

**ORDINANCE OF THE TOWNSHIP OF PLAINSBORO, COUNTY OF
MIDDLESEX AND STATE OF NEW JERSEY DISSOLVING THE PLAINSBORO
FIRE DISTRICT NO. 1 PURSUANT TO N.J.S.A. 40A:5A-20**

WHEREAS, there is established in the Township of Plainsboro, County of Middlesex, State of New Jersey the Plainsboro Fire District No.1 (“Fire District”), which provides fire and other emergency services to the residents of Plainsboro Township (“Township”); and

WHEREAS, the Township recognizes significant and compelling public interest in the safety and health of the residents of the Township of Plainsboro by dissolving the Fire District; and

WHEREAS, the Township has the management, fiscal and operational expertise to oversee fire service operations; and

WHEREAS, the Township further recognizes there may be additional financial savings for the residents of the Township of Plainsboro by dissolving the Fire District; and

WHEREAS, pursuant to N.J.S.A. 40A:5A-20, any municipal governing body may dissolve, by ordinance, a fire district, providing that the ordinance has been approved by the State Local Finance Board (LFB) within the N.J. Department of Community Affairs, prior to its adoption; and

WHEREAS, the Local Finance Board must approve the dissolution if it finds that said ordinance makes adequate provision for the payment of all creditors or obliges of the authority and that adequate provision has been made for the assumption of those services provided by the Fire District which are necessary for the health, safety and welfare of the recipients of those services; and

WHEREAS, the township shall seek approval of the LFB by filing an application with the LFB for dissolution of the Fire District; and

WHEREAS, it is the desire of the Township Committee of the Township of Plainsboro to dissolve the Plainsboro Fire District, to assume the debts, if any, and obligations of said Fire District, and to itself provide all services previously provided by said Fire District; and

WHEREAS, N.J.S.A. 40:48-2 provides that any municipality may make, amend, repeal and enforce such ordinances, as it may deem necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Township Committee of the Township of Plainsboro, County of Middlesex, State of New Jersey as follows:

SECTION 1. DISSOLUTION the Township of Plainsboro’s Fire District is hereby dissolved and abolished, creating the Plainsboro Township Fire Department, subject

to the terms and conditions hereof and the terms of the offices of the members of the Board of Commissioners of the Fire District is hereby terminated.

SECTION 2. TRANSFER AND TITLE OF ALL FACILITIES. All real and personal property owned or titled in the name of Fire District and all monies remaining in the Fire District shall be transferred to the Plainsboro Township Fire Department and a copy of all documents and records pertaining to same shall be delivered to the Township Clerk of Plainsboro forthwith.

SECTION 3. PAYMENT OF ALL CREDITORS AND OBLIGEES. The Plainsboro Township Fire Department shall assume responsibility for the payment of all lawful debts, if any, and obligations of the Fire District, and the Plainsboro Township Fire Department hereby covenants and agrees to comply with and perform all covenants, obligations and agreements of Fire District except as may be modified between the Plainsboro Township Fire Department and said creditors and obligees.

SECTION 4. RESERVATION OF RIGHTS. The Plainsboro Township Fire Department reserves the right to challenge the validity of any and all debts, covenants, obligations and or agreements of the Fire District and to determine whether it is truly a lawful debt, covenant, obligation and or agreement incurred by the Fire District.

SECTION 5. INJUNCTION AGAINST FURTHER ACTION WITHOUT CONSENT. The Fire District is hereby enjoined from taking any further action without the consent of the Plainsboro Township Fire Department including, but not limited to, taking any and all legal action. Simultaneously, upon the effective date of this dissolution as set forth above, the Fire District shall cease all operations and activities and all operations and activities shall be transferred to the Plainsboro Township Fire Department automatically and without further action either by the Township of Plainsboro or Fire District.

SECTION 6. TOWNSHIP AUTHORITY. The Mayor, Township Committee, Township Clerk, Township Administrator, Township Attorney, Director of Public Safety and other appropriate employees and professionals of the Township of Plainsboro are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof. The members of the Fire District, its officers, employees, and representatives are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof. The Plainsboro Township Fire Department along with its members, officers, employees and representatives are hereby authorized and directed to undertake any and all such acts and execute any and all such documents as may be necessary to effectuate and accomplish the purposes hereof.

SECTION 7. APPOINTMENT OF FIRE CHIEF. The Township shall appoint a Fire Chief in order to implement the Plainsboro consolidation transition plan as may be amended from time to time by the Mayor and Township Committee. The Fire Chief shall have operational oversight of the Plainsboro Township Fire Department during the transition and thereafter, subject to the direction and approval of the Mayor and Township Committee. The Plainsboro Public Safety Director shall ultimately have full leadership, management and operational responsibilities over the Plainsboro Township Fire Department.

SECTION 8. APPROVAL OF LOCAL FINANCE BOARD. Pursuant to the provisions of 40A:5A-20, a copy of this ordinance must be forwarded to the Local Finance Board of the State of New Jersey (“Board”) for review and approval. Final adoption of this

ordinance shall be subject to the Board's approval. A copy of the ordinance as adopted shall be filed immediately with the Board and with the Secretary of State of the State of New Jersey.

SECTION 9. EFFECTIVE DATE OF DISSOLUTION. The dissolution of the Fire District shall be effective on December 31, 2024. All assets and liabilities will automatically be transferred from the Fire District to the Plainsboro Township, and the assumption of all duties by the Plainsboro Township Fire District shall be transferred effective on January 1, 2025.

SECTION 10. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 11. REPEAL OF ALL INCONSISTENT ORDINANCES. All ordinances of the Township of Plainsboro that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication, as required by law and upon approval by the Local Finance Board.

ROLL CALL:

NAME	MOTION	SECONDED	YES	NO	ABSTAINED	ABSENT
Cantu			X			
Yates	X		X			
Bander						X
Lewis		X	X			
Nabi			X			

I certify the above to be a true copy of an Ordinance adopted by the Township Committee of the Township of Plainsboro at a meeting held on October 9, 2024.

Carol J. Torres, Township Clerk

Introduced at a Meeting of the Township Committee of the Township of Plainsboro on July 24, 2024 and published on July 30, 2024. Adopted at a Meeting held on October 9, 2024 and published on October 15, 2024.