

TOWNSHIP OF EDGEWATER PARK

ORDINANCE NO. 12-2004

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY IN ORDER TO ESTABLISH A NEW SECTION PROHIBITING THE PRACTICE KNOWN AS “ENGINE BRAKING” AND PROVIDING FOR PENALTIES, UNDER CHAPTER 10, SECTION 10.40 VEHICLES AND TRAFFIC REGULATIONS, THEREFOR

WHEREAS, the Township Committee of the Township of Edgewater Park desires through this ordinance to eliminate the use of “Engine-Braking” as set forth below,

BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey as follows:

Section 1. The title of Section 10.40 is hereby created to read as follows:
Section 10.40 Prohibition of “Engine-Braking”.

10.40.010 A. Definitions. “Engine-braking” shall mean the use or operation of any mechanical exhaust device designed to aid in the braking, decompression or deceleration of any motor vehicle which results in the excessive, loud, unusual or explosive noise from such vehicle.

B. Prohibition. It shall be unlawful for the driver of any motor vehicle to use or operate or cause to be used or operated, at any time and on any road within the Township of Edgewater Park, any mechanical exhaust or decompression device which results in the practice known as “engine-braking”.

C. Exceptions. The provisions of this Chapter shall not apply to the application of unmuffled compression brakes where necessary for the protection of persons and/or property, which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes, otherwise known as “engine-braking,” which is effectively muffled or if the application is necessary for the health, safety and welfare of the community is exempt from the provisions of this Chapter. Sounds created by emergency equipment of emergency purposes are also exempt.

D. Posting of Signs. The Township is hereby authorized to post at reasonable locations within the Township, signs indicating the prohibition of “engine-braking.”

Section 2

10.40.020_ Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance, or its application be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, or its application to any other person or set of circumstances.

Section 3

10.40.030 Effective Date. This Ordinance shall take effect upon final passage and publication in accordance with the law, but not before approval has been received from the Commissioner, Department of Transportation.

Section 4

10.40.040 That all other Ordinances or part of Ordinances inconsistent herewith are hereby repealed.

Section 5

10.40.50. This Ordinance shall take effect upon adoption and publication according to law.

TOWNSHIP OF EDGEWATER PARK
Ordinance No. 1-2004

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK PROVIDING
FOR AND DETERMINING THE RATES OF COMPENSATION FOR
EMPLOYEES FOR THE YEAR 2004*

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

Section 2:2-1. The annual rates of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY RANGE
Administrator	\$27,000 - \$28,500
Municipal Clerk	\$42,000 - \$44,500
Deputy Township Clerk	\$21,600 - \$30,000
Second Deputy Township Clerk	\$ 1,000 - \$ 1,100
Recycling Coordinator	\$ 4,200 - \$5,500
Principal Clerk Typist	\$29,800 - \$32,000
Senior Clerk Typist	\$27,800 – \$31,000
Clerk Typist	\$18,500 – \$28,000
Part-time Clerk Typist	\$7.00 - \$10.00 (per hour)
Registrar-Vital Statistics	\$900 - \$1,200
Deputy Registrar-Vital Statistics	\$500 - \$650
Police Records Clerk	\$18,500 - \$29,800
Senior Police Records Clerk	\$27,800 - \$30,000
Secretary, Board of Health	\$ 750 - \$ 1,000
Chief Financial Officer	\$16,000 – \$21,500
Tax Collector	\$30,000 – \$40,000

Tax Assessor	\$8,000 - \$17,500
Recreation Coordinator	\$12,000 - \$18,500
Municipal Court Judge	\$12,000 – \$21,000
Court Administrator	\$28,000 – \$42,000
Deputy Court Administrator	\$18,000 – \$26,000
Court Recorder	\$50 - \$65 per session
Court Aide	\$45 - \$65 per session
Construction Official (Over Base Hours)	\$5,200 - \$11,000 \$20 - \$25 per hour
Building Inspector & Sub Code Official (Over Base Hours)	\$5,200 - \$11,000 \$20 - \$25 per hour
Property Maintenance/Rental Licensing Insp.	\$18,000 - \$31,000
Zoning Officer	\$5,000 - \$18,000
Plumbing Inspector	\$20 -\$25 per hour
Electrical Inspector	\$20 -\$25 per hour
Fire Sub Code Official	\$20 -\$25 per hour
Streets Superintendent	\$40,000 - \$60,000
Streets Repairer/Laborer	\$28,064 - \$43,500
Part-time Public Works Grounds Keeper/Driver/Snow Plow Operator	\$10 - \$15 (Per Hour)
Public Safety Director/ Chief Law Enforcement Officer	\$50,000 - \$85,500
Lieutenant	\$55,803 - \$63,500
Sergeant	\$53,199 - \$60,500.
Police Officer	\$35,000 - \$55,500

Special Police Officer	\$10 - \$15 (Per Hour)
Crossing Guards	
Classified	\$6,750 - \$8,300
Unclassified	\$4,500 - \$8,500

SECTION 2:2-2. The annual rates of compensation of officers and employees whose compensation shall be paid quarterly shall be as follows:

Township Mayor	\$ 3,700 - \$4,500
Township Committee	\$2,950 - \$3,500
Police Matron (includes all call-outs)	\$ 50 (Per Call Out)
Court Administrator/Deputy Court Administrator (includes all call-outs)	\$7,000

SECTION 2:2-3. The annual rates of compensation of officers and employees whose compensation shall be payable annually shall be as follows:

Member, Board of Health	\$50
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SECTION 2:2-4. The compensation of officers and employees whose compensation shall be payable upon completion of said duty and approval by respective Chairperson:

Secretary, Planning Board	\$ 100 (per meeting/7:30-11:00 PM)
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For each special meeting called by the Chairman for a developer, said developer is responsible for the reimbursement of the meeting fee.

SECTION 2:2-5. The rates of compensation of employees whose compensation falls within a variable range shall be fixed by resolution from time to time.

SECTION 2:2-6. Longevity payments shall be in accordance with respective contracts.

SECTION 2:2-7. The rates of compensation for professionals appointed by Township Committee at its reorganization meeting are as follows:

- Solicitor - \$250 per meeting (support services based on fee schedule)
- Engineer - \$125 per meeting (support services based on fee schedule)
- Auditor - \$55 - \$135 per hour (support services based on fee schedule)
- Prosecutor - \$8,154 - \$10,000 (Annual)
- Public Defender - \$2,400 - \$3,500 (Annual)

SECTION 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of January 1, 2004, and shall apply only to those persons in employment at the date of adoption of this ordinance. This ordinance is intended to repeal all prior ordinances dealing with salaries in the Township of Edgewater Park in their entirety.

**Township of Edgewater Park
Ordinance No. 2-2004**

**AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE TOWNSHIP
OF EDGEWATER PARK BY ABOLISHING THE PLANNING AND ECONOMIC
DEVELOPMENT ADVISORY COMMITTEE CREATED BY ORDINANCE NO. 1982-2,
AS AMENDED BY ORDINANCE NO. 1983-1, AND ORDINANCE NO. 2-84.**

BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, as follows:

Section 1. The codified ordinances of the Township of Edgewater Park are amended deleting Section 2.9, Creation of a Planning and Economic Development Advisory Committee, which was a Committee established by the Township of Edgewater Park under Ordinance Number 1982-2, as amended.

Section 2. All ordinances, or parts of ordinances, which are inconsistent herewith are hereby repealed to the extent of their inconsistency.

Section 3. This Ordinance shall take effect immediately after final passage, approval and publication, as provided by law.

NOW THEREFORE BE IT ORDAINED, by Township Committee of the Township of Edgewater Park in the County of Burlington.

**Township of Edgewater Park
Ordinance No. 3-2004**

**2004 “CAP” ORDINANCE TO EXCEED INDEX RATE;
INDEX RATE LESS THAN 5 % LIMITATION FOR THE
YEAR 2004 (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 5% or the index rate, whichever is less, over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, P.L. 1986, C. 203 amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5%, increase its final appropriations by a percentage rate greater than the index rate but not to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and,

WHEREAS, the index rate for 2004 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5%; and,

WHEREAS, the Township Committee of the Township of Edgewater Park in the County of Burlington finds it advisable and necessary to increase its 2004 budget by more than 2.5 % over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 5 % increase in the budget for said year, amounting to \$ 176,278.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

NOW THEREFORE BE IT ORDAINED, by Township Committee of the Township of Edgewater Park in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2004 budget year, the final appropriations of the Township of Edgewater Park shall, in accordance with this ordinance and P.L. 1986, C. 203, be increased by 5 %, amounting to \$ 176,278.00 and that the 2004 municipal budget for the Township of Edgewater Park be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 4-2004**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK
ESTABLISHING REGULATIONS CONCERNING FOOD MANAGER TRAINING
FOR POTENTIALLY HAZARDOUS FOOD HANDLING ESTABLISHMENTS**

WHEREAS, the Burlington County Department of Health has been actively seeking participation from all local Boards of Health in all municipalities in Burlington County to support and enact legislation which would mandate that all potentially hazardous food handling establishments obtain, through proper training, and maintain a Food Manager Certification; and

WHEREAS, the Edgewater Park Township Board of Health, pursuant to the recommendation of the Burlington County Department of Health, would recommend adoption of such legislation, as proposed by the Burlington County Department of Health.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Code of the Township of Edgewater Park be amended to add a new section as follows:

Section 1. The following language shall be inserted in the Code of the Township of Edgewater Park as Chapter 8.56.100

Chapter 8.56.100
FOOD HANDLING
ARTICLE I
Food Manager Training
[Adopted 2-24-2004 as Ordinance 4-2004]

8.56.100 Administrative Authority.

The Burlington County Health Department shall be the administrative authority to exercise the powers prescribed by this Article.

8.56.101 Adoption of Standards.

Pursuant to the authority contained in N.J.S.A. 26:3-69 through 26:3-69.6, the Board of Health of Edgewater Park Township, as described in Chapter 8, does hereby adopt the new rules and standards governing food manager training as an ordinance operative within the Township regulating training for managers of potentially hazardous food handling establishments.

8.56.102 Title.

The provisions adopted by this Article are described and commonly known as “Food Manager Training.”

8.56.103 Intent and Purpose.

The provisions hereinafter contained and enacted are in pursuance of and for the purpose of:

1. protecting and promoting the public health and general welfare of persons in the Township of Edgewater Park; and
2. preventing food borne illness in food establishments due to improper food handling, sanitation and safety.

8.56.104 Definitions.

“Food” shall mean any food, food product, drink or drink product, wholly or partially prepared, meant for human consumption.

“Food Manager” shall mean any person who owns or is employed by a wholesale or retail food establishment who directs, oversees and supervises the procedures used by the establishment to prepare and store food that is served and/or purchased by the general public.

“Potentially Hazardous Foods” shall mean foods, which could cause serious health problems or illness, if not stored, processed and prepared properly.

“Retail Food Establishment” shall mean a business, store, restaurant or any retail establishment that wholly or partially is involved in the preparation of food that is sold directly to the general public. This includes leased and subleased establishments, food vendors and kiosks that prepare food, as well as, wholesale food businesses where the products are purchased and put directly for sale to the public. This does not include private or public schools, associations, non-profit organizations, or civic groups that prepare and/or sell food on an occasional basis for fundraising purposes.

8.56.105 Requirements of Retail Food Establishments

1. Every retail food establishment shall be required to have at least one (1) food manager, with food sanitation and safety training, to supervise food preparation on the premises. Food establishments that do not have any onsite preparation of potentially hazardous foods are exempt from this requirement.
2. Upon request, the owner/manager of a retail food establishment shall provide to the Burlington County Health Department and/or local Board of Health satisfactory proof that, at a minimum, the manager of the establishment shall have taken and passed an approved course in food sanitation and safety.

8.56.106 Food Manager Training

1. The training course must be a minimum of eight (8) hours and must be approved by the Burlington County Health Department. The following are also acceptable:
 - a. a course in food safety and sanitation approved by the New Jersey Department of Health and Senior Services;
 - b. or a current valid Food Manager's Certification issued by the Educational Testing Service.
2. Food managers shall satisfactorily complete a refresher course approved by the Burlington County Department of Health in food safety and sanitation every three (3) years.
3. The Food Manager Certification shall be prominently posted on the premises.

8.56.107 Enforcement, violations, and penalties

1. Minimum penalty. There shall be a minimum penalty of a fine fixed at an amount not less than \$100.00.
2. Maximum penalty. For violations of any provisions of this chapter, the maximum penalty, upon conviction, shall be a fine not exceeding \$1000.00.
3. Separate violations. Each and every day in which a violation of any provision of this chapter exists shall constitute a separate violation.
4. It shall be the responsibility of the Burlington County Health Department (as the authorized agent of the local Board of Health) to enforce this Ordinance.
5. If a facility does not meet the requirements of this ordinance, the Burlington County Health Department, with the consent of the local Board of Health, can grant a temporary waiver of six (6) months provided immediate action is taken to ensure compliance with this ordinance.

Section 2. Repealer. Any and all other ordinances, inconsistent with any of the terms and provisions of this ordinance, are hereby repealed to the extent of such inconsistencies.

Section 3. Severability. In the event that any section, paragraph, clause, term, provision, or part of this ordinance shall be adjudged by a court of competent jurisdiction, to be invalid or unenforceable for any reason, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation, to the section, paragraph, clause, term, provision, or part thereof, directly involved in the controversy, in such judgment shall be rendered.

Section 4. Effective Date. This ordinance shall take effect following final passage, adoption and publication on the earliest date allowed by law.

Section 5. Short Title. This ordinance shall be known as Ordinance 4-2004

NOW THEREFORE BE IT ORDAINED, by Township Committee of the Township of Edgewater Park in the County of Burlington.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 6-2004**

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING
ORDINANCE NO. 16-2000, ORDINANCE NO. 18-2002, AND ORDINANCE
NO. 19-2002, WHICH AUTHORIZED THE COLLECTION OF DEVELOPMENT
FEES PURSUANT TO THE REGULATIONS OF THE NEW JERSEY
COUNCIL ON AFFORDABLE HOUSING*

WHEREAS, Ordinance 16-2000 was previously adopted by Township Committee: An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, amending Section 2. Chapter 16.02 of the Municipal Code which authorizes the collection of development fees pursuant to the regulations of the New Jersey Council on Affordable Housing;

WHEREAS, Township Committee subsequently adopted Ordinance 18-2002: An ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, amending Ordinance No. 16-2000 which authorizes the collection of development fees pursuant to the regulations of the New Jersey Council on Affordable Housing;

WHEREAS, the Township Committee subsequently adopted Ordinance No. 19-2002: An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, Establishing a Plan to Spend Development Fees Collected Pursuant to Ordinance No. 16-2000, as Amended;

WHEREAS, said Ordinance No. 19-2002 provides on page two (2), Administrative Mechanism to Collect and Distribute Funds, at Section 1, paragraph 3, that “the developer will pay fifty percent (50%) of the estimated development fee to the Construction Code Officer at the time the building permit is issued;”

WHEREAS, Township Committee wishes to amend said Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, as follows:

I. Section G, paragraph 1, is amended by restoring the language contained in Ordinance 16-2000:

Section G: Collection of Fees

1. Developers shall pay the entire calculated development fee upon the issuance of certificates of occupancy.

II. The provision in Ordinance No. 19-2002, on page 2, at Section 1,

paragraph 3, regarding payment of fifty percent (50%) of the development fee is hereby deleted.

III. All of the other provisions of Ordinance Numbers 16-2000, 18-2002, and 19-2002, shall remain in full force and effect.

Township of Edgewater Park
Ordinance No. 8-2004
AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, NEW JERSEY AMENDING CHAPTER 5.04
OF THE EDGEWATER PARK TOWNSHIP CODE TO REFLECT A CHANGE IN THE
REGULATION OF HOURS.

BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, as follows:

This Ordinance shall amend Chapter 5.04 of the Township Code, by deleting the language in Section 5.04.040 Regulations of Hours adding the following in Sections 5.04.040 as follows:

SECTION ONE. AMENDMENT

A. Regulation of Hours, Consumption of Alcoholic Beverages

The consumption of alcoholic beverages within any place of business or establishment, licensed under the provisions of this chapter, shall be prohibited at the times and during the hours hereinafter set forth:

Days	Hours
Weekdays	three a.m. to seven a.m.
Sundays	three a.m. to twelve noon

B. Regulation of Hours, Distribution of Alcoholic Beverages

The distribution of alcoholic beverages within any place of business or establishment, licensed under the provisions of this chapter, shall be prohibited at the times and during the hours hereinafter set forth:

Days	Hours
Weekdays	three a.m. to seven a.m.
Sundays	three a.m. to ten a.m.

SECTION TWO. IMPLEMENTATION

1. All other provisions are affirmed and ratified.
2. This Ordinance shall take effect upon the passage and publication according to law.

NOW THEREFORE BE IT ORDAINED, by Township Committee of the Township of Edgewater Park in the County of Burlington.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 10-2004**

**AN ORDINANCE OF THE TOWNSHIP OF
EDGEWATER PARK , COUNTY OF BURLINGTON,
STATE OF NEW JERSEY, AMENDING CHAPTER
10.04 OF THE TOWNSHIP CODE, ENTITLED
“THROUGH STREETS AND STOP
INTERSECTIONS.”**

BE IT ORDAINED, by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, in the County of Burlington, and State of New Jersey, as follows:

SECTION ONE. Amendment

This Ordinance shall amend Chapter 10.04 of the Township Code, by adding the following Sections to 10.04-030, “STOP INTERSECTIONS DESIGNATED:”

- O. Hess Avenue: Stop signs shall be installed on
Hess Avenue and Cooper Street
Hess Avenue and Van Rossum Avenue
- P. Millman Avenue: Stop signs shall be installed on
Millman Avenue and West Franklin
- Q. Nikki's Place: Stop signs shall be installed on
Nikki's Place/Van Rossum Avenue
Nikki's Place/Stokes Avenue
Nikki's Place/Cooper Street
- R. Stokes Avenue: Stop signs shall be installed on
Stokes Avenue/West Franklin Avenue
- S. Walnut Alley: Stop signs shall be installed on
Walnut Alley/Stokes Avenue
Walnut Alley/Van Rossum Avenue
Walnut Alley/Cooper Street
- T. Van Rossum: Stop signs shall be installed on
Van Rossum and West Franklin Avenue
- u. Van Rossum: Stop signs shall be installed on
Van Rossum and Blyer Avenue

SECTION TWO. Implementation

This Ordinance shall be effective upon passage and publication according to law.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 11- 2004**

*AN ORDINANCE OF THE TOWNSHIP OF
EDGEWATER PARK CREATING CHAPTER 2.73
TO GOVERN OUTSIDE EMPLOYMENT OF
POLICE OFFICERS, EMERGENCY PERSONNEL
AND MAINTENANCE WORKERS, AND TO CREATE
ESCROW FUND FOR PAYMENT BY OUTSIDE EMPLOYERS*

WHEREAS, the Police Officers, Emergency Personnel and Maintenance Workers (hereinafter collectively referred to as “Personnel”) of the TOWNSHIP OF EDGEWATER PARK often receive requests by separate entities to provide traffic control, security-related services, on-site preventive emergency aid, maintenance services, and/or similar activities; and

WHEREAS, it is deemed to be in the best interest of the citizens of this community, and would contribute to the overall safety and general welfare of all persons living in or traveling through this Township, for these Township Personnel to these services for separate entities; and

WHEREAS, it is also deemed to be in the best interests of the municipality to provide coordination and administration through the local government of services provided by Township Personnel, and to have said Personnel subject to departmental discipline and control, while performing such services; and

WHEREAS, these services are provided most often while the Personnel are off-duty; and

WHEREAS, the governing body wants to protect the Township and its Personnel from liability in connection with such work and establish certain guidelines and regulations governing such work;

NOW, THEREFORE, IT BE ORDAINED AND ENACTED by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, County of Burlington, and State of New Jersey, as follows:

Article 1. The Township Code of the Township of Edgewater Park is hereby amended to create Chapter 2.73, entitled: “Outside Employment”:

A. Definitions.

“Employees” shall mean police officers, emergency aid personnel, and

maintenance workers of the Township of Edgewater Park that are being hired by an Outside Employer to provide security, traffic control, on site emergency aid, maintenance, and/or similar services.

“Outside Employer” shall mean any entity, public or private, other than the Township of Edgewater Park, that is hiring an Employee, as defined herein, to provide services for the Outside Employer’s business, project or function.

“Township” shall mean the TOWNSHIP OF EDGEWATER PARK.

B. Authorization.

(1) Members of the Township’s Police Department, Emergency Aid Personnel or Maintenance Workers, whether they be full-time or part-time, are expressly authorized to engage in security, traffic control, on-site emergency aid, and maintenance activities, respectively, during their off-duty hours for Outside Employers, so long as the arrangements therefor are made through this municipality and any compensation paid to the Employees for such service is channeled through the Township.

(2) The Employees performing said off-duty services authorized hereunder are also authorized to wear a Township uniform.

(3) The authorization set forth in this Ordinance shall apply only to off-duty services provided for Outside Employers consistent with the Employees responsibilities for the Township.

(4) In granting this authorization, the Township assumes no responsibility or liability for the actions or non-actions of the off-duty Employees.

(5) Pursuant to memoranda issued by the State of New Jersey Department of the Treasury, Division of Pensions, dated August 1989, and February 1990, it is the express intention of this Chapter that off-duty work authorized by this Chapter shall entitle police officers to coverage under the Police and Firemen’s Retirement System, where they are injured during off-duty or outside employment under the scope of this Chapter. Both the Township and the Members of the Township’s Police Department are familiar with these memoranda, and because the employees shall ultimately be subject to departmental discipline and control, and because they are ultimately paid by the Township, they are in accordance with the February 1990 memorandum prepared by Douglas R. Forrester, Director, Division of Pensions, and are considered to be covered for injury or death, which may occur while performing those duties.

C. Contracts with Outside Employers or Public Entities.

Any Outside Employer desiring to retain the services of Employees of the Township for extra-duty activities shall be required to enter into a contract with the Township. Except in cases of bona fide emergency no assignment to extra-duty may be made unless, prior to such assignment, the private party or entity has executed a contract for such services and has made the required deposit pursuant to the Uniform Agreement to Provide Services by Off-Duty Personnel, which form of Agreement is on file with the Township Department of Finance. Said Agreement shall include, but not be limited to, the nature of duties to be performed, the location of said duties, the date and hours of service, the rate of payment of services to the Employees, administrative fees to the Township and fees for the use of Township owned equipment.

The Agreement with said Outside Employer shall provide for the deposit of monies in advance by the private person or public entity for the services to be performed. Should the contract be for a term exceeding one (1) month, the private person or public entity may be required to tender an estimated payment for the first month's services upon executing the contract, and will be billed on a periodic basis thereafter. Should the actual assignment of off-duty officers amount to less than the amount deposited, the Chief Financial Officer shall, upon termination of the contract, receipt of the final certified time slips, and receipt of written demand from the Outside Employer, return all unused funds to the Outside Employer. Nothing in this section shall be construed as limiting the power of the Township to accept or reject any and all assignments with any Outside Employer.

D. Insurance.

As a pre-condition to the use of Employees by an Outside Employer, the Outside Employer shall provide written assurance that the Employees are covered by the Outside Employer's workmen's compensation insurance and personal liability insurance policies, which assurance shall include a copy of said insurance policies, as well as such other information as the Chief Financial Officer deems appropriate.

E. Payment for Extra-Duty Assignments, Establishment of Fund.

(1) All Outside Employers shall be required to make all payments for extra-duty assignments payable to the Township. All payments for extra-duty assignments shall be forwarded to the Office of the Chief Financial Officer of the Township of Edgewater Park. The Chief Financial Officer shall deposit all funds earmarked for the payment of extra-duty officers, collected from Outside Employers, into a special escrow fund, which is hereby established by this Chapter. The escrow fund shall be established for payment to Employees performing the extra-duty services. Employees that perform extra-duty assignments will be compensated at their regular rate if voluntary, and regular or overtime rate (depending on number of hours worked

during that work week) if involuntary, unless another rate is specified in a union contract. All Employees 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 person or entity, the Finance Department shall process the pay slips for disbursement during the officers regular pay period.

(2) Nothing contained in this Ordinance shall preclude the Township from entering into longer term contracts with, e.g., New Jersey American Water, PSE&G, etc., when projects will span weeks and the magnitude of time required from Employees by Outside Employers will require special considerations.

F. Administrative Costs

In addition to the aforementioned fees to be collected by the Township from said private person or public entity for the payment of said extra-duty Employees, the Township shall collect an administrative fee of \$25.00 per occurrence. Said fee shall be used to offset the administrative costs associated with the assignment of Township Employees.

G. Use of Township Vehicles.

Employees engaging in off-duty activities, as authorized and required by this Ordinance, may be permitted to utilize a municipal vehicle subject to the approval and consent of the Employee's Department Head. The Outside Employer shall be required to pay for the use of the vehicle in advance of its use, including a daily rate of \$25.00 and mileage of \$0.345 per mile.

H. Oversight by Department Head

The respective Department Heads of the Township shall be responsible for the overall conduct of the members of his or her department in following the rules and regulations promulgated herein, and shall insure that the terms, conditions and provision of this Chapter shall be fully and faithfully carried out. Additionally, the Department Heads shall have authority to control Employees engaged in off-duty or outside employment pursuant to this Chapter, and shall further have the authority to discipline any and all Employees so engaged in outside employment by Outside Employers, should cause for such charges arise or exist.

Article 2. Repealer. Any ordinances inconsistent with this Ordinance are hereby repealed to the extent of its inconsistency.

Article 3. Effective Date. This Ordinance shall take effect immediately upon final approval and publication of notice of same by the Township, in accordance with the law.