

ORDINANCE NO. 01-2022

**BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY**

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ROSELAND ENTITLED "DEPARTMENT OF ADMINISTRATION", SECTION 2-24 ENTITLED "DEPARTMENT OF POLICE OR POLICE DEPARTMENT" TO MODIFY THE PROVISIONS OF OUTSIDE EMPLOYMENT OF POLICE OFFICERS

WHEREAS, the Mayor and Council of the Borough of Roseland wish to amend Chapter 2 of the Revised General Ordinances entitled "Department of Administration", Section 2-24 entitled "Department of Police or Police Department", to modify the provisions of outside employment of police officers;

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Roseland that Chapter 2 of the Revised General Ordinances of the Borough of Roseland entitled "Administration", Section 2-24 entitled "Department of Police or Police Department" shall be amended as follows:

SECTION I

That subsection 2-24.10. entitled "Outside Employment of Police Officer" shall be amended by adding the following **thus** and deleting the following **thus**:

§ 2-24.10 ~~Outside Employment of Police Officer~~ **Off-duty Police Service and Fees**

Off-duty Police Service and Fees

- a. **Statutory authority. The Attorney General of the State of New Jersey and the Division of Local Government Services have determined that members of a municipal Police Department may, during their off-duty hours, engage in police-related activities for private persons or entities. Pursuant to the laws of the State of New Jersey, a municipality must agree to implement a system whereby the off-duty availability of police officers is arranged through a contract directly with the municipality and the private person or entity.**
- b. **Police force and off-duty employment. In accordance with the procedures established herein for the employment of police officers by private individuals or outside entities, members of the Police Department shall be permitted to accept police-related employment for private employers or school districts only during**

off-duty hours and at such times as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Borough of Roseland.

- c. Any person or entity requesting the use of extra-duty police services shall submit an estimate of the number of hours needed, which estimate shall be approved by the Police Department before work is commenced. Payment in the number of hours estimated shall be submitted in advance of the commencement of work and deposited in an escrow account to be held with the Finance Department of the Borough of Roseland. In the event the number of hours is exceeded, an additional amount shall be placed in escrow based upon a revised estimate. This requirement may be waived by the Chief of Police for work directly performed by a governmental entity or under emergency circumstances. The balance remaining in escrow shall be released by the Finance Officer upon confirmation by the police department that work is completed.
- d. ~~A f~~ Fee for ~~outside employment~~ of Police Officers. ~~shall be established for contractors and vendors utilizing this service.~~ The contractor and/or vendor shall pay ~~sixty (\$60.00)~~ one hundred (\$100.00) dollars per hour. The Police Officer shall receive ~~forty-seven (\$47.00)~~ seventy-seven dollars and fifty cents (\$77.50) per hour and ~~thirteen (\$13.00)~~ twenty-two dollars and fifty cents per hour will cover benefits and administrative fees.
- e. If the contractor/vendor cancels an off-duty assignment within two hours of the scheduled start time, then the Borough shall charge a minimum fee for four (4) hours of service.
- f. Payment for extra-duty work will be made within 30 days of receipt of proper documentation from the employee and to the extent sufficient funds have been posted to the applicable escrow account. In the event the escrow account lacks sufficient funds to make payment, payment shall be made within 30 days of the escrow account being refunded.

SECTION II

If any section of provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

This ordinance shall take effect upon publication as provided by law.

DATE OF INTRODUCTION: February 5, 2022

Motion to Introduce by: Councilwoman Perrotti

Motion Seconded by: Councilwoman Fishman

Introduction Approved: 4-0 Voice Vote (Freda, Trillo absent)

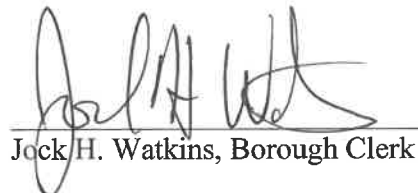
DATE OF ADOPTION: March 15, 2022

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Councilman Bardi			X				
Councilwoman Fishman			X				
Councilman Freda							X
Council President Perrotti	X		X				
Councilwoman Tolli			X				
Councilman Trillo		X	X				
Mayor Spango (In case of tie)							
		VOTE:	5	0			

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 15th day of March, 2022.



James R. Spango, Mayor



Jock H. Watkins, Borough Clerk

Date of Publication: March 24, 2022, The Progress

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