

**NOTICE: GOVERNOR MURPHY ISSUES EXECUTIVE ORDERS
IMPACTING FIRE DISTRICT ELECTIONS**

**EXECUTIVE ORDER 211
ISSUED DEC 21, 2020**

FEBRUARY FIRE DISTRICT ELECTIONS MOVED TO APRIL 20, 2021
<https://nj.gov/infobank/eo/056murphy/pdf/EO-211.pdf>

**EXECUTIVE ORDER 216
ISSUED JAN 26, 2021**

REGARDING SUBMISSION OF PETITIONS FOR CANDIDACY

Please see memoranda below from Richard Braslow for details

MEMORANDUM

TO: All Fire Districts
FROM: Richard Braslow, Esq.
DATE: December 16, 2020
RE: Election Date

Pursuant to numerous conversations with Governor's counsel and DCA, the fire district election date will be changed from February 20, 2021 to April 20, 2021. The Governor will be issuing an executive order confirming the change in election date and other collateral issues related thereto. The following was the substance of the telephone calls with Governor's counsel and DCA regarding the election:

1. If the election had occurred in February, it would have been an all mail-in ballot election. By changing the date to April, it is hopeful that in-person voting will be permitted and thereby the election will not be mail-in ballot only. If in fact the April election must be a mail-in ballot only election, the issue of the election costs was addressed, and it is projected that there would be either reimbursement to the County or reimbursement to the fire districts for the election costs related to the mail-in voting which would have been necessitated by the health emergency. Governor's counsel could not formally commit to the reimbursement but acknowledged the legitimacy of the argument.
2. The petition deadline is twenty-nine (29) days prior to the election to have a candidate's name placed on the ballot. If the election was held on February 20 the deadline would have been January 22. However, the new date would be twenty-nine (29) days prior to April 20 which would be March 22.
3. The term of the commissioner would expire the first Tuesday in March at 12 PM. However, based on the new election date, the term of office would continue until a date after the election as designated by the executive order.

4. The fire district operates on a temporary budget commencing January 1, 2021 until the budget is adopted. The temporary budget is fourteen percent (14%) of last year's budget, not including debt service. This number will be changed to thirty percent (30%).
5. Pursuant to statute the first payment received by a fire district from the municipality is on or before April 1 unless the fire district has negotiated a different agreement with the municipality. This payment will still be made by the municipality notwithstanding the new election date.
6. The fire districts must still adhere to the statutory dates relative to the budget as if the election was still February 20. Introduction of the budget would be sixty (60) days prior to that date and adoption not less than twenty-five (25) days prior to that date.

The above addresses the issues relating to the change of election date with any other items set forth in the executive order to be issued by the Governor. If you have any questions, please contact us.

MEMORANDUM

TO: All Fire Districts
FROM: Richard Braslow, Esq.
DATE: January 26, 2021
RE: Fire District Election

The Governor has issued Executive Order No. 216 establishing further requirements concerning the election. Essentially the Executive Order provides that a petition for candidacy may be either hand delivered or electronically submitted. The Executive Order provides some specifics if the petition is to be electronically submitted. If you have any questions, please contact us.

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