

N.J.A.C. 5:31-2: Appendix C**AFFIDAVIT OF POSTING SPECIAL MEETING NOTICE:****INSTRUCTIONS****FIRE DISTRICTS HOLDING THEIR ANNUAL ELECTION ON THE THIRD SATURDAY IN FEBRUARY:**

The legal voters of the fire district, at a special meeting called by the commissioners of the fire district, may vote to raise money for a firehouse, fire engines, apparatus, or appliances for the extinguishment of fires and acquire lands or buildings or erect buildings for the housing of fire equipment, or other buildings, including, but not limited to, administrative, communications, or training buildings, or buildings for the maintenance of fire apparatus, in an amount not exceeding 5 mills on the dollar of the last assessed valuation of the property in the fire district. The amount so voted for shall be included in the next succeeding annual budget of the fire district under the section for capital appropriations. Voting shall be open between the hours of 6:00 P.M. to 9:00 P.M., but the board of fire commissioners may designate a later closing hour on the same day, and the board of fire commissioners shall take any necessary action to ensure the secrecy and privacy of the casting of votes.

Any such special meeting shall be called on 10 days' notice by the board of fire commissioners, to be posted in five public places in the district, setting forth the time, place and object of the meeting and the legal voters shall determine the amount of money to be raised. (*N.J.S.A. 40A:14-84*). A special meeting may coincide with a regular governing body meeting so long as the requirements for a special meeting have been met.

FIRE DISTRICTS HOLDING THEIR ANNUAL ELECTION ON NOVEMBER GENERAL ELECTION:

The board of fire commissioners of a fire district, at a special meeting called by the commissioners of the fire district, may, by resolution adopted by a vote of not less than two-thirds (2/3) of the full membership thereof, raise money for a firehouse, apparatus, appliances, land, or buildings in connection therewith for fire extinguishing purposes, including, but not limited to, administrative or training buildings, in an amount not exceeding 5 mills on the dollar of the last assessed valuation of the property in the fire district. The amount so adopted shall be included in the next succeeding annual budget of the fire district under the section for capital appropriations.

Prior to such meeting, the resolution, or a summary thereof, shall be published together with notice of the time and place of the meeting, the opportunity of the public to be heard at the meeting, and the availability of copies of the resolution to the members of the general public of the fire district from the date following such publication up to and including the date of the meeting. If a summary is published, the summary shall contain a clear and concise statement prepared by the clerk of the board of fire commissioners setting forth the purpose of the resolution and the amount to be raised by the additional levy being authorized.

If the resolution is to be adopted at a special meeting that coincides with a regular meeting of the board of fire commissioners (Option 1): the clerk of the board of fire commissioners shall, at least 10 days prior to the date of the meeting, post the information required to be published pursuant to this subsection in five public places in the fire district, and shall advertise this information in a newspaper, published in the fire district, if any, otherwise in a newspaper circulating in the district.

If the resolution is to be adopted at a special meeting (Option 2): the clerk shall, at least 21 days prior to the date of the meeting, post the information required to be published pursuant to this subsection in five public places in the fire district, and shall advertise this information in a newspaper, published in the fire district, if any, otherwise in a newspaper circulating in the district. The clerk shall, not more than 20 days and at least 10 days prior to the date of the meeting, again advertise this information in that newspaper.

Copies of a resolution shall be made available to the members of the general public of the fire district who shall request such copies from the date following publication of the resolution up to and including the date of the meeting. All interested persons shall be given an opportunity to be heard at a meeting.

(see next page for affidavit)

AFFIDAVIT OF POSTING AND PUBLISHING NOTICE OF SPECIAL MEETING

I, the undersigned, hereby certify that a Special Meeting has been called by the Board of Fire Commissioners of _____ Fire District #____ scheduled for _____ at ____ pm at [LOCATION].

I further certify that the District’s annual election for the Board of Fire Commissioners is held on the (check one):

_____ third Saturday in February

_____ November general election

I further certify that on ___DATE_____, I posted notices in the 5 following locations pursuant to N.J.S.A. 40A:14-84 (the following are potential examples of five public places in the district):

- Fire District Notices Board
- Anytown Town Hall Notices Board
- Anytown Free Public Library
- Anytown Municipal Court Bulletin Board
- Anytown Post Office

I further certify that notice of the special meeting was published pursuant to N.J.S.A. 40A:14-84 on the following date(s) _____.*

I understand that I am subject to punishment pursuant to law if any of the above statements are willfully false.

Signature

Printed Name

Title

Dated: _____

Please provide a copy of the notice that was posted, as well as proof of publication for the required newspaper notices. A separate certification is required to report the results of the special meeting.

* Notice publication is mandatory for special meetings held by a fire district whose annual election coincides with the November general election.