

From: [Casey Acker](#)
To: [Dan Galatro](#)
Cc: [Frank Scalice](#)
Subject: RE: Hopewell Borough Board of Fire Commissioners - Investigatory Conference
Date: Monday, April 3, 2023 6:04:00 PM

Okay. Let's plan on meeting Thursday 4/6 at 6:30 PM at the firehouse. Thank you.

Casey P. Acker, Esq.

*Lenox, Socey, Formidoni,
Giordano, Lang, Carrigg & Casey, LLC*
136 Franklin Corner Road, Unit B2
Lawrenceville, New Jersey 08648
tel: (609) 896-2000, ext. 119
fax: (609) 895-1693

This message may contain confidential information that is protected by the attorney-client privilege, or otherwise. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, or taking of action in reliance on the contents of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail and delete the original message.

From: Dan Galatro <xxxxxxxx@xxxxxxxxxxxxx.xxx>
Sent: Monday, April 3, 2023 6:02 PM
To: Casey Acker <xxxxxx@xxxxxxxx.xxx>
Subject: Re: Hopewell Borough Board of Fire Commissioners - Investigatory Conference

Tuesday nite we have a drill Thursday be better.

On Mon, Apr 3, 2023, 5:26 PM Casey Acker <[xxxxxx@xxxxxxxx.xxx](#)> wrote:

I have copied Frank on these emails for purposes of scheduling. We can meet at the firehouse tomorrow night (4/4) around 5:30/6:00 PM or Thursday night (4/6). If 4/6, it would have to be around 6:30 PM as I have a meeting until 5:30. Please respond letting me know if tomorrow or Thursday works. Thank you.

Casey P. Acker, Esq.

*Lenox, Socey, Formidoni,
Giordano, Lang, Carrigg & Casey, LLC*
136 Franklin Corner Road, Unit B2
Lawrenceville, New Jersey 08648
tel: (609) 896-2000, ext. 119
fax: (609) 895-1693

This message may contain confidential information that is protected by the attorney-client privilege, or otherwise. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, or taking of action in reliance on the contents of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail and delete the original message.

From: Dan Galatro <xxxxxxx@xxxxxxxxxxx.xxx>

Sent: Wednesday, March 22, 2023 4:43 PM

To: Casey Acker <xxxxxx@xxxxxxxx.xxx>

Subject: Re: Hopewell Borough Board of Fire Commissioners - Investigatory Conference

I can do any day that week

On Wed, Mar 22, 2023, 4:37 PM Casey Acker <xxxxxx@xxxxxxxx.xxx> wrote:

I cannot currently meet on Saturday 4/1/23. Do you have any days during the week to meet? If not, I can try and rearrange some things. I also need to check with Frank to make sure he is available. Also, I do not believe the Board has an obligation to provide you an attorney for an investigatory conference. If you are aware of something specific stating otherwise aside from generally citing Title 40A please advise.

Casey P. Acker, Esq.

Lenox, Socey, Formidoni,

Giordano, Lang, Carrigg & Casey, LLC

136 Franklin Corner Road, Unit B2

Lawrenceville, New Jersey 08648

tel: (609) 896-2000, ext. 119

fax: (609) 895-1693

This message may contain confidential information that is protected by the attorney-client privilege, or otherwise. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, or taking of action in reliance on the contents of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail and delete the original message.

From: Dan Galatro <xxxxxxx@xxxxxxxxxxx.xxx>

Sent: Wednesday, March 22, 2023 4:15 PM

To: Casey Acker <xxxxxx@xxxxxxxx.xxx>

Subject: Re: Hopewell Borough Board of Fire Commissioners - Investigatory Conference

Nobody got back to me if you're able to move this till after April 1st and if I'm. Getting counsel for this so I don't go in there blind

On Mon, Mar 13, 2023, 1:45 PM Casey Acker <xxxxxx@xxxxxxxx.xxx> wrote:

Mr. Galatro,

Please see the attached correspondence regarding the above-referenced matter, a copy of which is also being sent by way of mail service. As set forth therein, please contact me for purposes of scheduling the investigatory conference. Thank you.

Casey P. Acker, Esq.

Lenox, Socey, Formidoni,

Giordano, Lang, Carrigg & Casey, LLC

136 Franklin Corner Road, Unit B2

Lawrenceville, New Jersey 08648

tel: (609) 896-2000, ext. 119

fax: (609) 895-1693

This message may contain confidential information that is protected by the attorney-client privilege, or otherwise. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, or taking of action in reliance on the contents of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail and delete the original message.

LENOX, SOCEY, FORMIDONI, GIORDANO, LANG, CARRIGG & CASEY

RUDOLPH A. SOCEY, JR., P.C.
ROLAND R. FORMIDONI
ROBERT P. CASEY, P.C.
GREGORY J. GIORDANO†
JOSEPH R. LANG †
ROBERT F. CASEY, P.C.
PATRICK F. CARRIGG**

A LIMITED LIABILITY COMPANY
COUNSELORS AT LAW
136 FRANKLIN CORNER ROAD, UNIT B2
LAWRENCEVILLE, NEW JERSEY 08648

TEL: (609) 896-2000

FAX: (609) 895-1693

ANDREW M. SALMON*†
NICHOLAS J. REPICI*
CASEY R. LANGE*
MICHAEL A. PATTANITE, JR.*
CASEY P. ACKER***
STEPHANIE J. VIOLA

OF COUNSEL
THOMAS M. BROWN, JSC (RET.) *
MICHAEL J. HERON

SAMUEL D. LENOX
1922-1975

March 13, 2023

*MEMBER OF NJ & PA BAR
**MEMBER OF NJ & NY BAR
***MEMBER OF NJ, NY & MA BAR
† CERTIFIED AS A CIVIL TRIAL ATTORNEY

VIA FIRST-CLASS MAIL & E-MAIL

Dan Galatro
Fire Chief, Hopewell Fire Department
50 Ridge Road
Hopewell, New Jersey 08525
dgalatro@hopewellfire.com

**Re: Hopewell Borough Board of Fire Commissioners
Investigatory Conference**

Dear Mr. Galatro:

As you are aware, I represent the Hopewell Borough Board of Fire Commissioners (Board). The Board recently received a Complaint, a copy of which is enclosed herewith, and I have been tasked with investigating the allegations set forth in the Complaint. I would appreciate it if you would keep the Complaint confidential at this time until we have an opportunity to confer.

To that end, I would like to meet with you at 6:00 PM on the evening of either March 28 or March 30 at the Hopewell Fire Department (4 Columbia Avenue, Hopewell, New Jersey 08525) for an investigatory conference. The purpose of the investigatory conference is fact gathering. I will be accompanied by Hopewell Fire Department President, Frank Scalice, who will act as a witness and you are entitled to have a witness present with you as well, inclusive of legal counsel.

Upon receipt of this correspondence, please contact me for purposes of scheduling. I can be reached via my contact information above, via e-mail at cacker@lenoxlaw.com, or via my cell phone: (585) 329-3555.

Your anticipated cooperation is appreciated. Should you have any questions regarding this correspondence, please do not hesitate to contact me.

Very truly yours,

s/ Casey P. Acker

For the Firm

enc.

c:
Frank Scalice

Hopewell Boro Board of Fire Commissioners

Hopewell Twp. Board of Fire Commissioners

Chief of Police, Hopewell Twp.

Re: Whistleblower Complaint against Hopewell Fire Dept. Chief Dan Galatro

Date: January 14, 2023

This complaint is being submitted under the Conscientious Employee Protection Act.
"Whistleblower Act".

The complaint will outline specific acts of malfeasance by Dan Galatro, Chief, Hopewell Fire Department. Chief Galatro is operating in a manner that is incompatible with a clear mandate of public policy concerning the public's health, safety, or welfare or protection of the environment.

Specific acts of malfeasance include destruction of records, evidence tampering, fraud, gross negligence, harassment and defamation, medical non-compliance, lying to public officials, misconduct, theft, witness intimidation and tampering.

These allegations are real. He has committed numerous acts that disqualify him as a Chief officer.

Destruction of Records

October 19, 2021 – Then-Deputy Chief Galatro committed official misconduct by defacing two HFD fire call run sheets. With malice, Chief Galatro scratched Christopher Myers signatures off the referenced sheets. The call sheets are legal documents. They serve to validate member eligibility of LOSAP requirements and for certain N.J. Fireman's Relief Association benefits.

Gross Negligence

April 2022

Chief Galatro was notified that the exhaust hose in the first bay at the firehouse was broken. This allows for toxic diesel fumes to fill the firehouse bays. After nine months, the issue was corrected despite multiple requests by members and HVES staff.

May 2022 – Quint 52's leveler ball was observed to be broken. This ensures the operator of the ladder knows the operational balancing limits when using the ladder. Chief Galatro was notified immediately of this must fix item. Despite notification, Chief Galatro did not address this substantial safety issue until December 2022.

June 2022 – Chief Galatro was notified of Tanker 52's VHF radio antenna being broken. He stated it did not need to be repaired because "we don't use VHF no [sic] more." Every fire department and EMS agency in Mercer County uses VHF for dispatch and other special operations.

Theft, Lying to Public Officials

November 9, 2022 – Chief Galatro reported to the Boro Fire Commissioners at an open public meeting that he "donated" an unknown number of VHF Motorola HT-1250 portable radios because "we don't use them no [sic] more" and "they don't work." He alleged to have donated them to a fire department in Tennessee. Chief Galatro then declared the Tennessee department "loves the radios." If the radios did not function, why would the department "love" them?

Chief Galatro gave the radios to his father who is a security officer. The radios had received a public offer of over \$500 to be paid to the HFD but Chief Galatro decided, on his own, that he would give the radios to his father.

At the same Boro of Fire Commissioner meeting, Chief Galatro reported that the fire department was set to respond to "400-500" calls in 2022. This wide figure grossly overstated the number of actual responses the Hopewell Fire Department handled in 2022. Total responses in 2022 was 350.

Additionally, Chief Galatro stated, "Joey [Novak] and I are working off the record on replacing the old Engine." Chairman Sky Morehouse immediately corrected Chief Galatro by reminding Chief Galatro that this was an open public meeting. There would be no "off the record" fire truck purchase planning or funding.

Evidence Tampering, Gross Negligence, Witness Tampering

December 16, 2022 - Chief Galatro failed to park his HFD issued Chief's vehicle which resulted in Deputy Chief Tim Fenton being struck and temporarily pinned to Fenton's vehicle's rear bumper. Deputy Chief Fenton was transported to the local trauma center as a result of Chief Galatro's mistake.

Gross Negligence – Chief Galatro did not immediately request EMS assistance and instead advised on-scene crews that he was "dealing with a situation."

Instead of helping Deputy Chief Fenton, Chief Galatro told witnesses "I have to run the call" and walked away from Chief Bill Springer who was the EMT assisting a trauma patient.

Galatro made numerous statements regarding his Chief's vehicle "jumping out of gear" and stated he put the vehicle "in Park" and it shifted from Park to Drive on its own.

Once back at the firehouse, Chief Galatro engaged in witness tampering by ordering no one to write anything about the "situation" in the call's fire report.

Chief Galatro told no one of the incident. He did not discuss the incident with any officers for at least one week.

Chief Galatro did not place his Chief's vehicle out-of-service for inspection. He did not take the vehicle to the dealership for a thorough review. The vehicle should be placed out of service immediately until such time as it is deemed safe. For reasons unknown, the Hopewell Twp. Police took no action in securing the vehicle as evidence.

Chief Galatro deleted the dashboard / driver camera which would possibly have captured the incident.

Chief Galatro continues to maintain the lie that his vehicle jumped out of gear: from park, to reverse, to neutral, and ended up in drive.

Gross Misconduct

December 17, 2022 – During Operation Santa, while driving Rescue 52 and being stopped behind a man on a bicycle, Chief Galatro yelled, "I fucking hate people on bicycles...I'll run this mother fucker over!" The statement was made in the presence of two junior members and multiple officers of the HFD. Chief Galatro made this declaration just over 30 hours after Deputy Chief Fenton was almost killed by Chief Galatro's gross negligence.

Harassment

2021 – 2023 – For the past two years, Chief Galatro has repeatedly slandered and harassed Chief Will Mullen covering all aspects of the department. For every problem discussed at the HFD, Chief Galatro immediately assigns blame on Chief Mullen. Vehicles, budget, computer and IT systems, calls responses, members, the list is endless.

Despite being told to stop harassing Chief Mullen, the slander and defamation continues to this day.

May 22, 2022 – Chief Galatro repeatedly slandered EMU Lieutenant Susan Conover by accusing her of money laundering and bank fraud. His slanderous and unfounded accusations were based on department-approved EMS week activities at the Hopewell Fire Department.

Chief Galatro has created and fostered a persistent hostile environment at the Hopewell Fire Department. This has adversely impacted the department's volunteer moral and reduced its ability to operate.

Medical Non-Compliance

Medical Clearance - Chief Galatro refuses to produce documentation regarding his Fitness for Duty to be a firefighter in light of a significant stroke he suffered in 2018.

His mental abilities have deteriorated significantly over the past three years. Is he medically cleared to lead a Fire Department?

Conclusion - Both Fire Commissioner Boards should *immediately* launch an investigation into the above allegations and suspend Chief Galatro of his duties pending a completed internal investigation and review of his cleared medical status.

Chief Galatro has proven to be a compulsive liar, bully, and alleged thief.

Chief Galatro is a threat to himself, the community, and the Hopewell Fire Department. Allowing him to continue to perform his statutory duties exposes everyone to extreme liability and danger.

From: [Casey Acker](#)
To: [Dan Galatro](#)
Bcc: [Frank Scalice](#)
Subject: Re: letter
Date: Thursday, April 6, 2023 6:36:07 AM
Attachments: [HFD BY-LAWS FINAL 2018.pdf](#)

Please advise if you will attend this evening so I know one way or another for purposes of my schedule. Thank you.

Casey P. Acker, Esq.

*Lenox, Socey, Formidoni,
Giordano, Lang, Carrigg & Casey, LLC*
[136 Franklin Corner Road, Unit B2](#)
[Lawrenceville, New Jersey 08648](#)
tel: [\(609\) 896-2000, ext. 119](#)
fax: [\(609\) 896-1388](#)

This message may contain confidential information that is protected by the attorney-client privilege, or otherwise. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, or taking of action in reliance on the contents of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail and delete the original message.

Sent from my iPhone

On Apr 5, 2023, at 9:58 AM, Casey Acker <xxxxxx@xxxxxxxxxxx> wrote:

Title 40A. The Board received the "Whistleblower Complaint" directed to it and authorized me to investigate the allegations set forth in the complaint. The complaint was also shared with President Frank Scalice who, as you know, is intended to serve as witness to the investigatory conference which is consistent with the Hopewell Fire Department's Constitution and By-Laws, a copy of which is attached hereto for your reference. The President may or may not deem the matter appropriate to refer to the Executive Committee in the future. Again, the purpose of the investigatory conference is to gather facts. If you are not going to participate, let me know and I will take notice of that as part of the investigation. Beyond that, I do not have a copy of a resolution; but again, I was authorized by the Board to investigate the complaint. Please respond to this e-mail confirming your attendance at the conference tomorrow, 4/6/2023, at 6:30 PM, or stating that you are not going to participate. At present, all I am trying to do is meet to gather facts pertaining to the allegations set forth in the complaint. Your cooperation would be appreciated.

Casey P. Acker, Esq.

*Lenox, Socey, Formidoni,
Giordano, Lang, Carrigg & Casey, LLC*
136 Franklin Corner Road, Unit B2
Lawrenceville, New Jersey 08648
tel: (609) 896-2000, ext. 119
fax: (609) 895-1693

This message may contain confidential information that is protected by the attorney-client privilege, or otherwise. If you are not the intended recipient, you are notified that any disclosure, copying, distribution, or taking of action in reliance on the contents of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately by e-mail and delete the original message.

From: Dan Galatro <xxxxxxxx@xxxxxxxxxxxx.xxx>

Sent: Tuesday, April 4, 2023 5:36 PM

To: Casey Acker <xxxxxxx@xxxxxxxx.xxx>

Subject: letter

I have a question to ask under what authority does the Hopewell Borough Board of Fire Commissioners have the authority to conduct an investigation of a volunteer fire chief that was elected under the bylaws of the fire department. At most this should be forwarded to the president of the fire department to proceed per established SOP's and By Laws

Also can you provide a copy of the Board's policy by resolution for conducting an administrative investigation of this nature

Also i should not meet with you till this is all answered

Daniel P. Galatro Jr.

Fire Chief

Hopewell Fire Dept

4 Columbia Ave

Hopewell, NJ 08525

xxxxxxxx@xxxxxxxxxxxx.xxx

609.466.0060 fh

609.466.8590 fax

609.743.3451 cell

www.hopewellfire.com

|

|

HOPEWELL

FIRE

DEPARTMENT

*CONSTITUTION
AND BY-LAWS*

2018



PREAMBLE

Whereas, the strict observance of order constitutes the basis of all improvement and is the guarantee of the proprietary of this department, and as it is the duty of every member to respect and obey the officers while on duty, therefore, be it resolved, that we solemnly pledge ourselves to sustain our officers in the discharge of their duties and hold ourselves bound in honor to conform to and abide by in every respect the following Constitution and By-Laws.

HOPEWELL FIRE DEPARTMENT BY-LAWS

HOPEWELL FIRE DEPARTMENT CONSTITUTION

ARTICLE I

This organization shall be known as the Hopewell Fire Department Inc., of the Borough of Hopewell, N.J. 08525.

ARTICLE II

The objective of this Department shall be to provide emergency services, to protect life and property and for community and social welfare.

ARTICLE III

Any amendment to this constitution must be proposed in writing at a regularly scheduled meeting of the Department. The proposed amendment shall be read at the next succeeding regularly scheduled meeting of the Department. The Secretary shall provide written notice of the proposal to the membership before it is submitted for voting at a subsequent regularly scheduled meeting of the Department. Adoption of any amendment to this Constitution requires an affirmative vote by two-thirds of the members present.

ARTICLE IV

Unless otherwise provided by the By-Laws and Constitution the Department shall abide by the Roberts Rules of Order.

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE V

Elective Officers

The elective officers of this Department shall be:

Trustees

Five in Number

Administrative Officers

President

First Vice President

Second Vice President

Third Vice President

Treasurer

Assistant Treasurer

Secretary

Assistant Secretary

Fire Fighting Officers

Chief

Deputy Chief

Assistant Chief

Battalion Chief

Captain

1st Lieutenant

2nd Lieutenant

Emergency Medical Unit Officers

Chief

Deputy Chief

1st Lieutenant

2nd Lieutenant

3rd Lieutenant

Line Secretary

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE VI

Executive Committee

The President, Vice Presidents, Secretary, Treasurer, Chief, E.M.U. Chief, Deputy Chief and E.M.U. Deputy Chief shall constitute the Executive Committee. Any former President, Administrator, Chief or E.M.U. Chief and any current or former Trustee may attend as a nonvoting member of the Executive Committee.

ARTICLE VII

Fireman's Relief Association

There shall be three representatives to the Hopewell Fireman's Relief Association who are eligible under the New Jersey State Fireman's Association and three representatives to the Mercer County Fireman's Association, each of whom shall be elected for a term of three years, but their terms of office shall be so arranged that the term of one representative to each Association shall expire at the end of each year.

ARTICLE VIII

Requirements for Department Officers

1. No individual on probation may be eligible for election or appointment to any Department Office.
2. Terms of office shall be for a period of one year except Trustee.
3. Any member may petition the Trustees in writing to waive an eligibility requirement for office for good cause.

Eligibility requirements for Fire Fighting Officers

1. An individual must have accrued at least 4 consecutive years of 10 recorded calls for fire duty immediately prior to the year of election to be eligible for election and/or appointment to the office of Chief or Deputy Chief. The Chief shall not hold any other concurrent elective office.
2. An individual must have accrued at least 2 consecutive years of 10 recorded calls for fire duty immediately prior to the year of election to be eligible for election and/or appointment to the office of Assistant Chief and Battalion Chief.
3. An individual must have accrued at least 1 year of 10 recorded calls for fire duty immediately prior to the year of election to be eligible for election and/or appointment to the office of Captain, 1st Lieutenant, or 2nd Lieutenant.
4. In addition to the above, each candidate must satisfy the requirements of the current Standard Operating Procedure for the position sought.

Eligibility requirements for E.M.U. Officers

1. To be eligible for election and/or appointment to the office of Squad Chief or Squad Deputy Chief an individual must:
 - a) Meet the requirements of an E.M.U Crew member under the current Standard Operating Procedure for at least 4 consecutive years, including accruing 10 recorded calls for ems duty each year.
 - b) Be a Crew Leader for 1 year prior to the year of election.

HOPEWELL FIRE DEPARTMENT BY-LAWS

- c) Satisfy the requirements of the current Standard Operating Procedure for the position sought.
- d) The E.M.U. Chief shall not hold any other concurrent elective office.
- 2. To be eligible for election and/or appointment to the office of 1st, 2nd, or 3rd Lieutenant an individual must:
 - a) Meet the requirements of an E.M.U. Crew member under the current Standard Operating Procedure for at least 2 consecutive years, including accruing 10 recorded calls for ems duty each year.
 - b) Be a Crew Leader for 1 year prior to the year of election.
 - c) Satisfy the requirements of the current Standard Operating Procedure for the position sought.
- 3. To be eligible for appointment by the E.M.U. Chief to the position of Crew Leader an individual must:
 - a) Meet the requirements of an E.M.U. Crew member under the current Standard Operating Procedure for at least 1 year, including accruing 10 recorded calls for ems duty each year.
 - b) Satisfy the requirements of the current Standard Operating Procedure for Crew Leader.
- 4. An individual must have met the requirements of an E.M.U. Crew member under the current Standard Operating Procedure for at least 1 year to be eligible for appointment to the office of Line Secretary.

Eligibility requirements for Trustee

- 1. An individual must have been a member of the Department for at least 10 years and held an elected office to be eligible for election and/or appointment to the office of Trustee. A Trustee may not concurrently hold any other elected office.
- 2. The Trustees shall serve a 5 year term. At the initial election of five Trustees, one shall be elected for a 1 year term, one for a 2 year term, one for a 3 year term, one for a 4 year term, and one for a 5 year term. This method of electing the Trustees will allow only one term of a single Trustee to expire in any given year.
- 3. The Trustees will annually choose a chairman among themselves.
- 4. No Trustee will hold consecutive terms of office exceeding 10 years, except in the instance of filling a vacancy.

Eligibility requirements for Administrative Offices

- 1. An individual must have been a member of the Department for at least one year upon installation, to be eligible for election and/or appointment to an Administrative office other than President.
- 2. An individual must have been a member of the Department for at least three years upon installation, and have previously held/currently hold an Administrative office to be eligible for election and/or appointment to President.
- 3. The President shall not hold any other elective office.

ARTICLE IX

Vacancies

- 1. Vacancies caused by death, resignation, etc. shall be filled by the Officers currently holding the immediate subordinate positions. The President, Chief or EMU Chief, as applicable, shall appoint the remaining open position for the remainder of the unexpired term.

HOPEWELL FIRE DEPARTMENT BY-LAWS

2. In the event of a Trustee vacancy, the membership shall be notified at the next regularly scheduled meeting that an election will be held for the unexpired term at the following regularly scheduled meeting.
3. In all cases resignations must be in writing.

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE X

Membership

1. There shall be 7 classes of membership: Senior, Probationary, Junior, Cadet, Life, Honorary, and Associate. All member classes are expected to meet the requirements of an Active member, unless otherwise stated. If a member is unable to maintain Active status, said member shall appeal the requirements and present their case to the Executive Board. All members shall conduct themselves in accordance with the Standard Operating Procedure of the Hopewell Fire Department. All members will receive an electronic copy of the By-Laws and Standard Operating Procedure upon acceptance into membership. Printed copies will be made available upon request.
 - A. **Senior:** Any member 18 years of age or older who is accepted by vote of the membership after having served a combined total of at least one year as a Probationary or Junior member.
 - B. **Probationary:** Any member that has not yet completed 1 year of membership and has not yet been accepted by the membership as a Senior member. All probationary members are expected to obtain Active status in their probationary 12 months, or said member will not be accepted. Not eligible to vote.
 - C. **Junior:** Any member between the ages of 16 and 18 years of age are eligible to become Junior members upon acceptance by the membership. Junior members will be subjected to a 6 month review with the membership committee and the respective Chief. Junior members with at least one year of service as a member are eligible to become Senior members upon attaining the age of 18 and acceptance by the membership. All junior members are expected to obtain Active status. Not eligible to vote.
 - D. **Cadet:** Any member between the ages of 14 and 16 years of age are eligible to become Cadet members upon acceptance by the membership. Cadet members are eligible to become Junior members upon attaining the age of 16 and acceptance by the membership. All cadet members are expected to obtain Active status. Not eligible to vote.
 - E. **Life:** Any member accruing at least 25 active years of service is eligible to be considered for Life membership. In order to obtain Life member status the candidate would have to be nominated by the Administration or Membership Committee and voted on by the Executive Committee. Life members will have all the privileges of Senior members and will be exempt from payment of dues and requirements of an Active member.
 - F. **Honorary Members:** Any person not a member of the Hopewell Fire Department who performs outstanding service to the Department may be elected to Honorary membership at any regular meeting. Honorary members shall have the privilege of attending meetings, but shall neither have a vote on any question or election, nor be eligible to hold any office. They will be exempt from payment of dues and exempt from the requirement of an Active member.

HOPEWELL FIRE DEPARTMENT BY-LAWS

- G. Associate Member:** Any member 18 years or older who is accepted by vote of the membership who does not wish to be a riding member of the Department.
 - H.** Any Member reapplying for membership who left in good standing shall require a minimum of 3 months' probation to regain Senior membership.
- 2. **Standards of Conduct:** All members shall conduct their private and professional lives in such a manner as to avoid bringing the department disrepute.
 - 3. **Conduct toward Superior and Subordinate Officers:** Members and employees shall treat superior officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and particularly in the presence of other members, employees, or the public, officers should be referred to by rank.
 - 4. **Conduct unbecoming of a Member:** All members shall not commit any disrespectful, mutinous, or insolent action toward another member, or member of the public, nor use abusive language.
 - 5. **Active Member:** The following criteria shall be met to be considered an active member of the Hopewell Fire Department. Failure to meet these criteria could result in removal from the Department or Inactive Member status.

 - A. FIRE:** All fire affiliated members must attend two (2) monthly department meetings, two (2) fire training drills, one (1) of which will be a SCBA drill, and either ride at least twelve (12) duty crew shifts and/or twelve (12) non-duty calls, or a combination of the two totaling 12, in a calendar year.
 - B. EMS:** All EMS affiliated members must attend two (2) monthly department meetings, two (2) ems training drills and either ride at least twelve (12) duty crew shifts and/or twelve (12) non-duty calls or a combination of the two totaling 12, in a calendar year.
 - C. ASSOCIATE:** All associate affiliated members must attend two (2) monthly department meetings, and fourteen (14) Department events in the calendar year. (ie: parades, Operation Santa, open house, Tuesday nights, meetings, work detail, fundraisers etc) in a calendar year.
 - 6. **Inactive Member:** Any individual who was unable to meet the requirements of an Active Member. Inactive members will have no building access and will not receive monthly minutes, however will receive quarterly newsletters, and have the opportunity to attend social events. Individuals who were unable to meet the requirements of an Active Member for two (2) consecutive years will be removed from membership. Any member who fails to meet the requirements of an Active Member, has the right to submit a letter to the Executive Board appealing their status. Letters must be received by December 31 of that year. Any ex-chief, ex-president, or any member on medical, college, or active military leave will have, at minimum, the rights of an Inactive member.

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE XI

Balloting

1. Balloting procedures shall conform to the latest N.J. Division on Civil Rights Rules of Practice & Procedure, Chapter 12, and in the event of an uncontested office, the Secretary will cast a unanimous vote for the position.
2. The President shall preside over all elections and shall only vote in the event of a tie. The Secretary will account for all ballots.
3. A Ballot will only be accepted from members eligible to vote for the office under consideration.

ARTICLE XII

Nominations Committee

1. For Administrative, Fire Fighting Line Officers, and E.M.U. Line Officers, a Nominations Committee shall be appointed by the President at the first meeting in January each year, consisting of five Senior members, whose duty it shall be to present the Membership with a slate of nominated Officers at the October meeting. Additional nominations may be made from the floor at the October and November meetings. Further nominations may be made from the floor at the December meeting only if determined to be reasonably necessary and in the best interests of the Department by the President.
2. If a prospective member is nominated by the Nominating Committee, and does not have the required recorded fire or ems duty they would not be required to petition the Trustees in order to run. The potential fire candidate must still satisfy the NJ State requirement of 3 years fire experience and ICS compliance as set forth by Department of Community Affairs Division of Fire.
3. When the Nominations Committee presents their slate of officers for the coming year each person shall be considered chosen by their peers therefore no second would be needed.

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE XIII

Elections

1. The annual election of Officers shall be held at the regularly scheduled meeting in December of each year, except in the event of vacancies. The elections shall be by ballot and a majority of the eligible votes cast shall be necessary to elect.
2. In case of failure to elect others, all officers shall remain in office until their successors are elected and qualified.
3. The annual installation of Officers of the Hopewell Fire Department and Emergency Medical Unit shall be at the regularly scheduled meeting in January.
4. Only Active Senior fire members shall be eligible to vote for firefighting line officers. Any member on medical or active military leave who otherwise meets all above requirements shall be eligible to vote. Any member who fails to meet requirements may petition the Trustees for eligibility to vote upon showing temporary hardship and substantial compliance with the requirements set forth.
5. Only Active Senior EMS members shall be eligible to vote for Emergency Medical Unit line officers. Any member on medical or active military leave who otherwise meets all above requirements shall be eligible to vote. Any member who fails to meet requirements may petition the Trustees for eligibility to vote upon showing temporary hardship and substantial compliance with the requirements set forth.
6. Only Active Senior members shall vote for H.F.D. Administrative Officers.
7. The President shall cause to be posted a tentative list of eligible voting members for EMU and Firefighting Officers by the September meeting, with a final list to be posted by the November meeting.
8. Any member Eligible to vote may submit a written absentee ballot in a signed, sealed envelope to the President or their designee. The Secretary shall verify eligibility of the member and cast the vote or votes in the written ballot.

ARTICLE XIV

Meetings

1. The Executive Committee shall convene at 7:00 pm prior to the regularly scheduled meeting of the Department each month, if there is business at hand, and as otherwise scheduled by the President.
2. The regularly scheduled meetings of this Department shall be held on the first Friday of each month at 8:00 pm or such other time, as established by the President, with at least one month prior notification to the membership.
3. Operational meetings of the Firefighters/E.M.U. may be called at any time by the Chief/E.M.U. Chief or their designee.
4. Special Department meetings may be called at any time by the President or upon written request of any seven members. The reason for which the meeting is called shall be plainly stated and no other business shall be transacted except for that which the meeting is called.
5. Seven Senior members constitute a quorum to transact business. Only Senior members are eligible to vote on questions presented to the membership
6. In the event of a fire or emergency call during or just prior to a meeting, the President

HOPEWELL FIRE DEPARTMENT BY-LAWS

may suspend all or a portion of the meeting, as they deem proper. No questions may be voted upon and no balloting may be conducted during a fire or emergency call.

ARTICLE XV

Annual Membership Information

1. The Administration shall send an annual demographics information form to all senior and probationary members. The form shall be completed and returned before 60 days to maintain membership in the department
2. Failure to submit the completed membership form will result in termination of membership in good standing upon an affirmative vote at a regularly scheduled meeting.
3. A former member terminated under paragraph 2 shall be required to reapply for membership as stated under Article IX.

ARTICLE XVI

Duties of the Executive Committee

1. The Executive Committee shall make determinations relating to disciplinary matters or grievances.
2. The Executive Committee shall establish an agenda for the regularly scheduled meeting of the Department.
3. The Executive Committee shall review and act on all nominations for Life Membership pursuant to Article X.

ARTICLE XVII

Duties of the Administrative Offices

Duties of the President

1. The President shall preside over all meetings of the Department and shall preserve order there at, take the question on all motions made and seconded, may countersign checks drawn on the Treasury, and convene special meetings. The President shall appoint any special or standing committees that the President may from time to time deem necessary and maintain a list of the members of the said committees.
2. The President or the President's designee shall attend the Hopewell Borough Board of Fire Commissioners meetings.
3. The President shall be responsible to prepare the annual Administrative budget.
4. The President shall be responsible for the preparation of annual LOSAP eligibility determinations.

Duties of the Vice Presidents

1. The Vice Presidents, in the absence of the President, shall perform all duties of the President in the order of their rank.
2. In the absence of the President and Vice Presidents, the members present shall elect a President pro tempore.
3. The Vice Presidents shall perform such other duties assigned by the President.

Duties of the Secretary

HOPEWELL FIRE DEPARTMENT BY-LAWS

1. The Secretary shall keep a record of proceedings of all meetings of the Department, subject to inspection by members. These minutes shall be distributed to the membership within 7 days.
2. The Secretary shall keep a correct list of all members with, date of their entering and leaving the Department and, within three days after the election or expulsion of a member, inform them thereof; the Secretary shall also, within seven days thereafter, notify Officers of their election or committees of their appointment. The Secretary shall report any change of status of any member to the Hopewell Borough Board of Fire Commissioners, and shall notify the secretary of the Hopewell Fireman's Relief Association where appropriate.
3. The Secretary shall keep a record of all dues owing and paid by members of the Department, subject to inspection by members. The Secretary shall also report at the regularly scheduled meeting in November of each year, the names of members one year or more in arrears and amounts owing.
4. The Secretary shall send notification to members who are in arrears in payment of dues.
5. If unable to attend any meeting of the Department, the Secretary shall cause the necessary books and papers to be conveyed thereto.

Duties of the Assistant Secretary

1. The Assistant Secretary, in the absence of the Secretary, shall perform the duties of that office.
2. The Assistant Secretary shall perform any other duties as prescribed by the Secretary.

Duties of the Treasurer

1. It shall be the duty of the Treasurer to receive all moneys collected.
2. The Treasurer shall make a monthly report of all receipts and disbursements and at the end of the year shall render an accounting to the membership for examination.
3. The Treasurer shall assist in preparation of an annual budget.

Duties of the Assistant Treasurer

1. The Assistant Treasurer, in the absence of the Treasurer, shall perform the duties of that office.
2. The Assistant Treasurer shall perform any other duties as prescribed by the Treasurer.

Check Endorsements

Only the President, Vice President, Treasurer, or the Assistant Treasurer shall sign checks against the Treasury. The President may authorize such additional signatures upon approval by the Executive Committee on an annual basis.

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE XVIII

Duties of Fire Fighting Line Officers

Fire Chief

1. In addition to the duties outlined in the Standard Operating Procedure of the Hopewell Fire Department the Chief or the Chief's designee shall present the monthly report of calls to the regularly scheduled meeting of the Department.
2. The Chief or the Chief's designee shall preside over fire operational meetings and attend the Hopewell Borough Fire Commissioners meetings.
3. The Chief shall be responsible for preparing the yearly fire fighting budget for presentation to the Commissioners, and will oversee purchases and expenditures of fire fighting equipment.
4. The Chief shall be a representative to the Mercer County Fireman's Association.

Deputy Fire Chief, Assistant Fire Chief and Battalion Fire Chief

1. In addition to the duties outlined in the Standard Operating Procedure of the Hopewell Fire Department the Assistant Chiefs shall aid the Chief in the discharge of the Chief's respective duties, and, in the absence of the Chief, to officiate as such, according to rank.

Captain and Lieutenants

1. In addition to the duties outlined in the current Standard Operating Procedure of the Hopewell Fire Department the Captain and Lieutenant's shall aid their superior Officers in the discharge of their duties, and, in the absence thereof to officiate as such, according to rank.

ARTICLE XIX

Duties of E.M.U. Officers

EMU Chief

1. In addition to the duties outlined in the Standard Operating Procedure of the Hopewell Fire Department the Chief or the Chief's designee shall present the monthly report of calls to the regularly scheduled meeting of the Hopewell Fire Department
2. The Chief or the Chief's designee shall preside over E.M.U. operational meetings and attend the Hopewell Borough Fire Commissioners meetings.
3. The Chief shall oversee purchases and expenditures for E.M.U. equipment.
4. The Chief and Deputy Chief shall be responsible for preparing the yearly E.M.U. budget for presentation to the Commissioners.

Deputy EMU Chief

1. In addition to the duties outlined in the current Standard Operating Procedure of the Department the Deputy Chief shall aid the Chief in the discharge of the Chief's duties, and in the absence of the Chief, to officiate as such.
2. The Deputy Chief will preside over the Operational Meetings of the E.M.U. in the absence of the Chief.

HOPEWELL FIRE DEPARTMENT BY-LAWS

Lieutenants

1. In addition to the duties outlined in the current Standard Operating Procedure of the Hopewell Fire Department the Lieutenants shall aid their superior Officers in the discharge of their respective duties, and, in the absence thereof to officiate as such, according to rank.

Line Secretary

1. Shall record and process all call sheets for the month and year and provide copies as needed to the Chief.
2. Shall keep record of proceedings and attendance of all E.M.U. Operational Meetings.
3. Shall perform any other duties as prescribed by the Chief.

ARTICLE XX

Duties of the Trustees

1. The Board of Trustees shall perform such duties as the Department may require of them and shall report any decision to the membership at the next regularly scheduled meeting.
2. They shall meet to decide on any emergency expenditure.
3. Three Trustees shall constitute a quorum at a meeting of the Trustees.
4. Trustees shall make sure the disciplinary process is followed including referring any complaint made to them to the appropriate chain of command.

ARTICLE XXI

Duties of Committees

1. The Chairman of the committee shall be responsible for calling meetings as required.
2. The President, Vice Presidents, Chief and E.M.U. Chief shall be ex-officio members on every committee.

ARTICLE XXII

Expenditures

1. Any expenditure up to and including \$500.00 may be approved by the President, Fire Chief or E.M.U. Chief in connection with their respective responsibilities. A voucher must be prepared detailing the expense and forwarded to the Treasurer.
2. Any expenditure of funds over the amount of \$500.00 up to and including \$2,000.00 must be voted on at any regularly scheduled meeting.
3. Any expenditure of funds exceeding the amount of \$2,000.00 must be presented to the membership. The membership must be notified of the proposed expenditure in writing prior to being voted on at the next regularly scheduled meeting

HOPEWELL FIRE DEPARTMENT BY-LAWS

ARTICLE XXIII

Dissolution

In the event of dissolution of the Hopewell Fire Department, all assets, proceeds from assets and funds in any form shall be transferred to the Hopewell Borough Board of Fire Commissioners unless otherwise required by State law.

ARTICLE XXIV

Disciplinary Matters

1. Any member violating a provision of the Department By-Laws, the Standard Operating Procedures or other rules and regulations may be subject to disciplinary action.
2. Violations involving Fire Fighting or Emergency Medical Unit matters shall be referred to the appropriate Chief whenever possible. The Chief shall have the authority to impose a suspension of up to ten days for a violation by a Senior member. The Chief shall have the authority to impose a suspension of any duration, including indefinite suspension, for a violation by a Junior or Cadet member. The Chief shall notify the members involved and the President in writing of the penalty or other action.
 - a. When investigating a violation of The Hopewell Fire Departments by-laws or standard operating procedures, the following shall occur:

Any operational infraction committed by a member shall be thoroughly investigated by the respective Chief or their designee. A full written statement shall be taken by the investigating officer. Witnesses shall be interviewed and formal statements shall be taken. Once the investigating officer completes the inquiry into the infraction he/she shall notify the respective Chief of their findings in writing. The Chief shall then take disciplinary action within his/her authority.
3. Violations involving other matters shall be referred to the President whenever possible. The President shall have the authority to impose a suspension of up to ten days for a violation by a Senior member. The President shall have the authority to impose a suspension of any duration, including indefinite suspension, for a violation by a Junior or Cadet member. The President shall then notify the member involved and the Executive Committee in writing of the penalty or other action. The President shall also notify the Executive Committee of any disciplinary action instituted by a Chief.
4. The President or a Chief may refer any disciplinary matter to the Executive Committee for consideration. Any matter that results in a suspension of a Senior member for more than ten days must be referred to the Executive Committee.
5. The Executive Committee shall accept referrals of disciplinary matters from the President, Chiefs or other sources, or may institute disciplinary proceedings on its own. The Executive Committee shall notify the member involved of any penalty or the action in writing. The Committee may submit disciplinary matters to the Board of Trustees in unusual circumstances where the Executive Committee recognizes it cannot afford the member an impartial hearing.
6. The Board of Trustees shall hear any matters referred to it by the Executive Committee as well as any appeal of disciplinary action imposed on a Senior member by the Chief, President or the Executive Committee. In addition, the Board of Trustees may institute disciplinary proceedings against the President, a Chief or other members of the Executive Committee on its own initiative.

HOPEWELL FIRE DEPARTMENT BY-LAWS

Appeals and referrals to the Board of Trustees shall be in writing and shall specify the matter to be considered in detail. The Board of Trustees shall notify the President in writing of its decision. A written decision of the Board of Trustees shall be the final disposition of the matter. The President shall provide notification to the parent(s) or guardian(s) of a suspension or disciplinary action involving a Cadet or Junior member.

ARTICLE XXV

Grievances

1. Members are encouraged to resolve their own differences. If necessary, grievances may be referred to the President, or any Vice President. In addition, all grievances and complaints from the public, governing bodies, or other sources shall be referred to the President.
2. The President or Vice Presidents shall attempt to resolve any grievances referred to them. If necessary, the President or Vice Presidents may refer a matter to the Executive Committee or the Board of Trustees for consideration.
3. Anyone dissatisfied with the action of the President, Vice Presidents or the Executive Board in a complaint or a grievance may petition the Board of Trustees, in writing within 30 days for relief. The determination of the Board of Trustees shall be the final determination of the matter.

ARTICLE XXVI

Amendments

1. Any amendment to these By-Laws must be proposed in writing at a regularly scheduled meeting of the Department. The proposed amendment shall be read at the next succeeding regularly scheduled meeting of the Department. The Secretary shall provide written notice of the proposal to the membership before it is submitted for voting at a subsequent (2nd) regularly scheduled meeting of the Department. Adoption of any amendment to these By-Laws requires an affirmative vote by two-thirds of the members present.
2. All laws and precedents heretofore established by this Department are hereby repealed.

ARTICLE XXVII

There shall be a Ladies Auxiliary of the Hopewell Fire Department, governed by their own By-Laws and Officers.