

ORDINANCE #2109-24

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 40 ENTITLED “FIRE DEPARTMENT” TO ADD SECTION 40-5 TO BE ENTITLED “EMPLOYEES WHO ARE MEMBERS OF A VOLUNTEER FIRE COMPANY OR RESCUE SQUAD”

WHEREAS, the Borough of Middlesex’s personnel policy currently permits employees who are members of a volunteer emergency service to be excused from their ordinary work duties while responding to emergency calls within the Borough; and

WHEREAS, the Borough of Middlesex desires to codify this personnel policy into the municipal code of the Borough of Middlesex.

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Middlesex, in the County of Middlesex, State of New Jersey that Chapter 40 of the Borough Code, entitled “Fire Department” is hereby supplemented and amended as follows:

SECTION I. There is hereby added a new section 40-5 entitled “Employees who are members of a volunteer fire company or rescue squad” which shall read as follows:

Employees are encouraged to become members of volunteer fire companies or rescue squads. Employees who are members of a volunteer fire company, the rescue squad or OEM which serve the Borough of Middlesex should notify their Department Head of their intent to serve in that capacity.

Employees who are members of a volunteer fire company or the rescue squad which serves the Borough of Middlesex shall be excused from attendance during their regular working hours for fire or rescue squad emergencies, except during Borough emergencies, and only for the duration of the fire or rescue squad emergency. Employees who receive a call during working hours or which will necessitate their absence during working hours shall notify their immediate supervisor or department head of the call unless notification would impair the employee's ability to timely respond to the emergency.

Employees who respond to emergency calls should, upon return to work, notify their department head of the nature of the emergency and the length of their absence.

If any member of the department or office is a member of the above organizations, the department head or Administrator may limit the response to ensure that Borough functions are not being unusually interrupted, unless the magnitude of the emergency requires all members of the above organizations. Employees working on an overtime basis for the Borough will not be excused for firefighting or rescue squad duties should make necessary arrangements with the fire company or rescue squad in advance so that other fire company or rescue squad members will be available. An employee shall not respond to a call if leaving the job site might cause a fellow employee to be endangered.

SECTION II. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION III. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST:

Linda Chismar, Municipal Clerk

Jack Mikolajczyk, Mayor

INTRODUCED: January 23, 2024

DATE OF PUBLICATION:
OF INTRODUCTION January 26, 2024

ADOPTED: February 13, 2024

DATE OF PUBLICATION
OF ADOPTION: February 16, 2024