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*1977-2021

October 23, 2023

Tim

Opra+request-54292-984038bc@requests.opramachine.com

RE: OPRA Request Dated October 19, 2023

Dear Tim:

The South Brunswick Board of Fire Commissioners for the South Brunswick Fire District No. 3 received your Open Public Records Act (OPRA) request sent on October 19, 2023 at 7:48 p.m.. This response is being provided to you on October 23, 2023. Your OPRA request sought access to the following: "All policies on code of conduct and conflict of interest for Commissioners....Is there no policy on the same person negotiating contracts for both sides or should they be removed and recused?"

The South Brunswick Fire District No. 3 has the following document responsive to your request:

(a) Article VII of the District's Bylaws revised 04/25/2000- Member Conflicts of Interest (1 page)

If you believe that your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at (866) 850-0511, by mail at P.O. Box 819, Trenton, New Jersey 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in the Superior Court should be directed to the Court Clerk in your county.

Very truly yours,

SENDZIK & SENDZIK, P.C.


KATE SENDZIK HAINES, ESQ.

KSH:jj
Enclosure
cc: board@sbfiredistrict3.com (w/o encl.)

3. All regular or special meeting held by Commissioners shall be held in compliance with the Open Public Meetings Act of the State of New Jersey; P.L. 1974, C-231. Notification of said meetings shall be in compliance with said Open Public Meetings Act of the State of New Jersey.
4. A majority of the entire authorized membership of the Commissioners shall constitute a quorum. Action may be taken by the Commissioners by a vote of a majority of the authorized membership.

Article VII - Member Conflicts of Interest

1. The Local Government Ethics Law shall control in determining whether a conflict of interest exists concerning an individual Fire Commissioner, however special sensitivity should be exerted by Commissioners, to avoid any possibility of such a conflict of interest arising or being advanced by a member of the public.

Article VIII - Voting Method

1. Votes on all motions or resolutions shall be by "Ayes" and "No's". No secret ballots shall be used.

Article IX - Committees

1. It is the policy of the Commissioners to operate as a committee of the whole on matters of policy, decisions and expenditures. However, since the details of the Commissioners are sometimes voluminous in nature, it is the Commissioners' policy to have members assigned to various committee's from which reports can be encapsulated and condensed for the whole body.
2. The Chairman, during his term of office, may appoint permanent and/or special committees at his discretion for determined periods of time. These appointments shall be concluded at the Annual Meeting and in no event shall exceed the term of office of a particular Commissioner.
3. The function and formation of any committee which is not elsewhere provided for, shall be as established by the Chairman.

Article X - Compensation of Commissioners

1. N.J.S.A. 40A:81.1 et seq. provides for compensation for Commissioners in such amounts as the Commissioners shall fix subject to review by the Township of South Brunswick, Town Council. Said Commissioners may receive compensation in accordance with said statutory section.
2. Compensation shall be paid to each Officer on an agreed upon basis by the Commissioners.
3. Commissioners shall have the right to review compensation for any particular officer and make adjustments for meeting absence(s), failure to complete committee assignments, failure to perform the duties of the office to which elected and other