

TILTON-  
NORTHFIELD  
FIRE  
DISTRICT  
BY-LAWS

MARCH 15, 2010

T-N Fire District Meeting

Adopted 03/15/2010

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**ARTICLE I: NAME**

The Village District shall be called Tilton-Northfield Fire District hereinafter being called Fire District in this document. Pursuant to NH RSA 52:1-I(a)<sup>5</sup>, RSA 52:1-I(n)<sup>5</sup> and RSA 154:1-I(d)<sup>12</sup>.

The purpose of the Fire District is the extinguishment of fires and the maintenance of emergency ambulance services.

The main office is located at 12 Center Street, Tilton, New Hampshire 03276, with facilities in Tilton and Northfield.

The Fire District includes the entire boundaries of the Towns of Tilton and Northfield.

These By-Laws may be amended at any Annual District Meeting or Special Meeting called for that purpose by a majority vote of the legal voters of the District present and voting at said meeting, provided an Article in the Warrant states that changes are to be considered at said meeting. Any changes shall be reported to the N.H. Secretary of State<sup>10</sup>.

## **ARTICLE II: OFFICERS, ELECTIONS AND VACANCIES**

### **Section 1: Officers Elections**

The officers of the Fire District shall consist of three Commissioners, one Clerk, one Moderator, and one Treasurer. The Commissioners, Clerk, Moderator, and Treasurer shall severally qualify and possess the same powers and perform the same duties in respect to the District's Meetings and business affairs that the Clerk, Moderator, Treasurer and Selectmen of towns respectively possess and perform in respect to like matters in towns<sup>6, 9</sup>. The positions of Commissioner shall have 3-year terms. The Clerk and Treasurer may be either a 1-year or 3-year term<sup>16, 4, 3</sup>. The three Commissioner positions shall be staggered so that only one new Commissioner is elected each year. It is encouraged that the Commissioners have representation from both towns but elections will be at-large. The Moderator shall have a 2-year term and be elected in even numbered years<sup>1</sup>. All Fire District officers shall assume office upon his/her election and qualification for office, and shall serve until the election and qualification of his/her successor. All employees of the Fire District are discouraged from running for elected office in the Fire District so as not to create a perceived conflict of interest. Full-time employees of the Fire District are prohibited from serving as a Commissioner in the Fire District<sup>15</sup>.

### **Section 2: Officers Vacancies**

The Commissioners shall make appointments to fill vacancies in the offices of District Clerk, Moderator, Treasurer, and their own board of Commissioners until the next regular District Election, at which time the position will be filled for the unexpired term of the vacancy<sup>17</sup>.

## **ARTICLE III: DISTRICT OFFICERS AND THEIR DUTIES**

### **Section 1: Moderator Duties**

The Moderator shall preside at all Annual District Meetings of the Fire District, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed, and may prescribe rules of proceeding. The Moderator shall appoint all committees made by a motion at said meeting and passed by a majority.

### **Section 2: Treasurer Duties**

The Treasurer shall be responsible for all monies appropriated by the towns and for funds with which the District is endowed. As the disbursing officer of the Fire District, the Treasurer shall sign all checks, provide written monthly financial reports, accept the interest due on trust funds, and perform such other duties as are generally required of the office. The Treasurer's records shall be reviewed annually by an outside firm.

### **Section 3: Clerk Duties**

The Clerk shall keep a true and accurate record of all Annual District meetings, Monthly meetings, and Special meetings of the Commissioners. The Clerk shall see that all minutes are on permanent file. The Clerk shall perform such other duties as are generally associated with the office.

### **Section 4: Commissioners Duties**

#### **A. Regarding Fire Chief:**

The Commissioners shall have the responsibility of hiring a qualified Fire Chief as defined in the job description, who shall be the executive administrative officer of the District. Additionally, the Commissioners shall have the responsibility of evaluating the job performance of the Fire Chief at least annually. Should performance issues require corrective action; the Commissioners will identify a corrective action plan for the office of Fire Chief. Action by the Commission to terminate the employment of the Fire Chief shall be reviewed by the Commissioner's legal counsel.

#### **B. Electing Chair:**

The Commissioners shall elect a Chair at the first Commissioners meeting held after the Annual District Meeting who will serve as Chair until the next Annual District Meeting. The Chair shall be responsible for the agenda and preside at all meetings of the Commissioners, authorize calls for special meetings of the Commissioners, appoint all committees except those made by a

motion and passed by a majority, and perform all duties associated with the office. The Chair may move, second and vote upon any proposal before the Commissioners.

**C. Policies & Funds:**

The Commissioners are responsible for setting policy and managing funds<sup>2, 6</sup>. This includes, but is not limited to, the following:

1. Developing and maintaining a Department/District Employment Policy
2. Developing and maintaining a Department/District Purchasing Policy
3. Appointing a Commissioner, annually, to serve as the Commissioners representative to the District Budget Committee
4. Review the Annual Budget prepared by the Fire Chief and make recommendations to the Budget Committee.
5. Review Department Operations for the purpose of recommending changes and/or improvements and communicating such to the Fire Chief.
6. The Commissioners shall hear from the citizens of the District regarding District operations, plans or concerns and, if necessary, make recommendations on corrective action and communicating such to the Fire Chief.
7. The Commissioners shall be authorized signatures on all Fire District accounts.

## **ARTICLE IV: MEETINGS**

### **Section 1: Meeting Schedule**

The Commissioners shall convene meetings not less than once each month.

### **Section 2: Meeting Notice**

All Commissioners' Meetings shall be posted twenty-four (24) hours in advance of the meeting and shall be open to the public<sup>11</sup>.

### **Section 3: Meeting Attendance**

The Commissioners and Treasurer are expected to attend all Commissioners Meetings.

### **Section 4: Quorum**

A quorum for the transaction of District business at any meeting shall consist of two (2) members of the Commission being present. An affirmative vote of the majority of all Commissioners present at the time will approve any action before the Commission.

### **Section 5: Dispute Resolution**

Robert's Rules of Order shall be used to settle any parliamentary disputes.

## **ARTICLE V: FIRE CHIEF**

### **Section 1: Staffing**

The Fire Chief shall hire qualified staff within budget and policy guidelines and review their qualifications with the Commissioners. All terminations are the responsibility of the Fire Chief but for legal considerations to protect against wrongful termination, they will be reviewed in advance with the Commissioners.

### **Section 2: Training**

The Fire Chief shall be held responsible for the proper training and supervision of the staff, the care and maintenance of the District property, the selection of District supplies in keeping with the District approved budget and with the policies of the Commissioners; and shall provide efficient service to the public in the District<sup>13</sup>.

### **Section 3: Reports**

The Fire Chief shall make reports to the Commissioners at their regular meetings, no less than once a month, regarding the operations of the District in whatever form the Commissioners determine.

### **Section 4: Budgeting**

The Fire Chief is responsible for managing expenditures on a day-to-day basis to the limit provided for in the budget and in keeping with the Commissioners' Purchasing Policy<sup>14</sup>.

## **ARTICLE VI: COMMITTEES**

### **Section 1: Formation**

The Commissioners shall appoint committee members consisting of balanced representation from both Tilton and Northfield with the odd numbered member being a currently serving Commissioner or their representative for such specific purposes as the business of the Commissioners may require from time to time. Each committee will be discharged upon completion of the purpose for which it was established and after a final report has been presented to and accepted by the Commissioners.

### **Section 2: Chair**

Committees shall appoint a chairperson by majority vote.

### **Section 3: Reports**

Committees will make regular reports on their progress to the Commissioners. The Chair for each such committee shall make written reports to the Commissioners.

### **Section 4: Powers**

No committee shall have other than advisory powers unless the Commissioners grant it.

### **Section 5: Meeting Location**

All committees should make every effort to meet in the same location that the Commissioners are meeting. All meetings shall be properly posted and minutes of meeting taken and recorded<sup>11</sup>.

**ARTICLE VII: AMENDMENTS**

These By-Laws may be amended at any Annual District Meeting or Special Meeting called for that purpose by a simple majority vote of the legal voters of the District present and voting at said meeting, provided an Article in the Warrant states that changes are to be considered at said meeting<sup>7, 8</sup>.

## ADDENDUM

The By-Laws of the Tilton-Northfield Fire District are governed by State Laws pertaining to RSA 52 "Village District" and RSA 154 "Public Safety". While these By-Laws give us a basic understanding of how we have agreed to function as a Village District (Fire District), it should be noted that if related RSA's should change in the future, so may our By-Laws have to be modified. Therefore, the RSA's that we considered when these By-Laws were written are attached but only as a reference.

The By-Laws are intended as ministerial only and not intended to replace, alter or amend the applicable state statutes, as those laws are amended from time to time. If any provision is later determined to be legally invalid because of its inconsistency with state law, then it should not result in the invalidity of the remainder of the document.

### **Footnotes:**

1. RSA 40:1
2. RSA 41:9
3. RSA 41:16-b
4. RSA 41:26-b
5. RSA 52:1
6. RSA 52:3-a
7. RSA 52:5
8. RSA 52:6
9. RSA 52:8
10. RSA 52:24
11. RSA 91-A
12. RSA 154:1
13. RSA 154:5
14. RSA 154:15
15. RSA 669:7
16. RSA 670:2
17. RSA 670:12