

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 08-2023

**AN ORDINANCE OF THE BOROUGH OF ALLENTOWN,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
AMENDING CHAPTER 2: "ADMINISTRATION" OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH TO
ELIINATE CORPORAL POSITION AND TO UPDATE THE
POLICE OFF-DUTY EMPLOYMENT RATE UNDER THE NEW
COLLECTIVE BARGAINING AGREEMENT.**

BE IT HEREBY ORDAINED by the Mayor and Council of the Borough of Allentown that Chapter 2 of the Revised General Ordinances of the Borough of Allentown, is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

§ 2-36 POLICE DEPARTMENT.

§ 2-36.1 Creation; Composition.

There is hereby created a Police Department of the Borough of Allentown, which may consist of the following:

- a. A Chief of Police.
- b. As many Lieutenants as may be necessary, as shall be determined by resolution of the Borough Council.
- c. As many Sergeants as may be necessary, as shall be determined by resolution of the Borough Council.
- d. As many patrolmen as may be necessary, as shall be determined by resolution of the Borough Council.
- e. As many matrons, school crossing guards, fire police and clerks as may be necessary, as shall be determined by resolution of the Borough Council.
- f. As many Special Law Enforcement Officers as may be necessary, as shall be determined by resolution of the Borough Council and in accordance with N.J.S.A. 40A:14-146.10, 40A:14-146.17.
- ~~g. As many Corporals as may be necessary, as shall be determined by resolution of the Borough Council.~~
- h.g. As many detectives as may be necessary, as shall be determined by resolution of the Borough Council.

2-36.17 Outside Employment.

- a. *Off-duty assignments of municipal police officers.* Whenever the terms "off-duty," "special duty," or "extra-duty" are utilized in this section, they refer to duty assignments made by the Police Department assigned Officer at the request of private citizens for special projects of a private, quasi-public, or school nature.
- b. *Extra duties.* Whenever the Police Department assigned Officer or his designee determines that extra-duty assignments shall be performed for a party requesting private or quasi-public duty, the Police Department assigned Officer or his designee shall enter into an agreement providing for extra-duty assignments for which the Borough shall be compensated at the rate set by this subsection. Such agreement shall be in accordance with the following standards and provisions:
 - 1. The party requesting the assignment shall execute and deliver an agreement in a form approved by the Allentown Police Department.
 - 2. The Borough shall be responsible to provide all necessary insurance coverage as required by law including but not limited to, worker's compensation, public liability, personal injury (including death) or damage to property which may arise or result from the extra-duty services performed pursuant hereto.
 - 3. Officers engaged in special duty assignments shall be deemed on-duty and shall conform to all Police Department rules, regulations and procedures.
 - 4. Any and all extra-duty assignments shall be determined and approved by the Police Department assigned Officer or his designee, who may assign a patrol vehicle for use in performing extra duty if and in the event it is determined that the use of a patrol vehicle is necessary to perform the contracted duty.
 - 5. All special duty assignments shall be within the municipality, except in the case of assignments on behalf of the UFT Regional schools for which officers may be assigned to any location(s) the Officer-In-Charge deems necessary for public safety.
 - 6. The work to be performed shall be considered "special assignment from independent contractors" and will not be considered direct assignment or duty on the job through the Borough. The taking of any and all extra-duty assignments shall be on a voluntary basis.
 - 7. Any private persons or entities requesting the services of police officers will be required to submit payment based on estimates of the work to be done and relative administrative expenses in advance of services rendered except in the case of an emergency or as it relates to the school. The municipality would "escrow" the monies in the dedicated fund to ensure timely payment to the police officers.
- c. *Hourly Rates for Off-Duty Employment.* That the hourly rate per person be paid to the Allentown Borough Police Officers for outside employment/extra duty as set forth in this section shall be as follows:

1. ~~Seventy-five (\$75.00)~~ Ninety-five (\$95.00) dollars per hour with the amount billed public and private individuals or organizations being ~~ninety-five (\$95.00)~~ one-hundred-fifteen (\$115.00) dollars per hour, except where the outside employment/extra duty assignments are being paid for by the Borough or the Upper Freehold Township Regional School District.
2. When outside employment/extra duty assignments are being paid for by the Borough and/or the Upper Freehold Township Regional School District, the hourly rate per person shall be fifty-five (\$55.00) dollars per hour with the amount billed the Upper Freehold Township Regional School District being sixty-five (\$65.00) dollars per hour.
3. That the hourly rate per rate per person be paid to Allentown Special Police/Crossing Guards shall be twenty-five (\$25.00) dollars per hour and the amount billed public and private individuals or organizations being thirty-five (\$35.00) dollars per hour.
4. That the hourly rate for the use of police vehicles, except UFT Regional schools, for outside employment shall be one hundred twenty-five (\$125.00) dollars for the first eight (8) hours. If the project requires more than eight (8) hours, then use of the police vehicle is billed at thirty-five (\$35.00) dollars per hour for time in excess of the first eight (8) hours. Minimum charge is one hundred twenty-five (\$125.00) dollars for any off-duty use of police vehicle.

BE IT FURTHER ORDAINED by Mayor and Council that if any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

BE IT FURTHER ORDAINED by Mayor and Council that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

BE IT FURTHER ORDAINED by Mayor and Council that this ordinance shall be in full force and take effect after final passage and publication according to law.

ATTEST:

THOMAS FRITTS, Mayor

LAURIE A. ROTH, MAS, RMC, CMR
Municipal Clerk

Introduced: April

11, 2023

Adopted: April 25, 2023