

**TOWNSHIP OF MANSFIELD
COUNTY OF BURLINGTON**

ORDINANCE 2009-11

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF
MANSFIELD, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY
UNDER CHAPTER 36, ARTICLE II, ENTITLED “OUTSIDE EMPLOYMENT”
UNDER SECTION 36-17(A & B), SECTION 36-18 (PAYMENT FOR EXTRA-
DUTY ASSIGNMENTS; ESTABLISHMENT OF FUND) AND SECTION 36-19
(USE OF TOWNSHIP VEHICLES OR EQUIPMENT)**

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey as follows:

WHEREAS, it is the desire of the Township Committee to modify, amend and clarify certain sections of Chapter 36; and

WHEREAS, it is in the best interest of the township to amend the Ordinance to avoid confusion and provide a clear definition for all to comply with the administration of Chapter 36, Article II, Section 17 (A & B), Section 18 and Section 19; and

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED by the Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey, shall amend Chapter 36 Article II, Section 17 (A & B), 18 and 19 as follows:

Chapter 36, Article II, Section 17(A&B) (Payment for extra-duty assignments; establishment of fund.) is amended to include the following in its entirety:

- A. All private employers shall be required to make all payments for extra-duty assignments payable to the Township. All payments shall be forwarded to the Office of the Chief Financial Officer of the Township. The Chief Financial Officer shall cause all funds for the payment of extra-duty officers collected from private employers to be deposited into a special escrow account which is hereby established by this article. The escrow fund shall be utilized for the payment to the officers performing extra-duty services. Officers that perform extra-duty assignments will be compensation at their regular or overtime rate, whichever is applicable, unless another rate is specified in their union contract. This provision shall not prevent a special rate from being negotiated with the agreement of the employee with other public entities. Such special rates shall be established not less than annually by the Township Committee in consultation with the officers and applicable unions. All officers shall be required to submit pay slips to the Chief Financial Officer, in a form approved by the Chief Financial Officer. Upon receipt of a properly executed pay slip verified by the private employer, the Finance Department shall process the pay slips for disbursement during the officer’s regular pay period.

- B. The rate to be charged under this section shall be 35.00 per hour per police officer.

Chapter 36, Article II, Section 18 (Administrative costs).

In addition to payments for services, including necessary and applicable taxes and employer contributions, the private employer shall pay to the Township an administrative fee of \$10.00 per hour corresponding to each officer's hours of service. This fee shall be utilized to offset costs associated with the Township of the private employment system as well as wear and tear on equipment.

Chapter 36, Article II, Section 19 (Use of Township Vehicles or equipment).

Officers engaged in extra-duty activities, as authorized by this article, may be permitted to utilize a municipal vehicle or other equipment subject to the approval and consent of the Civilian Public Safety Director or Chief of Police. The private employer shall be required, in addition to any other payments, to pay for the use of such vehicle or equipment in advance of use. The rate for vehicle use shall be \$10.00 per hour or \$60.00 per day, whichever is greater.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Introduced: May 27, 2009
Final Adoption: June 24, 2009