

Title 2

ADMINISTRATION AND PERSONNEL

Chapters:

- 2.04 Township Administrator**
- 2.08 Chief Financial Officer**
- 2.12 Deputy Township Clerk**
- 2.16 Fire Official and Fire Inspector**
- 2.20 Compensation of Officers and Employees**
- 2.24 Indemnification of Township Employees**
- 2.28 Election Districts**
- 2.32 Police Department**
- 2.36 Special Law Enforcement Officers**
- 2.40 Municipal Court**
- 2.44 Emergency Management**
- 2.48 Environmental Commission**
- 2.52 Recreation Commission**
- 2.56 Edgewater Park Sewerage Authority**
- 2.60 Planning and Economic Development Advisory Committee**
- 2.64 Advisory Committee on Municipal Facilities for the Handicapped**
- 2.68 Drug-Free Workplace Regulations**
- 2.72 Personnel System Chapter 2.04**

TOWNSHIP ADMINISTRATOR

Sections:

- 2.04.010 Office created.
- 2.04.020 Term.
- 2.04.030 Absence or disability.
- 2.04.040 Removal.
- 2.04.050 Qualifications and requirements.
- 2.04.060 Salary.
- 2.04.070 Supervision.
- 2.04.080 Responsibilities.
- 2.04.090 Restricted power.

2.04.010 Office created.

The office of the municipal administrator is created in and for the township pursuant to the provisions of this chapter. (Prior code § 2:9-1.1)

2.04.020 Term.

The municipal administrator shall be appointed by the township committee of said township and shall hold office at the pleasure of the township committee. (Prior code § 2:9-1.2)

2.04.030 Absence or disability.

During the absence or disability of the duly appointed municipal administrator, the township committee of the township may, by resolution, appoint an officer or regular employee of the municipal administrator during such absence or disability. Such absence or disability shall be limited to three months after which time such absence or disability may be deemed a vacancy. (Prior code § 2:9-1.2.1)

2.04.040 Removal.

The township administrator may be removed by a two-thirds vote of the governing body. The resolution of removal shall be effective three months after its adoption by the governing body. The governing body may provide that the resolution shall have immediate effect; provided, however, that the governing body shall cause to be paid to the administrator any unpaid balance of his salary and his salary for the next three calendar months following adoption of the resolution. (Prior code § 2:9-1.2.2)

2.04.050 Qualifications and requirements.

A. Appointment. The municipal administrator shall be appointed on the basis of his executive and administrative abilities and qualifications with special regard to education, training and experience in governmental affairs.

B. Residency. He must be a resident of the state of New Jersey and make his permanent residence in the township within six months of the date of his appointment, and during his term in such, remain a resident of said township, in default of which said office may be deemed vacated. (Prior code § 2:9-1.3)

2.04.060 Salary.

The municipal administrator shall receive as salary, such sums as may be fixed and adopted by the township committee of the township in the annual salary ordinance of the township. (Prior code § 2:9- 1.4)

2.04.070 Supervision.

The municipal administrator shall be the chief administrative officer of the township and at all times be under the supervision of and responsible to the township committee for all actions relevant to the duties and responsibilities of said office to the extent not prohibited by law. (Prior code § 2:9-1.5)

2.04.080 Responsibilities.

The municipal administrator, for the purpose of carrying out his responsibilities, shall develop, promulgate and implement, with the approval of the township committee, sound administrative, personnel and purchasing practices and procedures for all departments, offices and agencies of the township, and shall to that end:

A. Personnel Organization. Study, recommend, implement and enforce personnel organization and policy of the township and its departments, after consultation with department heads;

B. Administrative Procedures. Study, recommend, implement and enforce administrative procedures and policies of the township and its departments, after consultation with department heads;

C. Purchasing Procedures. Study, recommend, implement and enforce purchasing procedures and policies of the township and its departments after consultation with department heads;

D. Township Policies. Study, recommend, implement and enforce procedures and policies of the township and departments for receipts, dissemination and collation of and responses to communications and information after consultation with department heads;

E. Coordinate Intradepartmental Operations. Assign responsibility for departmental action and coordinate intradepartmental operations as authorized by the township committee;

F. Coordinate Procedures and Policies. Study, recommend, implement and enforce the procedures and policies of the township and its departments for the coordination, compiling, editing and prompt dissemination and release of public information, upon the recommendation and authorization of the township committee;

G. Responsibility. See that all terms and conditions imposed in favor of the township or its inhabitants in any statute or contract are faithfully kept and performed and upon knowledge of any violation, call the same to the attention of the township committee;

H. Financial Procedures. Study, recommend, implement and enforce the financial procedures and policy of the township and its departments, after consultation with department heads;

I. Efficiency and Effectiveness. Conduct a continuous study of all activities and operations of the township government and recommend changes for the purpose of increasing efficiency and effectiveness; prescribe such rules and regulations as he shall deem necessary with the approval of the township committee for the conduct of administrative procedures, and revoke, suspend or amend any such rules or regulations, subject to the approval of the township committee, in all background matters to assist it with the establishment of policy;

J. Inventory. To require the various departments to effect an adequate inventory of all equipment, materials and supplies in stock and to recommend sale of any surplus, obsolete or unused equipment when authorized so to do by the township committee;

K. Written Reports. He shall make studies and surveys of such municipal problems of the township as shall be assigned to him from time to time by the township committee and prepare and submit written reports of his findings and determinations to the township committee, and for their consideration and action. He shall be responsible to see that any complaints concerning the functions and obligations of the township made by any of its residents, citizens or taxpayers are promptly attended to and written record of such complaints when made, and when and what action was taken in response thereto;

L. Other Duties. He shall perform such other duties as may be from time to time specifically assigned to him by the township committee;

M. Public Meetings Attendance. He shall attend all public meetings of the township committee and any other meetings when so requested by the township committee;

N. Budget Preparation. He shall assist the township committee in the preparation of the annual township operating and capital budgets to be considered and adopted by the township committee;

O. Aid Programs Information. He shall keep the township committee informed as to federal aid projects, state aid projects and any other aid programs for which the township may qualify. (Prior code § 2:9-1.6)

2.04.090 Restricted power.

Nothing in this chapter shall derogate from or authorize the municipal administrator to exercise the powers and duties of the elected and appointed officials or employees. (Prior code § 2:9-1.7)

Chapter 2.08

CHIEF FINANCIAL OFFICER

Sections:

- 2.08.010 Chief financial officer— Tenure—Removal.
2.08.020 Powers and duties.
2.08.030 References to treasurer.

2.08.010 Chief financial officer— Tenure—Removal.

The chief financial officer shall be a person who is not a member of the governing body, who has been issued a municipal finance officer certificate by the director of the division of local government services pursuant to NJSA 40A:9-140.2 or NJSA 40A:9-140.4 and has been appointed to the position of chief financial officer by the township committee. The chief financial officer may be a nonresident pursuant to NJSA 40A:9-1.2.

The chief financial officer, upon having served in that position for a period of not less than five consecutive years, shall be granted tenure of office upon filing with the township clerk and the division of local government services in the department of community affairs a notification evidencing compliance with NJSA 40A:9-140.8. Following the granting of tenure, the chief financial officer shall continue to hold office during good behavior and efficiency and shall not be removed except for just cause and then only after a public hearing before the director of the division of local government services or his designee upon a written complaint setting forth the charge or charges against the chief financial officer pursuant to NJSA 40A:9-140.9 or upon the expiration or revocation of certification by the director of the division of local government services pursuant to NJSA 40A:9-140.12. (Editorially amended during 1997 codification; prior code § 2:14-1)

2.08.020 Powers and duties.

A. The chief financial officer shall perform the responsibilities set forth under NJSA 52:27BB-26 et seq. and such other responsibilities as provided by statute.

B. The chief financial officer shall supervise all employees of the department of finance in accordance with township procedures and shall establish each employee's duties within the department.

C. The chief financial officer shall be supervised by the mayor and township committee.

D. All money belonging and due to the township shall be paid to the chief financial officer unless otherwise authorized by statute. It shall be among the duties of the chief financial officer to deposit all such money in the official depository designated by the township committee and to prepare claims for payment following approval by the township committee.

E. The chief financial officer shall maintain on an ongoing basis for examination by the township committee a detailed statement showing disbursements made by the department of finance and the balance remaining in each department's annual appropriation. (Prior code § 2:14-2)

2.08.030 References to treasurer.

Should any ordinance of the township refer to the treasurer, the same shall be interpreted to mean the chief financial officer in order to comply with the changed terminology as mandated by statute. (Prior code § 2:14-3)

Chapter 2.12

DEPUTY TOWNSHIP CLERK

Sections:

- 2.12.010 Office created.
- 2.12.020 Term of office.
- 2.12.030 Powers and duties.

2.12.010 Office created.

There is created the office of deputy township clerk for the township. (Prior code § 2:5-1)

2.12.020 Term of office.

The term of the office of deputy township clerk shall be the calendar year. Upon the ordinance codified in this chapter becoming effective, the township committee shall appoint a suitable person, in the employ of the township, for the balance of the present calendar year and annually thereafter. (Prior code § 2:5-2)

2.12.030 Powers and duties.

The deputy township clerk shall have all the powers and perform all the duties of the township clerk during such times and for such specific periods as the township clerk shall be absent. (Prior code § 2:5-3)

Chapter 2.16

FIRE OFFICIAL AND FIRE INSPECTOR

Sections:

2.16.010 Fire official.

2.16.020 Fire inspector.

2.16.010 Fire official.

A. Term and Appointment. The board of fire commissioners of Edgewater Park shall appoint a fire official to a term of one year.

B. Qualifications. To qualify for the appointment of fire official an individual shall:

1. Be a member of a volunteer fire company of the city of Beverly or the township of Edgewater Park;

2. Have received twelve (12) or more hours of fire prevention inspection or fire investigation training during three years immediately prior to appointment;

3. Have graduated from a fire school which has been approved by the board of fire commissioners of Edgewater Park;

4. Be a high school graduate or equivalent;

5. Be a resident of the city of Beverly or the township of Edgewater Park;

6. Be certified by the New Jersey State Department of Community Affairs;

7. Hold no other position within the construction code official's office within the same municipality.

C. Powers and Duties. The fire official shall:

1. Take all actions necessary to enforce the provisions of the then current Edgewater Park Township fire prevention code and to make all efforts to correct violations of the code;

2. Take all actions necessary to determine the causes of fires within Edgewater Park Township, including summoning the Burlington County fire marshal to determine the cause of all fires in Edgewater Park Township;

3. Follow rules and regulations promulgated by the board of fire commissioners of Edgewater Park;

4. Provide the board of fire commissioners of Edgewater Park with a detailed, written monthly and annual report of all services performed by the fire official;

5. Provide upon request of the mayor or township council specific reports on matters relating to fire investigations and inspections. (Prior code § 18:1-5)

2.16.020 Fire inspector.

A. Term and Appointment. The board of fire commissioners of Edgewater Park shall appoint a fire inspector for a term of one year.

B. Qualifications. To qualify for the appointment of fire inspector an individual shall have achieved the qualifications set forth in Section 2.16.010(B).

C. Powers and Duties. The fire inspector shall:

1. Be in charge of the day-to-day operations of the board of fire commissioners of Edgewater Park in the absence of the fire official;

2. Perform such duties as are assigned to him by the fire official and board of fire commissioners of Edgewater Park. (Prior code § 18:1-6)

Chapter 2.20

COMPENSATION OF OFFICERS AND EMPLOYEES

Sections:

- 2.20.010 Annual rates of compensation—Bi-weekly payments.
- 2.20.020 Annual rates of compensation—Quarterly payments.
- 2.20.030 Annual rates of compensation—Annual payments.
- 2.20.040 Other compensation.
- 2.20.050 Rates of compensation to be fixed by resolution.
- 2.20.060 Longevity payments.
- 2.20.070 Rates of compensation for professionals appointed by township committee.
- 2.20.080 Effective date.

2.20.010 Annual rates of compensation—Bi-weekly payments.

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

Position	Salary Range
	Administrator \$32,000.00 — \$59,000.00
	Township clerk 8,000.00 — 17,500.00
Deputy township	clerk 2,000.00 — 17,000.00
Recycling	coordinator 5,000.00 — 9,000.00
Principal clerk	typist 17,640.00 — 27,000.00
Senior clerk	typist \$14,333.00 — \$23,500.00
	Clerk typist 12,525.00 — 21,500.00
Part-time clerk	typist 6.25 — 8.50 (per hour)
Registrar of	vital statistics 800.00 — 2,000.00
Deputy registrar of	vital statistics 400.00 — 1,500.00
Secretary, board	of health 600.00 — 1,750.00
Chief financial	officer 7,000.00 — 14,500.00
Secretary to chief	financial officer 2,000.00 — 5,500.00
	Tax collector 7,000.00 — 12,500.00
	Tax clerk 12,525.00 — 21,500.00
Clerk typist/ deputy tax	collector 12,525.00 — 21,500.00
	Tax assessor 7,000.00 — 14,250.00
	Court administrator 18,743.00 — 28,000.00

Deputy court administrator	12,525.00 — 15,000.00
Public assistance director	17,000.00 — 22,250.00
Construction official	8,000.00 — 15,000.00
Property maintenance official (twelve-month salary)	8,000.00 — 13,000.00
Property maintenance official (six-month salary)	5,000.00 — 8,500.00
Property maintenance supervisor	1,000.00 — 5,000.00
Secretary, planning board	76.00 — 88.00 (per meeting)

Secretary, zoning board of

adjustment \$32,076.00 — \$55,088.00
(per meeting)

Zoning officer 1,000.00 — 4,500.00

Streets

superintendent 32,000.00 — 37,000.00

Supervisor,

streets 29,000.00 — 32,500.00

Streets repairer 21,314.00 — 30,750.00

Part-time public works grounds

keeper/driver 6.00 — 10.00
(per hour)

Part-time snow

plow operator 6.00 — 10.00
(per hour)

Public safety/
director/chief
law enforcement

officer 44,000.00 — 65,000.00

Police captain 45,000.00 — 55,000.00

Police sergeant 41,402.00 — 45,000.00

Police officer 31,210.00 — 42,000.00

Special police

sergeant 10.00 — 18.00
(per hour)

Special police

officer 9.00 — 13.00
(per hour)

Crossing guards
(classified full

time) 7.41 — 9.00
(per hour)

Asst. supervisor/

guards 8.41 — 10.00
(per hour)

Crossing guards
(unclassified

full time) 6.88 — 9.00
(per hour)

Crossing guards
(unclassified

part time) \$ 6.88 — \$ 9.00
(per hour)

(Ord. 3-97 (part): Ord. 15-96 (part): Ord. 4-96 (part): Ord. 2-96 (part): Ord. 3-95 (part): prior code § 2:2-1)

2.20.020 Annual rates of compensation—Quarterly payments.

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

Position	Salary Range
Township	Township mayor \$ 3,218.00 — \$ 4,500.00
Municipal court	committee 2,574.00 — 3,500.00
	judge 10,000.00 — 16,000.00
	Court aide 39.00 — 55.00 (per session)
Fire subcode	official 1,000.00 — 3,500.00
Plumbing inspector/ plumbing subcode	official 5,000.00 — 9,250.00

(Ord. 3-97 (part): Ord. 4-96 (part): Ord. 2-96 (part): prior code § 2:2-2)

2.20.030 Annual rates of compensation—Annual payments.

The annual rates of compensation of officers and employees whose compensation shall be payable annually shall be as follows:

Position	Salary Range
Member, board of health	\$50.00

(Ord. 3-97 (part): Ord. 4-96 (part): Ord. 2-96 (part): prior code § 2:2-3)

2.20.040 Other compensation.

The compensation of officers and employees whose compensation shall be payable upon completion of said duty and approved by respective chairperson shall be as follows:

Position	Salary Range
Secretary, planning	board \$76.00—\$88.00 (per meeting)
Secretary, zoning board of	adjustment 76.00—88.00 (per meeting)

Compensation is payable for each special meeting called by the chairman for a developer and reimbursable by said developer. (Ord. 3-97 (part): Ord. 4-96 (part): Ord. 2-96 (part): prior code § 2:2-4)

2.20.050 Rates of compensation to be fixed by resolution.

The rates of compensation of employees whose compensation falls within a variable range shall be fixed by resolution from time to time. (Ord. 3-97 (part): Ord. 4-96 (part): Ord. 2-96 (part): Ord. 3-95

(part): prior code § 2:2-5)

2.20.060 Longevity payments.

Longevity payments shall be in accordance with respective contracts. (Ord. 3-97 (part): Ord. 4-96 (part): Ord. 2-96 (part): Ord. 3-95 (part): prior code § 2:2-6)

2.20.070 Rates of compensation for professionals appointed by township committee.

The rates of compensation for professionals appointed by the township committee at its reorganization meeting are as follows:

Position	Salary
Solicitor	\$150.00 per meeting (support services based on fee schedule)
Engineer	\$165.00 per meeting (support services based on fee schedule)
Auditor	\$80.00—\$110.00 per hour (support services based on fee schedule)
Prosecutor	\$8,154.00—\$9,500.00 (annual)
Public defender	\$2,400.00—\$3,250.00 (annual)

(Ord. 3-97 (part): Ord. 4-96 (part): Ord. 2-96 (part): prior code § 2:2-7)

2.20.080 Effective date.

The ordinance codified in this chapter 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, 1997, and shall apply only to those persons in employment at the date of the adoption of the ordinance codified in this chapter. The ordinance codified in this chapter is intended to repeal all prior ordinances dealing with salaries in the township in their entirety. (Ord. 3-97 (part): Ord. 15-96 (part): Ord. 4-96 (part): Ord. 2-96 (part): Ord. 3-95 (part): prior code § 2:2-8)

Chapter 2.24

INDEMNIFICATION OF TOWNSHIP EMPLOYEES

Sections:

2.24.010	Authorization of indemnification.
2.24.020	Defense of employees.
2.24.030	Indemnification against financial loss.
2.24.040	Employee defined.
2.24.050	Employment of legal counsel and expert and technical personnel.
2.24.060	Conditions.

2.24.010 Authorization of indemnification.

Pursuant to the authority of NJSA 59:10-4 as amended, the township does authorize indemnification of any person now or in the future holding any office, position or employment, elective or appointive, hereafter referred to as an "employee." (Prior code § 2:11-1)

2.24.020 Defense of employees.

The township, upon request, shall provide for the defense of any action, suit or proceeding, commenced or threatened, whether civil, criminal, administrative or investigative, including a cross action, counterclaim or cross complaint, against any employee on account of any act or omission in the scope of his employment and shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, provided that the act or the failure to act did not constitute actual fraud, actual malice, wilful misconduct or an intentional wrong. (Prior code § 2:11-2)

2.24.030 Indemnification against financial loss.

The township shall indemnify and save harmless each employee from financial loss resulting from any action described above in this section, including claims, losses, expenses, judgments, witness fees and any amount paid in settlement thereof and actually and reasonably incurred in connection therewith, to the extent permitted by law. Expenses thus incurred may be paid in advance of final disposition of the action. Nothing herein shall authorize the township to pay for damages resulting from the commission of a crime. However, the township is required to indemnify and save harmless each employee from financial loss resulting from any action described above, including punitive or exemplary damages. (Prior code § 2:11-3)

2.24.040 Employee defined.

As used in this section, the following term shall have the meanings indicated:

"Employee":

1. Shall apply to all employees irrespective of the number of hours worked per week and whether they are elected or appointed;
2. Shall include such person, whether or not such person holds a professional license or certificate, being paid a fixed salary or hourly rate for the performance of his duties; but shall not include any person furnishing professional or extraordinary unspecifiable services under separate appointment, retainer, agreement or contract;
3. Shall include persons formerly holding office or employment, provided that the events giving rise to a cause of action or claim hereunder occur after the effective date of the ordinance codified in this chapter. (Prior code § 2:11-4)

2.24.050 Employment of legal counsel and expert and technical personnel.

The township may employ legal counsel and expert or technical personnel to provide a defense, pursuant to this chapter, and may purchase appropriate insurance as protection against any liability arising under this chapter. (Prior code § 2:11-5)

2.24.060 Conditions.

A. An employee shall not be entitled to indemnification or the cost of defense under this chapter unless, within ten days of the time such employee is served with any summons, order to show cause, complaint, process, notice, demand or pleading, he delivers the same or a copy thereof to the township clerk to forthwith notify the mayor and township attorney thereof, provided that such time period may be extended for cause by the affirmative vote of a majority of the full membership of the township committee.

B. An employee requesting defense of any action or claiming indemnification under this chapter shall cooperate fully and in good faith with the township and with any attorneys, adjusters, purpose, in the preparation and presentation of a defense to such action or the settlement or other disposition thereof. If the employee neglects, fails or refuses to cooperate as aforesaid, the township committee, after hearing on ten days' written notice to the employee and for cause, may declare all rights created under this chapter for the benefit of such employee to be forfeited and terminated by the affirmative vote of a majority of the full membership of the township committee. (Prior code § 2:11-6)

Chapter 2.28

ELECTION DISTRICTS

Sections:

2.28.010 Election districts established.

2.28.010 Election districts established.

The entire area of the township be and the same is subdivided into eight election districts in lieu of all other election districts heretofore established and existing in the said township, and that said new election districts shall be numbered from First to Eighth, and shall respectively comprise the areas within the following boundaries.

First Election District

BEGINNING at the intersection of Cooper Street and Green Street and runs: westwardly along Green Street to Mount Holly Road; thence northwardly along Mount Holly Road to Beverly-Bridgeboro Road; thence northwardly along Beverly-Bridgeboro Road to the Beverly City line; thence eastwardly along the Beverly City line to Cooper Street; thence southeastwardly along Cooper Street to East Franklin Avenue; thence northeastwardly along East Franklin Avenue to Severs Avenue; thence northwardly along Severs Avenue to Stevenson Avenue; thence northeastwardly along Stevenson Avenue to a walkway between block 702, lots 10 and 11 and block 703, lots 1 and 15 of the official tax map of Edgewater Park Township; thence along said walkway southwardly to East Franklin Avenue and Cherrix Avenue; thence still southwardly along Cherrix Avenue to Hendrickson Avenue; thence southwestwardly along Hendrickson Avenue to Adams Avenue; thence southwardly along Adams Avenue to North Garden Boulevard; thence southwestwardly along North Garden Boulevard and curving to the left and running southwardly to Blossom Lane; thence westwardly along Blossom Lane to Cooper Street; thence northwardly along Cooper Street to the place of Beginning.

Second Election District

BEGINNING at the intersection of Penn Central Railroad and the Burlington Township Line and runs: westwardly along Penn Central Railroad to Woodlane Road; thence southwardly along Woodlane Road to East Franklin Avenue; thence westwardly along East Franklin Avenue to Monroe Avenue; thence northwardly and westwardly along Monroe Avenue to Wilson Avenue; thence northwardly along Wilson Avenue to Lincoln Avenue; thence southwestwardly and southeastwardly along Lincoln Avenue to Stevenson Avenue; thence southwestwardly along Stevenson Avenue to Severs Avenue; thence southwardly along Severs Avenue to East Franklin Avenue; thence southwestwardly along East Franklin Avenue to Cooper Street; thence northwestwardly along Cooper Street to the Beverly City Line; thence easterly and northerly along the Beverly City Line to the Delaware River; thence eastwardly along the Delaware River to the Burlington Township Line; thence southwardly along the Burlington Township Line to the place of Beginning.

Third Election District

BEGINNING at the intersection of Jefferson Avenue and Monroe Avenue and runs: westwardly along Jefferson Avenue to Lincoln Avenue; thence northwestwardly along Lincoln Avenue to East Franklin Avenue; thence southwestwardly along East Franklin Avenue to

Cleveland Avenue; thence southwardly along Cleveland Avenue to Access Road; thence southwestward-ly along Access Road to Hendrickson Avenue; thence southwardly along Hendrickson Avenue to Coolidge Avenue; thence southeastwardly along Coolidge Avenue to North Garden Boulevard; thence southwestwardly along North Garden Boulevard to Adams Avenue; thence northwardly along Adams Avenue to Hendrickson Avenue; thence northeastwardly along Hendrickson Avenue to Cherrix Avenue; thence northwardly along Cherrix Avenue to East Franklin Avenue and a walkway; thence northwardly and along said walkway and between block 702, lots 10 and 11 and block 703, lots 1 and 15 of the official tax map of Edgewater Park Township to Stevenson Avenue; thence northeastwardly along Stevenson Avenue to Lincoln Avenue; thence north-westwardly and northeastwardly along Lincoln Avenue to Wilson Avenue; thence southwardly along Wilson Avenue to Monroe Avenue; thence southeastwardly along Monroe Avenue to the place of Beginning.

Fourth Election District

BEGINNING at the intersection of Monroe Avenue and Jefferson Avenue and runs: Northwestwardly along Monroe Avenue to East Franklin Avenue; thence easterly along East Franklin Avenue to Woodlane Road; thence southwardly along Woodlane Road to North Garden Boulevard; thence southwestwardly along North Garden Boulevard to Coolidge Avenue; thence northwestwardly along Coolidge Avenue to Hendrickson Avenue; thence northwardly along Hendrickson Avenue to Access Road; thence northeastwardly along Access Road to Cleveland Avenue; thence northwardly along Cleveland Avenue to East Franklin Avenue; thence northeastwardly along East Franklin Avenue to Lincoln Avenue; thence southeastwardly along Lincoln Avenue to Jefferson Avenue; thence northeastwardly along Jefferson Avenue to the place of Beginning.

Fifth Election District

BEGINNING at the intersection of Willingboro Township Line and Woodlane Road and runs; northwardly along Woodlane Road to the Penn Central Railroad; thence eastwardly along Penn Central Railroad to the Burlington Township Line; thence southwardly along the Burlington Township Line to the Willingboro Township Line; thence southwestwardly along Willingboro Township Line to the place of Beginning.

Sixth Election District

BEGINNING at the intersection of Woodlane Road and the Willingboro Township Line and runs; southwestwardly along the Willingboro Township Line to Cooper Street; thence northwardly along Cooper Street to Blossom Lane; thence northeastwardly along Blossom Lane to North Garden Boulevard; thence northwestwardly along North Garden Boulevard and curving to the right and still running along North Garden Boulevard northeastwardly to Woodlane Road; thence southwardly along Woodlane Road to the place of Beginning.

Seventh Election District

BEGINNING at the intersection of Cooper Street and the Willingboro Township Line and runs; southwestwardly along the Willingboro Township Line to Delanco-Coopertown Road; thence westwardly along the Delanco-Coopertown Road to the Mount Holly Road; thence northwestwardly along the Mount Holly Road to Green Street; thence eastwardly along Green Street to Cooper Street; thence southeastwardly along Cooper Street to the place of Beginning.

Eighth Election District

BEGINNING at the intersection of Delanco-Coopertown Road and the Willingboro Township Line and runs; southwesterly along the Willingboro Township Line to the Delanco Township Line; thence northwardly and eastwardly along the Delanco Township Line to the Beverly City Line; thence eastwardly along the Beverly City Line to Beverly-Bridgeboro Road; thence southwardly along Beverly-Bridgeboro Road to Mount Holly Road; thence southwardly along Mount Holly Road to Delanco-Coopertown Road; thence eastwardly along Delanco-Coopertown Road to the place of Beginning.
(Prior code § 2:3-1)

Chapter 2.32

POLICE DEPARTMENT

Sections:

2.32.010	Purpose.
2.32.020	Police department personnel.
2.32.030	Salaries.
2.32.040	Operation of the police department—Appropriate authority.
2.32.050	Director of public safety/ chief law enforcement officer.
2.32.060	Report required.
2.32.070	Discipline.
2.32.080	Police coverage of township—Responsibility.
2.32.090	Rules and regulations of conduct and duties.
2.32.100	Governance.
2.32.110	Charges against police department members.
2.32.120	Violation of charges— Investigation.
2.32.130	Municipally provided defense.
2.32.140	Means for defense provided.
2.32.150	Notification of incident— Recommendation of defense.
2.32.160	Decision on municipally provided defense.
2.32.170	Attorney provided.
2.32.180	Fee schedule.
2.32.190	No reimbursement provided.
2.32.200	Position classifications.
2.32.210	Promotions based on merit and residency.
2.32.220	Manual of rules and regulations.
2.32.230	Copies of rules and regulations provided.
2.32.240	Amendment of rules and regulations.
2.32.250	Fees for copies.
2.32.260	Responsibility for preservation of rules and regulations.
2.32.270	Receipt of rules and regulations.
2.32.280	Contract authorized.

2.32.010 Purpose.

The purpose of this chapter is to codify the existing ordinances relating to the establishment of the police department in the township and to provide for an executive/enforcement function of the municipal government in the form of a police department and to further set forth the rules and regulations governing the same, and to provide for the effective government of the police department. (Prior code § 11:1-1)

2.32.020 Police department personnel.

There is continued in the township a police department which shall consist of a director of public safety/chief law enforcement officer and such additional officers and members of the police department which the township committee may from time to time designate and appoint. (Ord. 13-96 § 1 (part); prior code § 11:1-2)

2.32.030 Salaries.

The members of the police department shall receive such annual salaries as may be fixed from time to time by a salary ordinance of the township. (Prior code § 11:1-3)

2.32.040 Operation of the police department—Appropriate authority.

The township administrator of the township, or, in the event that there is no person holding the office of township administrator of the township, then the chairman of the public safety committee of the township committee of the township, shall be the officer directly responsible for the day-to-day supervision of the operation of the police department. The township administrator of the township, or, in the event that there is no person holding the office of the township administrator of the township, then the chairman of the public safety committee of the township committee, is further designated as the “appropriate authority.” The appropriate authority shall be vested with all powers and authority established and granted pursuant to the provisions of NJSA 40A:14-118 et seq. Additionally, the township administrator of the township, or, if there is no person holding the office of the township administrator, then the chairman of the public safety committee of the township, shall have the power to conduct investigations of the operations of the police department and have all powers of inquiry as to the township committee and to conduct hearings and investigations into the operations of the police department. The township Administrator, or in his or her absence, the public safety committee, shall have all the powers of the township committee to provide for the health, safety and welfare of the persons and property of the township. In an emergency situation, the township administrator, or, in his or her absence, the public safety committee, may issue emergency directives as may, from time to time, be necessary to protect the health, safety and welfare of the persons and properties of the township. (Ord. 8-96 § 1: prior code § 11:1- 4)

2.32.050 Director of public safety/ chief law enforcement officer.

The director of public safety/chief law enforcement officer shall be the administrative department head and chief administrative management officer of the police department and shall further be responsible, with the township administrator/appropriate authority for the efficiency of the day-to-day operations of the department and to the township committee for the proper and efficient operation of the department, generally. The director of public safety/chief law enforcement officer shall not be considered or deemed a member of the uniformed police department, but shall serve in an administrative managerial capacity responsible at all times to the township administrator/appropriate authority and the township committee.

The director of public safety/chief law enforcement officer shall:

- A. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the police department and its officers and personnel;
- B. Have exercise and discharge the functions, powers and duties of the force or department;
- C. Prescribe the duties and assignments of all subordinates;
- D. Delegate such of his authority as he may deem necessary for the efficient operation of the department or force to be exercised under his direction and supervision;
- E. The director of public safety/chief law enforcement officer shall cause a report to be provided monthly through the township administrator to the township committee in the form as prescribed by the township administrator of the township. The monthly report shall contain the following information:
 1. A record of the enforcement activities of the department during the preceding month, including the number of motor vehicles summons issued; the number of accidents investigated; the number of criminal investigations conducted; the number of criminal complaints processed,
 2. Identification of each of the police vehicles used during the preceding month, including the number of miles logged on the vehicles during the month; listing of repairs, if any, the date, reason and cost thereof; the maintenance performed in accordance with a standard maintenance schedule as promulgated by the director of public safety/chief law enforcement officer; the approximate number of gallons of gasoline and quarts of oil used for each vehicle. This portion of the report relating to vehicle operation shall be part of a comprehensive plan of schedule maintenance of the vehicles and shall be cumulative from month to month in accordance with the general plan of scheduled maintenance,

projecting replacement of tires and such other items as may be reasonably predicted on an annual basis. The director of public safety/chief law enforcement officer shall submit, annually, no later than January 15th of each year, a complete procedure for vehicle supervision and scheduled maintenance and shall include in said report his request for replacement of vehicles in accordance with an established vehicle retirement policy as promulgated by the director of public safety/chief law enforcement officer,

3. A listing, by name, of each member of the force, including the director of public safety/chief law enforcement officer, as to the hours worked in each day of the month. This shall be on a form as prescribed by the township administrator. The form shall specifically indicate the number of hours that each member of the police force was engaged in court appearances and the location thereof,

4. A listing of expenditures by the police department during the preceding month and a notation of those items ordered but not yet received, utilizing an encumbrance system against appropriations so that each month the township committee will have an accurate analysis of the expenditures of funds budgeted for the police department. The allocation shall include salaries as well as other expenses,

5. The director of public safety/chief law enforcement officer shall include in his monthly report any recommendations relating to the promotion of the efficiency of the operation of the police department or force,

6. The monthly report shall list all vacations, administrative days, sick days or other time off for every member of the department, including the director of public safety/chief law enforcement officer,

7. A report of any disciplinary action taken by the director of public safety/chief law enforcement officer and a brief summary as to the nature of the disciplinary action and the penalty imposed, if any,

8. Copies of any special orders or directives issued by the director of public safety/chief law enforcement officer or other authorized officers during the course of the month,

9. In the event that a police vehicle should be involved in an accident, there shall be submitted in the report, a detailed narrative of the circumstances surrounding the accident involving the police vehicle and the estimated cost of damage thereto, if any,

10. In the event that any special police officers are utilized during the month, the monthly report shall list, by name, the special police officer, the hours worked and the nature of the duty performed. (Ord. 13-96 §§ 1(part), 2, 5; prior code § 11:1-5)

2.32.060 Report required.

The director of public safety/chief law enforcement officer is required to prepare and submit the report as indicated in Section 2.32.050 in order to provide the township committee with required information to assist it in the development of legislative procedures designated to enhance the effectiveness and efficiency of the police department. (Ord. 13-96 § 1 (part); prior code § 11:1-6)

2.32.070 Discipline.

The director of public safety/chief law enforcement officer shall be responsible for the discipline of all members of the department except in the case of discipline involving the director of public safety/chief law enforcement officer which shall be the responsibility of the township committee. (Ord. 13-96 § 1 (part); prior code § 11:1-7)

2.32.080 Police coverage of township—Responsibility.

The director of public safety/chief law enforcement officer shall cause either a sergeant, lieutenant or captain to be on duty and in charge of each shift of each day of the week including holidays and weekends unless manpower constraints prohibit the scheduling of one of the above for each shift in which case the director of public safety/chief law enforcement officer shall notify the appropriate authority in writing of the shift that is not covered by one of the aforementioned officers and the reason

therefor. It shall be the responsibility of the director of public safety/chief law enforcement officer to utilize the available manpower so that there shall be adequate police coverage of the township and provide for the health, safety and welfare of the residents, temporary or permanent, of the township and those transits travelling through the township. (Ord. 13-96 § 3: prior code § 11:1-8)

2.32.090 Rules and regulations of conduct and duties.

The rules and regulations governing the conduct and duties of the officers of the police department as heretofore promulgated are continued in full force and effect and may be amended from time to time pursuant to Section 2.32.240 of this code. (Prior code § 11:1-9)

2.32.100 Governance.

The police department shall be governed in accordance with the provisions of this chapter, state statutes (NJSA 40A:14-118 et seq.), Civil Service requirements (NJSA Title 11), and additional judicial decisions as well as all applicable administrative rules and regulations. However, the director of public safety/chief law enforcement officer shall be appointed by the appropriate authority and shall serve at the pleasure of the township committee or the public safety committee. As such, the director of public safety/chief law enforcement officer shall not be entitled to or protected under the state's Civil Service rules and regulations (NJSA 11A:1-1 et seq.). (Ord. 13-96 § 4: prior code § 11:1-10)

2.32.110 Charges against police department members.

The director of public safety/chief law enforcement officer, or the township committee in the case of the director of public safety/chief law enforcement officer, shall have the power to suspend, fine, reduce in pay or grade, remove or dismiss any members of the police department against whom any of the following charges are substantiated, namely;

- A. Intoxication or under the influence of any drugs or other compound while on or off duty;
- B. Wilful disobedience of orders;
- C. Indecent, profane or harsh language;
- D. Disrespect to a superior officer;
- E. Unnecessary violence to a prisoner;
- F. Absence without leave, sleeping on duty, absence from post or duty without excuse, or not properly patrolling his beat;
- G. Immorality, indecency or lewdness;
- H. Incapacity, either mental or physical, lack of energy or gross ignorance of the laws and regulations of the department;
- I. Conviction of any criminal offense;
- J. For making known any proposed action or movement of the force, or contents of any order, other than to persons immediately concerned in their execution;
- K. Conduct unbecoming an officer;
- L. Conduct subversive of good order and the discipline of the force;
- M. Failure to report a known violation of law or of the ordinances of the township, or accepting a bribe or favor as a consideration either for the performance or nonperformance of his duty;
- N. Swearing falsely in application for appointment to the force or to such other papers as require an affidavit;
- O. Failure to attend drill or the school of instruction at the time fixed or whenever ordered;
- P. Soliciting anyone to intercede with the director of public safety/chief law enforcement officer, the township administrator, any member of the public safety committee, the township committee or any superior officer in relation to promotions, changing of any beats, disposition of pending charges or any findings of a trial before the township committee or by refusing to do his duty of any kind, whenever necessity requires whether on patrol or elsewhere and whether in uniform or not;
- Q. Violation of any of the rules and regulations promulgated governing the police

department. (Ord. 13-96 § 1 (part); prior code § 11:1-11)

2.32.120 Violation of charges— Investigation.

Whenever the township committee or any member thereof has reasonable grounds to believe that a member of the police department, other than the director of public safety/ chief law enforcement officer, has committed a violation of any of the charges set forth in Section 2.32.110, the director of public safety/chief law enforcement officer, upon being notified in writing, shall cause an appropriate internal investigation to be made or, in the discretion of the director of public safety/chief law enforcement officer, an impartial external investigation, and shall, in writing, report the results of the investigations to the township committee if no other action is to be taken. If further action is to be taken by the director of public safety/chief law enforcement officer, the report of the final disposition shall be set forth in the monthly report as provided under Section 2.32.050(E)(7). (Ord. 13-46 § 1 (part); prior code § 11:1-12)

2.32.130 Municipally provided defense.

Municipally provided defense for members or officers of the police department of the township in actions or legal proceedings arising out of or incidental to the performance of their duties shall be governed by the provisions of this chapter. (Prior code § 11:1-13)

2.32.140 Means for defense provided.

Pursuant to the Laws of 1971, Chapter 197 as amended (NJSA 40A:14-155) whenever a member or officer of the municipal police department or force is a defendant in any action or legal proceeding arising out of or incidental to the performance of their duties, he shall be provided with the necessary means for the defense of such action or proceeding. The necessary means for a defense, however, shall not be provided for his defense in a disciplinary proceeding instituted against him by the township or in a criminal proceeding instituted as a result of a complaint on behalf of the municipality or the state. (Prior code § 11:1-14)

2.32.150 Notification of incident— Recommendation of defense.

Whenever a member of the police department is entitled to a municipally provided defense, he shall notify the township administrator of the township of the nature of the incident and a full written report of the circumstances which give rise to the action or proceedings. The township administrator shall report the entire matter to the mayor and the township committee of the township, provide each of them with copies of all material supplied by the police officer and his report and recommendations as to whether, in his opinion, the officer is entitled to a municipally provided defense pursuant to this chapter and the New Jersey State Statutes. (Prior code § 11:1-15)

2.32.160 Decision on municipally provided defense.

The township committee shall, after receipt of the materials, make a decision whether the officer is entitled to a municipally provided defense. If it is so determined by a majority vote that the police officer has a right to municipally provided defense, it shall provide the necessary means for the defense in the manner as set forth in this chapter. In the event that the township committee, by a majority vote, shall determine that the police officer is not entitled to municipally provided defense, it shall notify the police officer promptly of its determination in writing with the reasons therefor. The township committee shall act within the time limitations imposed by the action or proceedings as the filing of an answer against the police officer or failing to do so, shall on a police officer's behalf, secure an extension of time in which to respond to the action or proceedings. (Prior code § 11:1-16)

2.32.170 Attorney provided.

The township committee shall provide to the police officer, in the event that it is determined that the officer is entitled to the necessary means for the defense of such action or proceeding, an attorney,

selected by it, licensed to practice in the state of New Jersey, which attorney shall have agreed to the rate schedule as set forth by the municipality as more fully set forth herein. (Prior code § 11:1-17)

2.32.180 Fee schedule.

Annually each year, the township committee of the township shall by resolution determine the fee schedule under which attorneys may be appointed pursuant to this chapter. The resolution setting forth the fee schedule shall be adopted by the governing body of the township no later than March 30th of each calendar year, except that in the event that the municipality shall fail to adopt an annual resolution, the resolution adopted in the previous year shall continue in full force and effect until such time as the township committee shall adopt a subsequent resolution altering or amending the schedule of fees. (Prior code § 11:1-18)

2.32.190 No reimbursement provided.

Should any police officer who is entitled to municipally provided means of defense of any action or proceeding decline to accept the attorney provided by the township, then, and in that event, said police officer shall not be entitled to any reimbursement from the township for any legal fees, cost or expenses incurred. (Prior code § 11:1-19)

2.32.200 Position classifications.

A. Pursuant to NJS 40A: 14-123.1(a) the township does classify all duly qualified applicants for the position or positions to be filled in the police department in the following manner:

Class I: Residents of the municipality;

Class II: Other residents of the county in which the municipality is situated;

Class III: Other residents of the state;

Class IV: All other qualified applicants.

Within each such classification duly qualified applicants who are veterans shall be accorded all such veterans' preferences as are provided by law. Persons discharged from the service within six months prior to making application to such municipality who fulfill the requirements of NJS 40A:14-123.1, and who, thereby, are entitled to appointment notwithstanding their failure to meet the New Jersey residency requirement at the time of their initial application, shall be placed in Class III.

B. The township shall first appoint all those in Class I and then those in each succeeding class in the order above listed, and shall appoint a person or persons in any such class only to a vacancy or vacancies remaining after all qualified applicants in the preceding class or classes have been appointed or have declined an offer of appointment. (Ord. 6-97 § 2(h); prior code § 11:2-1)

2.32.210 Promotions based on merit and residency.

Promotions to positions on the police department and force shall be based upon merit as determined by suitable promotion test for such positions, provided, however, that a resident shall be appointed rather than a non-resident thereof in any instance in which the resident and the nonresident achieved the same final average score in such test. The preference granted shall in no way diminish, reduce or affect the preferences granted to veterans pursuant to law. (Prior code § 11:2-2)

2.32.220 Manual of rules and regulations.

There is adopted and promulgated, a manual of rules and regulations for the government and discipline of the members of the police department of the township, pursuant to the authority of NJSA 40A:14-118, superseding the manual of rules and regulations for the government and discipline of the members of the police department of the township adopted April 2, 1975. In the event of a conflict between the provisions of the manual of rules and regulations and the ordinances of the township, the ordinances of the township shall take precedence and be controlling. (Prior code § 11:3-1)

2.32.230 Copies of rules and regulations provided.

Within three days of the introduction of the ordinance codified in this chapter, each member of the police department shall receive a copy of the rules and regulations for the government and discipline of the members of the police department of the township, consisting of Chapters I through VII. There shall also be on file with the township clerk, three copies of said rules and regulations available for public inspection. (Prior code § 11:3-2)

2.32.240 Amendment of rules and regulations.

The township committee of the township may from time to time, by resolution, amend or supplement the said rules and regulations. (Prior code § 11:3-3 (part))

2.32.250 Fees for copies.

The police department shall charge and shall receive fees for providing copies of police reports and photographs for those reports and photographs which are available to the public as set forth below:

A. Reports.

1. One to three pages \$5.00 *each*
2. Additional pages \$1.00 each

B. Photographs.

1. One to five copies \$5.00 each
2. Six to ten copies \$4.50 each
3. Eleven to fifteen copies \$4.00 each
4. Sixteen copies and over \$3.50 each

(Prior code § 11:3-3(A))

2.32.260 Responsibility for preservation of rules and regulations.

Each member of the police department of the township shall be responsible for the safe keeping and preservation of his copy of the rules and regulations as amended and supplemented from time to time. (Prior code § 11:3-4)

2.32.270 Receipt of rules and regulations.

Each member of the police department presently employed by the township and all future employees of the police department of the township shall acknowledge receipt of the said manual of rules and regulations governing and disciplining the members of the police department of the township, and said receipt shall be filed and maintained by the director of public safety/chief law enforcement officer and the township clerk of the township. (Ord. 13-96 § 1 (part); prior code § 11:3-5)

2.32.280 Contract authorized.

The mayor and clerk are authorized on behalf of the community to execute an interlocal services agreement involving the city of Beverly, township of Edgewater Park, and township of Delanco, under which the communities are providing for the method, nature, extent and scope of extraterritorial police services which they agree to provide one another. This agreement, a copy of which is on file with the clerk at her offices in the municipal building, and is available for public inspection during normal business hours, has been created pursuant to the Interlocal Services Act, NJSA 40:8A-1, et seq. (Prior code § 11:4- 1)

Chapter 2.36

SPECIAL LAW ENFORCEMENT OFFICERS

Sections:

- 2.36.010 Creation of position.
- 2.36.020 Classification and powers.
- 2.36.030 Compliance with other ordinances governing operations and discipline within the police department.
- 2.36.040 Term of appointment.
- 2.36.050 Compensation.
- 2.36.060 Limitations on number of officers.
- 2.36.070 Training course— Firearms.
- 2.36.080 Hours of employment or assigned to duty.

2.36.010 Creation of position.

In accordance with the provisions of NJSA 40A:14-146.8 et seq., there is created the position of special law enforcement officers for the township of Edgewater Park, county of Burlington and state of New Jersey. Each special officer appointed shall be subject to the requirements of this chapter and the additional requirements set forth in NJSA 40A:14-146.8 et seq. (Prior code § 11:5-1)

2.36.020 Classification and powers.

The classifications of the special law enforcement officers shall be based upon the duties to be performed by said officers and are established as follows:

A. Class One. They are authorized to perform routine traffic details, spectator control and similar duties as may be assigned by the director of public safety/chief law enforcement officer, or, in the absence of the director of public safety/chief law enforcement officer, another law enforcement officer in a supervisory capacity authorized by the director of public safety/chief law enforcement officer to act in his stead. Class One officers are also authorized to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinance and violations of NJSA 39, et seq. The use of firearms by Class One officers is strictly prohibited and no Class One officer shall be assigned any duties which require the carrying or use of a firearm.

B. Class Two. Officers of this class are authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. They shall be assigned such duties as deemed necessary by the director of public safety/chief law enforcement officer, or, in the absence of the director of public safety/chief law enforcement officer, another law enforcement officer in a supervisory capacity authorized by the director of public safety/chief law enforcement officer, to act in his stead. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission established within the Department of Law and Public Safety of the state of New Jersey. (Ord. 13-96 § 1 (part); prior code § 11:5-2)

2.36.030 Compliance with other ordinances governing operations and discipline within the police department.

All duly appointed special law enforcement officers shall be subject to the rules and regulations governing the police department of the township as adopted by previous ordinances, including by description, but not limited to the standard operating procedures police manual of the township. (Prior code § 11:5-3)

2.36.040 Term of appointment.

Special law enforcement officers shall be appointed by the township committee for a term not to exceed one year, which appointments shall be made at the annual reorganization meeting or at such other times as the township committee deems it necessary to make such appointments. In no event shall any appointment carry a term beyond the end of the calendar year of the year in which said appointment is made. (Prior code § 11:5-4)

2.36.050 Compensation.

Compensation for each class of special law enforcement officers shall be established annually by the salary ordinance of the township. (Prior code § 11:5-5)

2.36.060 Limitations on number of officers.

The number of special law enforcement officers employed by the township shall be as follows:

A. Class One. Not more than the number of regular police officers employed by the township;

B. Class Two. Not more than twenty-five (25) percent of the number of regular officers employed by the township. (Prior code § 11:5-6)

2.36.070 Training course—Firearms.

No special officer shall commence his duties until he has completed the training as required under NJSA 40A:14-146.11 or as amended from time to time. (Prior code § 11:5-7)

2.36.080 Hours of employment or assigned to duty.

The director of public safety/chief law enforcement officer or another law enforcement officer in a supervisory capacity authorized to act in his stead may assign special officers of the First and Second Classes to perform authorized duties not to exceed twenty (20) hours per week in accordance with existing ordinances of the township, except in case of emergency which shall be without limitation as to hours. (Ord. 13-96 § 1 (part); prior code § 11:5-8)

Chapter 2.40

MUNICIPAL COURT

Sections:

- 2.40.010 Municipal court established.
- 2.40.020 Municipal court judge.
- 2.40.030 Jurisdiction.
- 2.40.040 Supplies and personnel— Salary—Appointment.
- 2.40.050 Public defender.

2.40.010 Municipal court established.

In accordance with the provisions of Chapter 264, P.L. 1948 as amended, there is established in and for the township, in the county of Burlington, the municipal court of the township of Edgewater Park. (Prior code § 8:1-1)

2.40.020 Municipal court judge.

There shall be appointed to preside over said court a municipal court judge who shall have the qualifications provided by law, and shall hold office for a term of three years as provided by law. Said municipal court judge shall be paid an annual salary in accordance with the salary ordinance of the township, which salary shall be paid in lieu of any and all other fees. (Prior code § 8:1-2)

2.40.030 Jurisdiction.

Said municipal court judge shall have the jurisdiction, duties, powers and obligations as now or may hereafter be provided by law. (Prior code § 8:1-3)

2.40.040 Supplies and personnel— Salary—Appointment.

The township committee shall provide the said municipal court judge with a seal for said court, files, papers, dockets, books of account and all other necessary supplies for the operation of said court. Township committee shall also provide such personnel as may be required, including a court clerk, deputy court clerk, and a violations clerk as may be determined by the township committee from time to time in accordance with requirements of the municipal court.

Salaries of such court personnel, as may be designated, shall be as set and determined by the township committee from time to time by salary ordinance.

Appointment and designation of court personnel shall be made and accomplished in accordance with applicable civil service regulations, court rules and statutes. (Prior code § 8:1-4)

2.40.050 Public defender.

There shall be the office of township public defender. The township committee shall appoint an attorney licensed to practice law in the state of New Jersey to serve as township public defender for a one- year term to commence January 1st and to expire December 31st. The township public defender shall represent those individuals who are qualified and apply for representation. A person applying for representation by the township public defender shall pay an application fee of \$50.00. The municipal court may waive said application fee in whole or in part if the court determines in its discretion that the application fee represents an unreasonable burden on the person seeking representation. (Prior code § 8:1- 5)

Chapter 2.44

EMERGENCY MANAGEMENT

Sections:

2.44.010	Title.
2.44.020	Intent and purpose.
2.44.030	Definitions.
2.44.040	Organization and appointments.
2.44.050	Emergency powers and duties.
2.44.060	Basic plan.
2.44.070	Violation of regulations and penalties.

2.44.010 Title.

This chapter shall be known and may be cited and referred to as the Emergency Management Ordinance of the township of Edgewater Park. (Prior code § 12:31-1)

2.44.020 Intent and purpose.

A. It is the intent and purpose of this chapter to establish an emergency management office staffed by an emergency management coordinator as hereinafter provided that will insure the complete and efficient utilization of all the township's facilities to combat disaster resulting from major emergencies, natural, man-made or nuclear disasters, or enemy attack.

B. The Edgewater Park office of emergency management will be the coordinating agency for all activity in connection with emergency management: it will be the instrument through which the municipal disaster control director-coordinator may exercise the authority and discharge the responsibilities vested in him in the New Jersey Civil Defense Act of 1942 (App. A:9-30 et seq. Volume Title 58 as amended and supplemented) and this chapter.

C. This chapter shall not relieve any township official or department of the responsibilities or authority given to it by the municipal ordinances of the township, nor will it adversely affect the work of any voluntary agency organized for relief in disaster emergencies. (Prior code § 12:31-2)

2.44.030 Definitions.

The following definitions shall apply in the interpretation of this chapter:

“Coordinator” means the municipal disaster control director-coordinator appointed by the township of Edgewater Park as prescribed by this chapter.

“Disaster” means an unusual incident resulting from natural or unnatural causes which endangers the health, safety, or resources of the residents of this township, and which is or may become too large in scope or unusual in type to be handled in its entirety by regular township operating services.

“Emergency” means and includes “disaster” and “war emergency” as defined in this section.

“Emergency management forces” means the employees, equipment and township facilities of all departments, boards, institutions and commissions; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.

“Emergency management volunteer” means any person duly registered, identified and appointed by the municipal disaster control director-coordinator of the office of emergency management and assigned to participate in the emergency management activity.

“Local disaster emergency” means and includes any disaster, or the imminence thereof, resulting from natural or unnatural causes other than enemy attack and limited to the extent that action by the Governor under the New Jersey Emergency Management Disaster Control Act is not required.

“Regulations” means and includes plans, program and other emergency procedures deemed essential to civil defense.

“Volunteer” means contributing a service, equipment or facilities to the emergency management organization without remuneration.

“War emergency” means and includes any disaster occurring anywhere within the township as the result of enemy attack or the imminent danger thereof. (Prior code § 12:31-3)

2.44.040 Organization and appointments.

A. The mayor shall appoint a municipal disaster control director-coordinator from among the residents of the township. The municipal disaster control director-coordinator shall serve for a term of three years subject, however, to successfully completing at the time of his appointment, or within one year immediately thereafter, whichever is later, the current approved training requirements. The failure of the municipal disaster control director-coordinator to fulfill such requirements within the period prescribed shall disqualify the director-coordinator from continuing the office of director-coordinator and thereupon a vacancy in said office shall be deemed to have been created (App. A:9-40.1 as amended January 4, 1985).

B. The director-coordinator is authorized and directed to create an organization for emergency management utilizing to the fullest extent the existing agencies of the township. The director-coordinator, as executive head of the Edgewater Park Township office of emergency management, shall be responsible for its organization, administration and operations. (Prior code § 12:31-4)

2.44.050 Emergency powers and duties.

A. The municipal disaster control director-coordinator shall be responsible to the mayor in regard to all phases of the emergency management activities. Under supervision of the mayor, he shall be responsible for the planning, activation, coordination and operation of the emergency management activity of the township. Under the supervision of the mayor, he shall maintain liaison with the county, state and federal authorities and the authorities of other nearby political subdivisions as to insure the most effective operation of the emergency operations plan. His duties shall include, but not be limited to the following:

1. Personnel. Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the township for emergency management purposes.

The municipal disaster control director-coordinator may require emergency services of any township officer or employees. If regular forces are determined to be inadequate, the municipal disaster control director-coordinator may require the services of such other personnel as he can obtain that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities as are provided by state law, the Charter and ordinances for regular township employees and other registered and identified emergency management workers;

2. The municipal disaster control director-coordinator may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the township for the fair value thereof;

3. Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings or other property for emergency management purposes;

4. The municipal disaster control director-coordinator will cause to be prepared the basic plan herein referred to as the Edgewater Park emergency operations plan;

5. Development and coordination of plans for the immediate use of all the facilities, equipment, manpower and other resources of the township for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness the governmental services and public utilities necessary for the public health, safety and welfare;

6. Through public information programs, educating the civilian population as to actions necessary and required for the protection of their persons and property in case of emergency as defined herein, either impending or present;

7. Conducting public practice alerts to insure the efficient operation of the emergency management forces and to familiarize residents with regulations, procedures and operations;

8. The coordinator, with the approval of the mayor, shall order emergency management forces to the aid of communities with which a mutual aid agreement is in force. All other requests for assistance must be received from the Burlington County coordinator. When local resources are inadequate to cope with an emergency, the coordinator will request assistance from the Burlington County coordinator;

9. Assuming such authority and conducting such activity as the township committee may direct to promote and execute the emergency operations plan.

B. The municipal disaster control director-coordinator may exercise the emergency power and authority necessary to fulfill his general powers and duties as defined in this chapter. The judgment of the municipal disaster control director-coordinator shall be the sole criteria necessary to invoke emergency powers indicated in this chapter, and other appropriate authorities. Nothing in this chapter shall be construed as abridging or curtaining the powers or restrictions of the township committee of the township of Edgewater Park.

C. During any period when disaster threatens or when the township has been struck by disaster, within the definition of this chapter, the township committee may promulgate such regulations as he deems necessary to protect life and property and preserve critical resources. The municipal disaster control director-coordinator shall assist in implementing such regulations:

1. Regulations prohibiting or restricting the movement of vehicles in order to facilitate the mass movement of persons from critical areas within or without the township;

2. Regulation pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to disaster;

3. Such other regulations necessary to preserve public peace, health and safety;

4. Regulations promulgated in accordance with the authority above will be given widespread circulation by proclamations published by newspapers circulating in the area and such other means of mass communication as may be available. These regulations shall have the force of ordinance when duly filed with the clerk and violations shall be subject to the penalties as provided in this chapter. (Prior code § 12:31-5)

2.44.060 Basic plan.

A. A comprehensive emergency operations plan shall be maintained by the municipal disaster control director-coordinator. In the preparation of this plan as it pertains to township organization, it is the intent that the services, equipment, facilities and personnel of all existing departments and agencies, including volunteer fire companies and first aid squads (said departments, agencies and companies hereinafter referred to as departments), shall be utilized to the fullest extent to protect the peace, health and safety of citizens. When approved, it shall be the duty of all municipal departments to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The basic plan shall be considered supplementary to this chapter and have the effect of law whenever a disaster, as defined in this chapter, has been proclaimed. The plan shall be compatible with county and state plans.

B. The municipal disaster control director-coordinator shall prescribe in the basic plan those positions within the disaster organization, in addition to his own, for which lines of succession are necessary.

C. The municipal disaster control director-coordinator and each department head assigned responsibility in the basic plan shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned township employees and volunteers. Each department head shall formulate an operation plan for his service which, when approved, shall be an annex to and a part of the basic plan.

D. When a required competency or skill for a disaster function is not available within the

township government, the municipal disaster control director-coordinator is authorized to seek assistance from persons outside of government. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during, and after the occurrence of a disaster. Such services from persons outside of government may be accepted by the township on a volunteer basis. Such citizens shall be enrolled as emergency management volunteers in cooperation with the heads of department affected. (Prior code § 12:31-6)

2.44.070 Violation of regulations and penalties.

Any person who shall:

- A. Commit any unauthorized or otherwise unlawful act during the threat or imminence of danger in any emergency that jeopardizes the health, welfare and safety of the people; or
 - B. Commit any unauthorized or otherwise unlawful act during the threat or imminence of danger during any emergency that contributes to the loss of or destruction to property; or
 - C. Hamper, impede, or in any way interfere with any person who is performing any function under this act; or
 - D. Drive any motor vehicle in a prohibited area during a blackout or while an air raid alert is in progress or in any other manner contrary to the rules and regulations covering any period of danger or any emergency; or
 - E. Go within a prohibited area contrary to rules and regulations; or
 - F. Refuse to obey the lawful orders of any air raid warden, civilian protection worker, or other person who is duly authorized to perform any act or function during the threat or imminence of danger or any emergency; or
 - G. Refuse to cooperate with any air raid warden, civilian protection worker, or other person who is duly authorized to perform any act or function in connection with activities during the threat or imminence of danger or any emergency; or
 - H. Violate any order, rule or regulation adopted by the Governor and promulgated as provided by this act; or
 - I. Violate any other provision of this act declared herein to be unlawful;
- shall be adjudged a disorderly person and shall be subject to imprisonment for a term not to exceed six months or shall pay a fine not to exceed one thousand dollars (\$1,000.00) or to both a fine and imprisonment, in the discretion of the court.

Prosecution for the imposition of a penalty pursuant to this section shall be commenced in the municipal court of the township. The state shall be required to prove all elements of the offense beyond a reasonable doubt in order to obtain a conviction. As amended by Law 1982, Chapter 108, paragraph 1, effective August 4, 1982. (Prior code § 12:31-7)

Chapter 2.48

ENVIRONMENTAL COMMISSION

Sections:

- 2.48.010 Environmental commission created.
- 2.48.020 Membership, appointment, terms and vacancies.
- 2.48.030 Powers of the commission.
- 2.48.040 Acquisitions by commission.
- 2.48.050 Purchases.

2.48.010 Environmental commission created.

There is created a commission within the township, county of Burlington and state of New Jersey, pursuant to Chapter 245 of the Laws of 1968 (NJSA 40:56A-1 to 40:56A-12) as amended, to be known as the Edgewater Park Township environmental commission, for the protection, development and use of the natural land, air and water resources located within the township. (Prior code § 12:24-1)

2.48.020 Membership, appointment, terms and vacancies.

A. The environmental commission shall consist of five members all of whom shall be residents of Edgewater Park Township and one of whom shall also be a member of the municipal planning board.

The environmental commission shall also consist of two alternate members to serve one-year terms to commence January 1st of the year of appointment and to be appointed by the township committee. The mayor shall designate which person so appointed to be known as Alternate No. 1 or Alternate No. 2.

B. The members of the environmental commission shall be appointed by the mayor and shall serve without compensation except as hereinafter provided. The mayor shall designate one member of the environmental commission as chairman and presiding officer of the committee.

C. The full term of office of each commissioner shall be three years; provided, however, that the terms of the commissioners first appointed shall be as follows:

- three members shall be appointed for one year;
- two members shall be appointed for two years;
- two members shall be appointed for three years.

Thereafter, the successor of each member shall be appointed for the full term of three years and until the appointment and qualification of his/her successor.

D. A vacancy on the environmental commission occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment. The mayor or township committee may remove any member of the commission for cause on written charges served upon the member and after a hearing thereon in which the member may be entitled to be heard in person or by counsel. (Ord. 4-95 § 1; prior code § 12:24-2)

2.48.030 Powers of the commission.

The environmental commission shall have the following duties:

- A. To conduct research into the use and possible use of the open land areas of the township;
- B. To coordinate the activities of the unofficial bodies organized for similar purposes;
- C. To advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes;

D. To keep an index of all open areas, publicly and privately owned, including open marshlands, swamps and other wetlands, and to obtain information on the proper use of such areas;

E. To recommend, from time to time, to the planning board, plans and programs for inclusion in the master plan of the township, for development and use of the township's natural resources;

F. To study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna;

G. To review and submit recommendations concerning those actions and policies of the municipal planning board, zoning board, recreation commission, shade tree commission, sewage authority and board of health as they affect the quality of life and natural resources of the township;

H. To perform such other acts as are reasonably related to and designed to carry out the purposes and objectives of the commission, including, without limitation, the payment of such clerks and other employees as the commission may from time to time require, within the limits of the funds available to the commission;

I. To keep records of the meetings and activities of the commission and to make an annual report to the township committee of the township of Edgewater Park. (Prior code § 12:24-3)

2.48.040 Acquisitions by commission.

The environmental commission may, subject to the approval of the township committee, acquire property both real and personal, in the name of the municipality by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to the terms of the conveyance or gift. Such an acquisition may be to acquire the fee of any lesser interest, development right, easement (including conservation easement), covenant or other contractual right (including a conveyance on conditions or with limitations or reservations), as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas in the municipality. (Prior code § 12:24-4)

2.48.050 Purchases.

All purchases by the environmental commission shall be made in accordance with the purchasing procedures as established by the township. Any environmental commission shall expend no funds or commit any funds except as specifically provided by its detailed budget and then only in accordance with the purchasing procedures. (Prior code § 12:24-5)

Chapter 2.52

RECREATION COMMISSION

Sections:

2.52.010 Commission established.

2.52.020 Governance—Control—
Duty.

2.52.030 Term.

2.52.040 Powers of commission.

2.52.010 Commission established.

There is established in the township a recreation commission to be known as the recreation commission of the township of Edgewater Park, consisting of seven members, to be appointed by the mayor, and to be residents of the township, and to serve without compensation. (Prior code § 12:8-1)

2.52.020 Governance—Control—
Duty.

The commission shall adopt appropriate bylaws for its governance and shall have full control over such property or properties as the township committee of the township of Edgewater Park shall make available for playground and recreation purposes, and shall have the duty of outlining and carrying forth a recreational program. (Prior code § 12:8-2)

2.52.030 Term.

The members of the recreation commission shall be appointed for the term and the commission organized as set forth in NJSA 40:12-1 et seq. as amended. (Prior code § 12:8-3)

2.52.040 Powers of commission.

The recreation commission shall have the power to do and perform any and all acts as set forth in NJSA 40:12-1 et seq. as amended. (Prior code § 12:8-4)

Chapter 2.56

EDGEWATER PARK SEWERAGE AUTHORITY

Sections:

- 2.56.010 Created.
- 2.56.020 Powers and duties.
- 2.56.030 Copy on file with Secretary of State.

2.56.010 Created.

Pursuant to the provisions of the Sewerage Authority's Law (P.L. 1946, C.138) of the state of New Jersey, there is created a public body corporate and politic under the name and style of the Edgewater Park Sewerage authority. (Prior code § 7:1-1)

2.56.020 Powers and duties.

The Edgewater Park sewerage authority created is a sewerage authority and shall have and exercise all of the powers and perform all of the duties provided for by said Sewerage Authority's Law and any other statutes heretofore or hereafter enacted and applicable thereto. (Prior code § 7:1-2)

2.56.030 Copy on file with Secretary of State.

A copy of the ordinance codified in this chapter duly certified by the township clerk of the township shall forthwith be filed by the township clerk in the office of the Secretary of State of New Jersey. (Prior code § 7:1-3)

Chapter 2.60

PLANNING AND ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

Sections:

- 2.60.010 Committee established.
- 2.60.020 Terms.
- 2.60.030 Residency required.
- 2.60.040 Functions.
- 2.60.050 Reports.

2.60.010 Committee established.

There shall be established in the township a planning and economic development advisory committee. (Prior code § 2:10-1)

2.60.020 Terms.

The planning and economic development advisory committee shall be composed of five members to be appointed by the mayor of the township. The terms of office shall be for three years except that appointments may be for a lesser term if necessary to provide for uniform number of appointments each year as nearly as possible. The terms of the members shall be such that in any three years' cycle, two terms shall expire on two of those years and one term shall expire on one of those years. In the event of vacancies, appointments to fill said vacancies shall be for the unexpired term. All terms shall automatically expire on December 31st of the last year of the term. (Prior code § 2:10-2)

2.60.030 Residency required.

All members shall be residents of the township and shall remain residents of the township during their terms. A member who, subsequent to his appointment, shall move from the township, shall immediately vacate and forfeit his membership on the committee; and until a subsequent appointment shall be made by the mayor the post shall be deemed vacant. The members of the committee shall serve without compensation. (Prior code § 2:10-3)

2.60.040 Functions.

The planning and economic development advisory committee shall promote and encourage the establishment of desirable industrial and commercial development within the township. It may, from time to time, cause advertisements or publications to be placed or distributed in accordance with available funds provided by the township committee. The committee shall function as a public relations arm of the township in promoting the benefits of the township to desirable industrial and commercial development. The committee shall also advise the planning board, from time to time, of its recommendations, if any, as to zoning and zoning procedures. (Prior code § 2:10-4)

2.60.050 Reports.

The committee shall prepare such reports as it deems desirable for distribution to the mayor and members of the township committee and shall prepare a detailed report of its activities for the year, at least annually, in November. (Prior code § 2:10-5)

Chapter 2.64

ADVISORY COMMITTEE ON MUNICIPAL FACILITIES FOR THE HANDICAPPED

Sections:

- 2.64.010 Committee established.
- 2.64.020 Membership—
Appointment and terms.
- 2.64.030 Duties.
- 2.64.040 Meetings.
- 2.64.050 Organization.
- 2.64.060 Grievance procedure.

2.64.010 Committee established.

The township committee creates and establishes a Section 504 advisory committee to be known as municipal facilities for the handicapped pursuant to the provisions of Section 504 of the Code of Federal Regulations, which committee shall be concerned with the accessibility of municipal facilities for the handicapped and compliance with Section 504 regulations. (Prior code § 2:12-1)

2.64.020 Membership—Appointment and terms.

A. The Section 504 advisory committee shall consist of five members to be composed of the township administrator, the construction official and three citizens and residents of the township to be appointed by the township committee.

B. The three committee members first appointed shall hold office for terms as follows: One member for one year, and one member for two years, and one member for three years, respectively, from the date in the year in which the appointments are made until their successors are duly appointed and have qualified. Thereafter all subsequent appointments shall be for a term of three years and vacancies shall be filled for the unexpired term only and in the same manner as the original appointment was made.

C. Committee members shall receive no compensation for their services but may receive reimbursement for proper and authorized out-of-pocket expenses in accordance with existing township regulations. (Prior code § 2:12-2)

2.64.030 Duties.

The committee shall have the following duties:

A. Examine township programs and services to determine compliance with Section 504 regulations;

B. Evaluate policies and practices concerning employment for qualified handicapped persons;

C. Examine township facilities for accessibility for the handicapped;

D. Determine structural alterations to be made to comply with Section 504 regulations;

E. Devise a transition plan to bring all township facilities into full structural compliance by October 17, 1985;

F. Perform such other duties as may be assigned by the township council. (Prior code § 2:12- 3)

2.64.040 Meetings.

The committee shall hold meetings as necessary to accomplish the duties set forth herein. (Prior code § 2:12-4)

2.64.050 Organization.

The township administrator shall be the Section 504 coordinator. (Prior code § 2:12-5)

2.64.060 Grievance procedure.

A. Definition. A grievance shall mean a complaint by a member of the public that there has been to him a loss, injury or inconvenience resulting from handicapped discrimination.

B. Rights of Representation. Any person may be represented at all stages of the grievance procedure by himself or at his option, by a representative of his own choosing.

C. Procedure.

1. Level One. Any grievant who has a grievance shall first present his grievance, in writing, to the Section 504 coordinator. Said grievance shall be granted or denied in writing by the coordinator within ten days of receipt of the grievance.

2. Level Two. The grievant, no later than ten days after receipt of the decision of the coordinator, may appeal the decision to the township committee. The appeal to the township committee shall be made in writing specifying: (a) the nature of the grievance; (b) the nature and extent of the injury, loss or inconvenience; (c) the results of previous discussions; and (d) grievant's dissatisfaction with the decision previously rendered. The township committee or a committee thereof, shall review the grievance and shall, at the option of the township committee, or at the request of the grievant, hold a hearing with the grievant, a decision shall be rendered in writing within thirty (30) calendar days of receipt of the appeal, or if a hearing is held, within twenty (20) calendar days of the date of the hearing. This referred to hearing shall be held within twenty (20) days after receipt of the appeal notice.

3. If the decision of the township committee does not resolve the grievance to the satisfaction of the grievant, the grievant may further appeal the matter to the director, office of the Secretary of the Treasury, provided that such appeal is filed within twenty (20) days of the date the grievant receives notice of the decision of the township committee. (Prior code § 2:12-6)

Chapter 2.68

DRUG-FREE WORKPLACE REGULATIONS

Sections:

- 2.68.010 Drug-free workplace policy.
- 2.68.020 Drug-free awareness program.
- 2.68.030 Notification.
- 2.68.040 Action by township upon employee's conviction.

2.68.010 Drug-free workplace policy.
It is the policy of the township to maintain a drug-free workplace. (Prior code § 2:16-1)

2.68.020 Drug-free awareness program.
The township shall establish an on-going drug-free awareness program to inform employees about:

- A. The dangers of drug abuse in the workplace;
- B. The township's policy of maintaining a drug-free workplace;
- C. Available drug counseling, rehabilitation, and employee assistance programs; and
- D. The penalties which may be imposed upon employees for drug abuse violations which occur in the workplace. (Prior code § 2:16-2)

2.68.030 Notification.
The township clerk shall notify by means of a written statement to all employees of the township:

- A. That the unlawful manufacture, distribution, dispensing, possession or use of a controlled dangerous substance is prohibited in every workplace maintained by the municipality;
- B. That the employee shall abide by the terms of the statement as a condition of employment;
- C. That the employee, as a condition of employment, shall notify the township clerk of his or her conviction of any offense involving controlled dangerous substances occurring in the workplace no later than five calendar days following such conviction; and
- D. That failure to abide by the terms of the statement shall result in personnel action (up to and including termination of employment) consistent with the federal Rehabilitation Act of 1973, as amended, or a requirement that the employee participate satisfactorily in a drug abuse assistance and/or rehabilitation program approved by the Edgewater Park board of health or the Burlington County health department as a condition of continued employment. (Prior code § 2:16-3)

2.68.040 Action by township upon employee's conviction.
Upon receipt by the township clerk of notice of an employee's conviction of an offense involving controlled dangerous substances occurring in the workplace:

- A. The township clerk shall (within ten calendar days) notify in writing any federal agency providing grant money for a project in which the convicted employee was working. The notice shall include the employee's position title and the identification number of each affected grant. The notice shall be provided to every grant officer or other designee on whose grant activity the convicted employee was working unless the federal agency has designated a central point for the receipt of such notices; and
- B. The township shall (within thirty (30) calendar days) either take appropriate personnel action (up to and including termination of employment) consistent with the requirements of the federal Rehabilitation Act of 1973, as amended, against the convicted employee or require as a condition of continued employment that the convicted employee participate satisfactorily in a drug abuse assistance or rehabilitation program approved by the Edgewater Park board of health or the Burlington County health

department. (Prior code § 2:16-4)

Chapter 2.72

PERSONNEL SYSTEM

Sections:

2.72.010	Personnel policies.
2.72.020	Abolition or modification of offices.
2.72.030	Allocation of offices and positions to classified or unclassified service.
2.72.040	Classification plan.
2.72.050	Appointments.
2.72.060	Qualifications.
2.72.070	Officers and employees— Classified service.
2.72.080	Application for appointment.
2.72.090	Processing.
2.72.100	Grounds for rejection of an applicant.
2.72.110	Probation.
2.72.120	Personnel file.
2.72.130	Working conditions.
2.72.140	Vacation for municipal employees.
2.72.150	Disciplinary actions.
2.72.160	Grievance procedures.
2.72.170	Department rules and regulations.
2.72.180	Meritorious actions.
2.72.190	Certain political activities prohibited—Penalty for violation.

2.72.010 Personnel policies.

The township committee does declare the following principles to constitute the personnel policy of the township:

A. The New Jersey State Civil Service Law and the Civil Service Rules of the State of New Jersey which shall be applicable to municipalities in said state provide the basic framework for employment in the municipal government.

B. Employment in the municipal government shall be based on merit and fitness free of personal and political considerations.

C. Just and equitable incentives and conditions shall be established and maintained in order to promote efficiency and economy in the operation of the municipal government.

D. Positions with similar duties and responsibilities shall be classified and compensated on a uniform basis.

E. Appointments, promotions and other personnel actions requiring the application of the merit principle shall be based on systematic tests and evaluations of knowledge and performance, and where appropriate, these shall be carried out through the municipality's participation in the New Jersey State Civil Service System.

F. Every effort shall be made to stimulate high morale by fair administration of this chapter, and by consideration of the rights and interests of employees, consistent with the best interest of the public and the municipality.

G. Continuity of employment shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and availability of funds.

H. Residents of the township shall be given preference in all municipal appointments and employment. (Prior code § 2:8-1)

2.72.020 Abolition or modification of offices.

The township committee may by ordinance abolish, increase, decrease or modify the terms and compensation of any office of the township, except that the township committee may not abolish or alter the terms of an office that has been, or is, created by general law. Except where an office is abolished, no decrease or modification of its terms and compensation shall affect any incumbent holding such office for the duration of the term for which he was appointed. (Prior code § 2:8-2)

2.72.030 Allocation of offices and positions to classified or unclassified service.

A. General Allocation. All offices and positions of the municipality shall be and are allocated to the classified service and unclassified service.

B. Unclassified Service. The unclassified service shall include the following:

1. All elected officials and members of citizen boards and committees;

2. Administrator, clerk, assessor, collector, chief financial officer, director of welfare, department directors, together with any legal assistants, including the prosecutor;

3. Volunteer personnel and personnel appointed to serve without compensation;

4. Consultants and counsel rendering temporary professional service;

5. All other offices or positions that are so listed as unclassified by NJSA 11:22-2.

C. Classified Services. The classified service shall include all other positions in the municipal service that are not specifically placed in the unclassified service by the above positions of this chapter, or which are not excluded from the classified service by NJSA 11A:3-5.

D. Scope of Chapter. The provisions of this ordinance hereinafter set forth, shall apply to the classified and unclassified services unless otherwise specifically provided herein. (Editorially amended during 1997 codification; prior code § 2:8-3)

2.72.040 Classification plan.

A. Establishment. The administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, shall make, or cause to have made an analysis of the duties and responsibilities of all full-time positions in the municipality except his own position. He shall recommend to the mayor for transmission to the committee a position-classification-plan. Within thirty (30) days after adoption of a position-classification-plan by resolution of the committee, the administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, shall assign each employee to an appropriate class in accordance with the position-classification-plan and with the approval of the Civil Service Department of the state of New Jersey.

B. Basis of Position Classification. Each position shall be assigned or allocated to an appropriate job classification on the basis of the kind and level of its duties and responsibilities to the end that all positions in the same classification shall be sufficiently alike to permit the use of a single descriptive title, the same test of competence and the same salary range, thus carrying out the basic principle of classification which is equal pay for equal work. A job classification may contain one position or a number of positions. The administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, shall from time to time review the job classification and submit a report thereof to the mayor and committee.

C. Change in Classification Plan.

1. The classification plan may be amended from time to time by resolution of the committee. Such changes may result from the need for creating new positions, changes in organization or changes in assigned duties and responsibilities and will be effected in cooperation with the Civil Service Commission of the state of New Jersey.

2. The administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, shall review all requests for creation of new positions, the abolition or consolidation of present positions, reclassification of positions to different

job classes, or the reallocation of positions to new salary ranges. In such review, he shall study the current duties and responsibilities of the position concerned and with the consent of the township committee take appropriate action necessary to insure the correct classification and allocation of the position.

3. Each department head shall report to the administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, any changes in his organization or assignment of duties and responsibilities to a given employee which would result in changes in the position-classification-plan or in the classification of any of the positions in his department.

4. An employee may submit a request in writing to the administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, at any time for a review of the duties and responsibilities of his position. Such a request shall be submitted through his division head and shall include the employee's own description of his current duties and responsibilities. The administrator, or if there be no administrator, the chairman of the committee for administration, finance and insurance of the township committee, shall then make an investigation of the position to determine its correct allocation. He shall report his findings in writing to the mayor and shall furnish a copy to the employee requesting the review and to his department head. (Prior code § 2:8-4)

2.72.050 Appointments.

All employees, officers and department heads of the township shall be appointed as provided in the administrative code except as may be otherwise provided by general law. The mayor, and the administrator, or if there be no administrator, the chairman of the committee for administration, finance and insurance of the township committee, are to be governed by the provisions of this personnel policy code in their appointments and hiring practices. (Prior code § 2:8-5)

2.72.060 Qualifications.

Original appointments to fill vacancies or for new positions shall be limited to qualified persons who have been interviewed or tested concerning such factors as education, experience, aptitude, knowledge, character and physical and mental fitness. (Prior code § 2:8-6)

2.72.070 Officers and employees— Classified service.

On or after the effective date of the ordinance codified in this chapter, and unless otherwise provided by law, and subject to the provisions of Chapter 63, Laws 1978 (NJSA 40A:9-1 et seq.), all officers and employees employed by the township in the classified service of Title II (Civil Service) shall, where possible, be bona fide residents of the township and preference in employment shall be given to bona fide residents of the township. A bona fide resident is defined to be a person having a permanent domicile within the township and a domicile which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside of the boundaries of the township. Whenever a person is to be appointed to a position of employment in the township, there shall first be a preference for residents of the township, then a preference for residents of Burlington County, then and subsequently a preference for residents of New Jersey and finally non-residents of the state of New Jersey shall be appointed only in the event that nonqualified residents of the municipality, county or state are not available. (Prior code § 2:8-7)

2.72.080 Application for appointment.

Applicants for employment shall apply on forms provided by the township and which have been designated to obtain pertinent information concerning the applicant's education, training, experience, character and other factors necessary to determine his fitness and qualifications for service to the township. All applications shall be filed with the township administrator, or if there be no administrator

the chairman of the committee for administration, finance and insurance of the township committee.
(Prior code § 2:8-8)

2.72.090 Processing.

The department head shall be charged with processing all applications for appointment to vacancies and new positions, and shall report thereon to the official having the power of appointment.

A. Physical Examination. Employment as a full-time employee in any capacity requires, prior to employment, successful passing of a physical examination to assure that the work required to be performed will not cause injury to the employee and that the person is physically fit to meet the requirements of the job. Prospective employees in all casual or temporary part-time township jobs may be required to produce a certificate of health from a licensed physician of the state of New Jersey as a prerequisite for such employment. Periodic physical examinations may be required thereafter for all employees of the township. All required examinations, except for certification of health for casual or temporary part-time employees, shall be at the township's expense and shall be made by a physician designated or approved by the township.

In addition to the above examination the township committee may require a psychiatric evaluation of any applicant for employment in the police department of the township. (Prior code § 2:8-9)

2.72.100 Grounds for rejection of an applicant.

An applicant for employment may be rejected where he:

- A. Is not qualified for appointment to the position for which he has applied;
- B. Is physically unfit to perform the duties of the position for which he has applied;
- C. Is addicted to the habitual or excessive use of drugs or intoxicants;
- D. Has been convicted of any crime or offense, including disorderly person offenses, involving moral turpitude;
- E. Has been dismissed from previous employment for delinquency, insubordination or misconduct;
- F. Has practiced or attempted to practice any deception or fraud in his application or in furnishing other evidence of eligibility for appointment;
- G. Is not within age limits that have been established for the position for which he seeks appointment. (Prior code § 2:8-10)

2.72.110 Probation.

Except when provided by law, every person appointed to a new position shall be deemed to be on probation in the position to which he shall have been appointed for a period of three months, but such probation shall not affect permanent status of any other township employment that such person may have achieved. Prior to his completion of the probationary period, the employee or officer shall be evaluated by the department head to determine whether he shall be granted permanent status or dismissed. The appointing authority may require reports and recommendations from the immediate superiors and department heads for this purpose. In accordance with R.S. 52:17B-69, a probationary or temporary appointment as a police officer may be made for a total period not exceeding one year for the purpose of enabling a person seeking permanent appointment to take a police training course as required by law. (Prior code § 2:8-11)

2.72.120 Personnel file.

The township administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, shall initiate a personnel file for each new employee and all records of such employee concerning qualification, permanent status, work history, accumulated vacation and sick leave, leave time and the like shall be maintained for such employee in

such file. The township administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, shall make such files available for inspection by the employee on a reasonable basis. (Prior code § 2:8-12)

2.72.130 Working conditions.

A. Hours. The official hours of the township are from nine a.m. to five p.m., prevailing time, Monday through Friday; from nine a.m. to one p.m., prevailing time, on Saturday. The hours of work for employees, including lunch hour, shall be specified by the department head. Full-time department heads shall be available in their offices from nine a.m. to twelve noon and from one p.m. to five p.m. daily, and, in the event that township business requires them to leave their office they shall provide the township with their itinerary and information as to where they may be reached in the event of an emergency.

B. Holidays.

1. Due to the emergency nature of the work of the police department, the provisions of this subsection shall not be applicable to members of the police department.

2. The official holidays for the township shall be as authorized by state law and/or by the Civil Service Commission, with the approval of the Governor, and shall be allowed as days off, with pay, in accordance with Section 4:1-18.3 of the New Jersey Administrative Code as supplemented and amended.

C. Sick Leave.

1. As used in this subsection, "sick leave" shall mean paid leave that may be granted to any employee who through sickness or injury becomes incapacitated to a degree that makes it impossible for him to perform the duties of his position, or who is quarantined by a physician because he has been exposed to a contagious disease. Part-time and temporary employees are not eligible for sick leave.

2. Sick leave with pay will be allowed provided that the employee provides satisfactory proof of his illness or disability or a licensed physician's certificate as herein provided and notifies his supervisor promptly of his illness, provided further that the employee's illness or disability is, in the opinion of a physician of the township's choice, the result of events or acts beyond the employee's control.

3. Sick leave shall be computed on the basis of the applicable rules and regulations of Civil Service and those employees who are not filling Civil Service positions shall nevertheless for the purpose of sick leave only have their sick leave computed pursuant to the Civil Service Rules and Regulations.

D. Outside Employment. Employees shall not accept outside employment or engage in outside business activities, unless there is reasonable probability that such outside employment will not interfere with the employee's performance or compromise his position with the township through a conflict of interest.

E. Compensation Time. As hereinafter referred to in this section, compensation time shall be referred to as "comp time." Comp time may only be authorized in the police department by the director of public safety/chief law enforcement officer or the lieutenant in charge in the event of the absence of the director of public safety/chief law enforcement officer. Comp time for other employees can only be authorized by the department head or, in the event there is no department head, then by the township committee-person in charge. A monthly report shall be submitted to the mayor and committee and township clerk of all comp time accrued during the preceding month. This report shall be submitted no later than the fifth day of the next month covering the preceding month.

Where an employee elects to avail himself of comp time with the approval of the committee-person in charge of the department, such election and the scheduling of said time shall be within one year of the accrual of said comp time. If the time is not utilized within the aforesaid one year, all time accrued in excess of one year shall be forfeited. For the purposes of this section it is understood that comp time is determined from the date that the comp time was earned and not the calendar year. (Prior code § 2:8- 13)

2.72.140 Vacation for municipal employees.

A. Full-time classified and full-time unclassified employees shall earn vacation on the basis of the following schedule:

0—1 year of service 7 working days

- 2—5 years of service 12 working days
during each year
of service
- 5—10 years of service 14 working days
during each year
of service
- 10—15 years of service 16 working days
during each year of
service
- 15—20 years of service 18 working days
during each year of
service
- 20 years of service 22 working days
during each year of
service

For purposes of earning vacation leave, anyone whose date of employment falls between January 1st and October 1st is entitled to count that period as a year of service. Vacation shall be computed on a calendar year basis, that is, January 1st to December 31st.

B. Because of the emergency nature of the work of the police division, and the fact that members cannot be given normal holiday allowance, each member of the police division shall be entitled to be compensated for all legal holidays as herein defined by a lump sum payment equal to the number of legal holidays times their daily rate which shall be payable in November of each year. (Prior code § 2:8-14)

2.72.150 Disciplinary actions.

A. Disciplinary Actions Enumerated. An employee who has acquired permanent status may be disciplined in accordance with this chapter by any of the following actions, which are stated in order of severity for causes stated in this section by the department head, or in the case of a violation by department head then by the appointing authority, and no employee shall be suspended or dismissed without the approval of the department head except in the case where the department head is the person subject to the disciplinary action:

1. Informal, verbal reproof;
2. Written reproof;
3. Suspension from duty;
4. Dismissal.

B. Causes of Disciplinary Action. The causes for which disciplinary action may be invoked are the following:

1. Neglect of duty;
2. Absence without leave or failure to report after authorized leave has expired, or after such leave has been disapproved or revoked, who shall be absent from duty without just cause for a term of five days continuously and without leave of absence, shall at the expiration of the five days cease to be an employee of the township;
3. Incompetency or inefficiency or incapacity due to mental or physical disability;
4. Insubordination or serious breach of discipline;
5. Intoxication while on duty;
6. Commission of a criminal act;
7. Disobedience of a rule or regulation of the township;
8. Conduct unbecoming a public employee;
9. Leaving post without notice;

10. Negligence in the use of or unauthorized use of township equipment;
11. Falsifying important records;
12. Absence without leave.

C. Hearing. Any employee disciplined under the provisions of this section shall upon request be granted a hearing before the township committee, a reasonable opportunity for such hearing shall be granted before the imposition of disciplinary action, except that an employee may be summarily suspended if it is deemed that the circumstances so warrant. In such case, if after hearing it appears that the suspension was not proper, the township committee may order reinstatement with pay. (Prior code § 2:8- 15)

2.72.160 Grievance procedures.

A. General Policy. It is the policy of the township that every employee at all times be treated fairly, courteously and with respect. Conversely, each employee is expected to accord the same treatment to his associates, supervisors and to the public.

B. Verbal Grievance.

1. Whenever an employee has a grievance, he should first present it verbally (or in writing if the employee chooses) to his immediate supervisor. It is the responsibility of the supervisor to attempt to arrange a mutually satisfactory settlement of the grievance within three working days of the time when it was first presented to him, or failing in that, must within that time advise the employee of his inability to do so.

2. When an employee is informed by his supervisor that he is unable, within the discretion permitted him, to arrange a mutually satisfactory solution to the grievance, the employee must, if he wishes to present the grievance to higher authority, do so in writing in the following manner.

C. Formal Written Grievance.

1. The employee will prepare the grievance in writing, in duplicate. The grievance should be stated as completely and as clearly as possible, in order to permit prompt handling. One copy of the grievance shall be immediately placed in the hands of the department head.

2. A copy of the grievance shall be presented by the employee to his immediate supervisor (to whom the grievance was made verbally). The supervisor will report the facts and events which led up to its presentation in writing, including in his written report any verbal answer he may have previously given to the employee concerning this grievance. Within two working days after receipt of the written grievance the supervisor must present it with the information required to the department head or administrator, or if there be no administrator, the chairman of the committee for administration, finance and insurance of the township committee.

3. The administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, will attempt to find a mutually satisfactory solution to the grievance within five working days. Failing a solution, the complaint accompanied by a written report on the matter by the administrator, or if there be no administrator the chairman of the committee for administration, finance and insurance of the township committee, must be forwarded to the mayor. The governing body will then consider and formally act on the complaint within five days.

4. Since it is intended that most, if not all, grievances can and should be settled without the necessity of reference to the governing body, no grievance will be heard or considered by the governing body which has not first passed through the above described steps.

5. All papers and documents relating to a grievance and its disposition will be placed in the employee's personal history file. Notification of all actions taken concerning the grievance shall be transmitted in writing to the employee. (Prior code § 2:8-16)

2.72.170 Department rules and regulations.

A. Subject to the approval of the administrator, or if there be no administrator the chairman

of the committee for administration, finance and insurance of the township committee, a department head may, from time to time, establish, amend and supplement rules and regulations for governing the internal operations of his department and the conduct and decorum of its personnel. Such department rules and regulations shall not be inconsistent or in conflict with the provisions of any statute of the state, this chapter or any ordinance of this township.

B. The rules and regulations shall be in writing, signed by the head of the department, and approved by the governing body, and shall be filed in the office of the township clerk. They shall be binding on all persons subject to the jurisdiction of the department. A written copy of said rules and regulations shall be distributed to the personnel of the department affected thereby and shall be posted in the headquarters of the department. (Prior code § 2:8-17)

2.72.180 Meritorious actions.

It is declared to be the policy of the township to recognize and encourage meritorious actions on the part of its officers and employees. To this end, letters of commendation concerning township employees from their superiors and from members of the public with whom they deal shall be directed to the attention of the department head, and then recorded in the employee's personnel file. In addition, the department head or the township committee may, on their own motion, commend the work of particular officers and employees and cause such commendation to be inserted in their personnel file. (Prior code § 2:8-18)

2.72.190 Certain political activities prohibited—Penalty for violation.

A. A township employee shall not engage in any political activities during working hours or on municipal property and in the event they seek nomination or election to any municipal office, they may obtain a leave of absence.

B. Violation of any provisions of subsection A of this section shall be deemed sufficient cause for suspension or dismissal from the township service.

C. Nothing in this section shall be construed to prevent township employees from becoming or continuing to be members of any political party, club or organization; attending political meetings; expressing their views in private on political matters outside of working hours and off township premises; or voting with complete freedom in any election. (Prior code § 2:8-19)

