period, the said supervising officers shall determine whether or not the applicant has satisfactorily performed the duties of a probationary member. If he or she has, they shall promptly recommend to the membership that he or she be admitted to full membership, and their recommendation shall be binding on the Department, and he or she shall be admitted forthwith. If he or she has not, they shall promptly notify the probationary member in writing of his or her rejection and the particular reasons therefore. No vote of the membership shall be conducted on the issue of whether any probationary member shall continue as a probationary member or be admitted to full membership. Once admitted into probationary status by the Membership Committee, the continuance of the applicant through that period and into full membership is at the sole discretion of the Board of Fire Officers.

[Amended 4-20-2021 by Ord. No. 1627-21]

I.

Life membership can be attained with the following qualifications:

(1)

When a member has reached the age of 50 years and has 25 years' service in the Department and has attained his or her exemption or has performed, during a period of seven years, 60% of fire duty or, after January 1, 2009, 50% of fire duty, in each year, respectively, he or she may become a life member.

[Amended 7-7-2015 by Ord. No. 1503-15]

(2)

When a member has reached the age of 70 years and has 20 years of service in the Department and has attained his or her exemption or has performed, during a period of seven years, 60% of fire duty or, after January 1, 2009, 50% of fire duty, in each year, respectively, he or she must become a life member.

[Amended 7-7-2015 by Ord. No. 1503-15]

(3)

The rights and privileges of a life member are:

(a)

(Reserved)^[1]

[1]

Editor's Note: Former Subsection I(3)(a), regarding full insurance, was repealed 4-19-2022 by Ord. No. 1647-22.

(b)

Full clothing allowance at the prevailing rate for as long as the member remains a resident of the Borough of Emerson or qualifies under Subsection J as a resident.

(c)

No percentage requirement to qualify for clothing allowance.

(d)

No heavy or hazardous duty at fires or drills.

(e)

Life member retains all rights of regular members. with the exception of nominating or voting for line officers.

(f)

Life members will be exempt from Department dues.

(g)

There will be no termination of life membership due to age.

(h)

Life members will not be counted in the Department's membership quota.

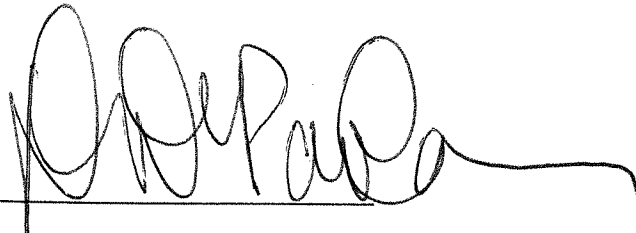
J.

Any member or life member of the Emerson Fire Department who moves to any municipality which borders on the Borough of Emerson may still remain an active member, or because of age and service, a life member of the Emerson Fire Department.

K.

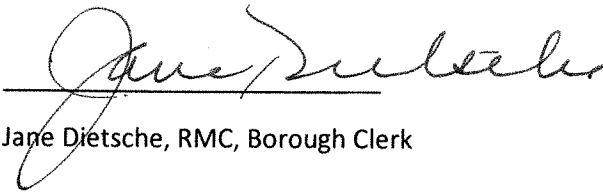
Any person who is employed full-time within the Borough of Emerson and who is a qualified firefighter in a fire department in the State of New Jersey shall be eligible to join the Emerson Fire Department as a supplemental firefighter. Supplemental firefighters shall serve as members of the Emerson Fire Department only during their working hours and shall fulfill all duties as set forth by the Board of Fire Officers but shall not be eligible to run for any position in the Emerson Fire Department or vote on any Department matter.

[Added 7-20-2010 by Ord. No. 1411]

A handwritten signature in black ink, appearing to read 'Danielle DiPaola', written over a horizontal line.

Mayor Danielle DiPaola

ATTEST:

A handwritten signature in black ink, appearing to read 'Jane Dietsche', written over a horizontal line.

Jane Dietsche, RMC, Borough Clerk