ORDINANCE NO. 2026-35

AN ORDINANCE OF
THE TOWN OF SECAUCUS, COUNTY OF HUDSON, NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 12 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "FIRE DEPARTMENT" TO UPDATE ELECTION NOMINATION PROCEDURES

WHEREAS, the Mayor and Council recognize that the safety of all residents and the protection of buildings and structures is of utmost concern and that the ability to provide emergency fire services is critical to the protection of the public; and

WHEREAS, the Town of Secaucus' Volunteer Fire Department serves the fire and emergency response needs of the municipality and is governed by T.O. 12-1 *et seq.*; and

WHEREAS, updates are recommended by the Fire Chiefs and the Secaucus Volunteer Fire Department Mutual Association as to election nomination procedures for the Fire Department to allow for a timely process and adequate transition period.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Town of Secaucus, County of Hudson, State of New Jersey, as follows:

1. Chapter 12 of Code of the Town of Secaucus, Terms of office; election of Battalion Chief; office of Fire Chief and Deputy Chief." be, and is hereby amended and supplemented to read as follows: (deletions are indicted by ~~crossouts~~; additions are indicated in **bold**):

A. The term of Fire Chief, Deputy Chief, and Battalion Chief shall each be for two years, and shall commence as of January 1 of each year.

B. Battalion Chief.

1. The Battalion Chief, who, in order to qualify must have served as Captain of **the applicable** ~~his respective~~ company for at least two years, shall be elected for a two-year term by ballot of the members of the Fire Department. Such Battalion Chief shall be elected from that company where it is designated by order of rotation to have such Battalion Chief elected. The order of rotation is as follows: first from Engine Company No. 1, then from Engine Company No. 3, then Engine Company No. 2/Rescue No. 1, then Tower No. 2, and then Truck Company No. 1/Engine Company No. 4 (no preference is implied by this order of rotation).

2. Nominations for Battalion Chief shall be made in October of the appropriate year, with a deadline of October 31. The election shall be conducted in November, prior to November 30 between the hours of 7:00 p.m. and 9:00 p.m. at the firehouse from where the new Battalion Chief is to be elected, and one member of each company selected by such company shall act as an inspector of such election; one inspector shall be designated the head of the election committee. Said inspectors shall supervise the election, by secret

ballot, and shall thereupon proceed to take the votes of the Department; the person receiving the greatest number of votes for Battalion Chief shall be declared elected, subject to the approval of the Mayor and Council, and the head of the committee shall report the results to the Mayor and Council at the first meeting thereafter. Such person shall be confirmed by the Mayor and Council, or the Mayor and Council may choose, for good cause, not to confirm such person whereupon a new election shall be held. The filing of absentee ballots from all members of the Fire Department who are unable to vote in person at such election shall be permitted, provided that such absentee ballots are received prior to such election; the Fire Chief may establish such rules and regulations as may be necessary to effectuate such absentee ballot voting procedure.

3. The election date shall be selected by the Secaucus Volunteer Fire Department Mutual Association in consultation with the three chiefs, and the Secaucus Volunteer Fire Department Mutual Association shall provide written notice to the senior officer for each firehouse at least 14 days' prior to the election. Written notice of the election shall be prominently posted at each firehouse at least 10 days' prior to the election. Nomination and election dates may be changed for cause by the Fire Chief upon approval of the Mayor and Council.

C. At the expiration of the term of the Fire Chief, the Deputy Chief shall become the Chief. After the expiration of the term of the Deputy Chief, the Battalion Chief shall become the Deputy Chief.

D.

1. If, during their respective terms, the Chief or the Deputy Chief shall resign, or can no longer act, such remaining Chiefs shall move up into the next rank and shall continue in such rank for the unexpired term of the vacancy that was created, and then shall assume their own terms of office. The most recent former chief, who is qualified to act and chooses to act, shall serve the unexpired term of the Battalion Chief until the next scheduled election is held and a new Battalion Chief is elected.

2. If, during **the Battalion Chief's** ~~his~~ term of office, the Battalion Chief resigns or can no longer serve, an election shall be held by the Fire Department to elect a new Battalion Chief to fulfill his unexpired term from the membership of the company where the Battalion Chief is/was a member. Thereafter, such newly elected Battalion Chief shall move up in rank as set forth in this chapter.

3. If the company designated by the order of rotation set forth in § 12-4(B)(1) to have the Battalion Chief elected does not have a member who is qualified to serve as Battalion Chief, does not wish to nominate a member for Battalion Chief, or fails to nominate a qualified candidate by the deadline established pursuant to § 12-4(B)(2), such company shall forfeit its nomination for that election. The right to nominate a Battalion Chief shall thereupon pass to the next company in the order of rotation set forth in § 12-4(B)(1). The rotation shall continue in the prescribed order until a qualified candidate is nominated. A company that forfeits its nomination shall remain in the order of rotation and shall be eligible to nominate a Battalion Chief during its next regularly scheduled turn in the rotation.

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2. There are no other changes to this Chapter of the Code of the Town of Secaucus.

3. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

4. 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.

5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

IT IS FURTHER ORDAINED, that the remainder of this Chapter 12 of the Code of the Town of Secaucus shall remain in full force and effect.

NOTICE

Notice is hereby given that the foregoing proposed ordinance was introduced and passed on first reading at a meeting of the Mayor and Council of the Town of Secaucus in the County of Hudson, New Jersey, on the 13th day of October, 2026 and that said ordinance will be taken up for further consideration for final passage at a meeting of said Mayor and Council to be held in the Municipal Government Center, 1203 Paterson Plank Road, Secaucus, New Jersey, on the 27th day of October, 2026, at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given the opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Secaucus Municipal Government Center and a copy is available up to and including the time of such meeting to the public of the town, who shall request such copies, at the office of the Town Clerk in said Municipal Government Center in Secaucus, New Jersey.

MICHAEL MARRA

Town Clerk