

BOARD OF FIRE COMMISSIONERS
HOPEWELL BOROUGH DISTRICT NO. 1

RESOLUTION 21-44

AUTHORIZING AN AMENDMENT TO THE LENGTH OF SERVICE AWARDS PROGRAM
(LOSAP)

Non-Vested Volunteers

WHEREAS, the Board of Fire Commissioners, Hopewell Borough Fire District No. 1, created a Length of Service Award Program (LOSAP) pursuant to New Jersey Public Law 1997, Chapter 388 (NJSA 40A:14-183 et seq.) for the volunteer members of the Hopewell Fire Department and EMU rendering services to the fire district, which LOSAP was approved by the legal voters of the fire district; and

WHEREAS, pursuant to N.J.A.C. 5:30-14.62, the Board of Fire Commissioners of Hopewell Borough Fire District No. 1, as the sponsoring agency of the LOSAP

(a) may make a yearly contribution to the LOSAP Account in the deferred income program for an active volunteer who has satisfied the requirements for receipt of an award, but the volunteer shall not be able to receive a distribution of the funds until the completion of a five-year vesting period, and

(b) Should a volunteer fail to vest or terminate association with a sponsoring agency prior to the completion of the vesting period, the funds placed in the LOSAP Account on behalf of the volunteer shall revert to the sponsoring agency, not to the volunteer; and

WHEREAS, the Board of Fire Commissioners desires to clarify its policy on the reversion to the fire district of funds held in LOSAP accounts of volunteers who have failed to vest or have terminated association with the Hopewell Fire Department and EMU.

IT IS HEREBY RESOLVED by the Board of Fire Commissioners, Hopewell Borough Fire District No. 1, that the following paragraph be included as a minor amendment to and as part of the LOSAP program document(s) previously created and adopted by the Board in 2001, and amended effective January 1, 2009:

“ Beginning with the 2022 LOSAP year, if by the end of said year, or anytime thereafter, a non-vested participant in the LOSAP has not met the requirements of an ACTIVE MEMBER of the Hopewell Fire Department/EMU (as defined in the HFD Constitution and By-Laws, as amended from time to time), for five (5) consecutive years, that person will be deemed to have voluntarily terminated their participation in the LOSAP program and all funds held in or accrued to that person’s LOSAP account shall be returned to the fire district’s surplus funds. Notice of termination shall not be required. Such person may participate in the LOSAP in the future by becoming an active member of the fire department/EMU and beginning a new vesting track in the LOSAP”; and

IT IS FURTHER RESOLVED that a certified copy of this amendment shall be filed with the Director of the Division of Local Government Services and a copy shall be provided to the public library in the fire district; and

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IT IS FURTHER RESOLVED that this amendment shall become effective upon adoption by the Board of Fire Commissioners and shall supplement and not rescind the provisions of previously adopted LOSAP program documents.

Roll Call Vote:

	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Chairperson Morehouse	X			
Commissioner Bovenizer	X			
Commissioner Davies	X			
Commissioner Evans	X			
Commissioner Myers	X			

Certified as a true copy of a Resolution duly adopted

at a meeting held on November 10, 2021

G. Davies, Secretary