

ORDINANCE NO. 3390
INTRODUCED BY: COMMISSIONER ALPHONSE PETRACCO
INTRODUCED ON: JUNE 7, 2018
PUBLISHED: JUNE 14, 2018
PUBLIC HEARING: JULY 3, 2018
PUBLISHED: JULY 12, 2018

ORDINANCE NO. 3390

AN ORDINANCE TO AMEND AN ORDINANCE CODIFIED IN THE CODE OF THE TOWNSHIP OF NUTLEY, CHAPTER 131 (“POLICE DEPARTMENT”), ARTICLE III, ENTITLED “EXTRA DUTY ASSIGNMENTS”, PARTICULARLY SECTION 15 (“RESPONSIBILITY FOR COMPENSATION”) AND SECTION 16 (“RATES AND CHARGES”)

WHEREAS, the Township maintains Nutley Code Chapter 131, Law Enforcement, which governs the structure and operation of the Nutley Police Department; and

WHEREAS, Section 131-15 (“Responsibility for Compensation”) and 131-16 (“Rates and Charges”) governs Extra Duty assignments for police officers, including the rates to be paid by parties requesting such services; and

WHEREAS, the Township will enter into an agreement with an outside vendor to coordinate all requests for Extra Duty assignments, which outside vendor charges the party requesting Extra Duty police services an additional fee for processing the request; and

WHEREAS, it is necessary to amend Section 131-16 to authorize the outside vendor to charge such a fee; and

WHEREAS, it is in the best interest of the Township of Nutley to authorize such a fee in order to carry out the terms of the contract with the outside vendor as well as promote the general health, safety and welfare of the residents and citizens in Nutley;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Nutley, County of Essex, State of New Jersey, that:

Chapter 131 of the Township Code of the Township of Nutley, Article III, entitled “Extra Duty Assignments”, shall be and is hereby amended and supplemented as follows:

Section 131-15. Responsibility and compensation.

The local school board, private entity or individual requesting services pursuant to this article shall be responsible for the cost of such services as set forth in § 131-16.

Whenever the chief of police or his designee authorizes the assignment of a township police officer to extra duty, the party requesting the service shall pay the township for the service at a rate set by ordinance, as well as any additional fee(s) charged by any outside service provider at the then current rate.

Section 131-16. Rates and charges.

A. Police extra duty assignments shall include:

- (1) Road construction or other details that require traffic control by a police officer shall be paid in accordance with CBA.
- (2) Mandatory extra duty assignments shall be paid at a rate of time and 1/2 in accordance with the Annual Salary Ordinance (Examples shall include parades, carnivals, on-street events and other activities that require a mandatory police presence in the interest of public safety.)
- (3) Police security: Details that do not require traffic control or an in-street presence shall be paid at a rate of \$30/hr.
- (4) Police security for 177 Washington Avenue shall be paid at a rate of \$25/hr., in accordance with prior negotiated contract

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- B.** A minimum charge of two hours shall apply to all extra duty assignments, excluding street construction.
- C.** A minimum charge of four hours shall apply to each road construction extra duty assignment, excluding Township funded projects.
- D.** A minimum fee equaling two hours will be charged for any entity that cancels a scheduled request for police coverage with less than two hours' notice to the Township.
- E.** An additional administrative fee of \$5/hr. per officer shall be charged for each hour worked during extra duty assignments.
- F.** The administrative fee shall be waived for all extra duty assignments performed for municipal government departments, the Nutley Board of Education and other times as determined by the Director of Public Safety.
- G.** All such administrative fees shall be the responsibility of the individual or entity requesting services under this article.
- H.** A vehicle maintenance/fuel surcharge fee of \$15/hr. per vehicle shall also be applied to any extra duty work which requires use of Township vehicle. This fee will be used to reimburse the Township for fuel use and wear on Township vehicles during such use. Requirements for need of such vehicles shall be determined by the Chief of Police or his designee. The vehicle fee shall be waived for all extra duty assignments performed for municipal government departments, the Nutley Board of Education and other times as determined by the Director of Public Safety, in accordance with past practice and that may be ratified by future resolution of the Bod.

| <i>Record of Vote</i> | <i>Commissioner Steven L. Rogers</i> | <i>Commissioner Mauro G. Tucci</i> | <i>Commissioner Thomas J. Evans</i> | <i>Commissioner Alphonse Petracco</i> | <i>Mayor Joseph P. Scarpelli</i> |
|-----------------------|--|--|---|---|--------------------------------------|
| <i>Yes</i> | X | X | X | | X |
| <i>No</i> | | | | | |
| <i>Not Voting</i> | | | | | |
| <i>Absent/Excused</i> | | | | X | |