

ORDINANCE NO. 19-11

**BOROUGH OF NORTH PLAINFIELD
COUNTY OF SOMERSET
STATE OF NEW JERSEY**

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER II OF THE BOROUGH CODE OF THE BOROUGH OF NORTH PLAINFIELD, ARTICLE III, ENTITLED “DEPARTMENTS, COMMISSIONS, COMMITTEES, AUTHORITIES AND AGENCIES,” MOST NOTABLY SECTION 2-21.6, ENTITLED “EXTRANEOUS EMPLOYMENT OF OFF-DUTY BOROUGH OF NORTH PLAINFIELD POLICE PERSONNEL.”

WHEREAS, the Borough wishes to make changes to the Borough code related to extraneous employment of off-duty Borough Police Personnel.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of North Plainfield that Article II, Chapter III of the Borough Code, entitled “Department, Commissions, Committees, Authorities and Agencies,” most notably Section 2-21.6, entitled “Extraneous Employment of Off-Duty Borough of North Plainfield Police Personnel” are hereby amended, revised and/or supplemented as follows:

(1) Add the following language to the end of Section 2-21.6(d)(3) as follows:

“When an off-duty member of the Borough’s police personnel is required to work beyond the four (4) hour minimum, the officer shall be guaranteed an additional two (2) hours minimum of overtime pay.”

(2) Delete the provisions of Section 2-21.6(d)(4) in their entirety.

(3) Delete the last sentence of Section 2-21.6(d)(5) in its entirety.

(4) Add a new subsection to Section 2-21.6(d) as follows:

“Any private employer who contracts the Borough or its designee to obtain the services of an off-duty member of the Borough’s police personnel must contact the Borough or its designee at least twelve (12) hours in advance of the initial job schedule or the private

employer shall be required to pay each and every contracted off-duty member of the Borough police department the minimum four (4) hour pay at the overtime rate.”

(5) Delete the provisions of Section 2-21.6(e), Section 2-21.6(f) and Section 2-21.6(g) and replace with the following language:

“The Borough’s designee to oversee the extra duty program shall be responsible for the billing to employers, payment of monies to applicable police officers and related issues as to the program.”

NOW, THEREFORE, BE IT FURTHER ORDAINED that:

1. All ordinances or portions of ordinances that are inconsistent with this Ordinance shall be repealed as to their inconsistencies only.

2. If any provision or paragraph of this Ordinance shall be held invalid by any court of competent jurisdiction, the same shall not affect the other provisions or paragraphs of this Ordinance, except so far as the provision or paragraph so declared invalid shall be separable from the remainder or any portion thereof.

3. This Ordinance shall take effect, after final passage, twenty (20) days following action or inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable and publication in accordance with law, unless a resolution is adopted, pursuant to *N.J.S.A. 40:69A-181(b)*, declaring an emergency and providing that this Ordinance shall take effect at an earlier date.

INTRODUCED: December 16, 2019
PASSED December 16, 2019
PUBLISHED: December 19, 2019
ADOPTED: January 13 2020

ROLL CALL: AYES: Corzo, La Ronde, Merrill, Miller, Schaefer, Singleterry, Stabile
NAYS: None
ABSTAIN: None
ABSENT: None

APPROVED BY THE MAYOR: Yes XXX No _____

The above is a true copy of the Ordinance adopted by the Borough of North Plainfield on
13 January, 2020

ATTEST: BOROUGH OF NORTH PLAINFIELD

Richard K. Phoenix, RMC
Borough Clerk
Borough of North Plainfield

Frank A. "Skip" Stabile, Jr., Council President
Date signed: 13 January 2020

Date signed: 13 January 2020

Michael Giordano, Mayor

Date signed: 13 January 2020