

EXPLANATION: This Ordinance amends Chapter 147 of the Code of the Township of Hillsborough, titled "Criminal History Background Checks"

ORDINANCE 2017-11

AN ORDINANCE AMENDING CHAPTER 147 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TITLED "CRIMINAL HISTORY BACKGROUND CHECKS"

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows:

SECTION I. Chapter 147 of the Code of the Township of Hillsborough, titled "Criminal History Background Checks", Section 147-2, titled "Request for criminal background checks; costs," is hereby amended as follows:

§ 147-2. Request for criminal background checks; costs.

The Township requires that all employees and volunteers over the age of 18 years, having involvement with Township-sponsored programs involving minors, submit to a criminal history record background check. Failure to so submit to such background check shall constitute grounds for disqualification of that individual.

~~B. The Township shall conduct a criminal history record background check only upon receipt of the written consent to the background check from the prospective or current employee or volunteer.~~

~~C. The Division of State Police shall inform the individual and third-party independent agency whether the person's criminal history record background check reveals a conviction of a disqualifying crime or offense as set forth below.~~

~~D. [B.] The fee for the background check shall be established by the Recreation Commission by the adoption of a resolution on an annual basis. [borne by the potential applicant of the Recreation Department.]~~

~~E. The requirement for criminal checks does not apply to those employees or volunteers which have been qualified for service within the last three years upon the presentation of appropriate documentation.~~

[C. Background checks are required every three (3) years.]

SECTION II. Chapter 147 of the Code of the Township of Hillsborough, titled “Criminal History Background Checks”, Section 147-4, titled “Submissions; exchange of background check information,” is hereby amended as follows:

A. Prospective and/or current employees and volunteers of Township-sponsored programs involving minors shall submit the name, address, fingerprints [Social Security Number] and written consent to the Township [or its designated third-party independent agency] for the criminal history record background check to be performed.

B. The Township may, in its discretion, engage the services of a third-party independent agency to conduct the criminal history record background checks authorized under this chapter. ~~In that event, the third-party independent agency will perform the duties described in Subsection A.~~

SECTION III. Chapter 147 of the Code of the Township of Hillsborough, titled “Criminal History Background Checks”, Section 147-5, titled “Limitations on access and use of criminal history record background checks,” is hereby amended as follows:

§ 147-5. Limitations on access and use of criminal history record background checks.

A. It shall be the responsibility of the prospective employee or volunteer to obtain his or her criminal history from the ~~SBI~~ [recommended vendor as determined by the Recreation Department] that identifies the specific criminal violation(s) and deliver it to the Appeals Committee for the purpose of an appeal or presenting a challenge to the accuracy of the report.

SECTION IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

HILLSBOROUGH TOWNSHIP

Pamela Borek, RMC, MBA

Carl Suraci, Mayor

*Introduced: July 11, 2017
Published: July 21 2017
Public Hearing: August 8, 2017
Adoption: August 8, 2017
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Note to Codifier: Deleted provisions indicated by ~~Strikethrough~~
New provisions indicated by brackets [].