

**TOWNSHIP OF ROCHELLE PARK**

**ORDINANCE NO. 1009-09**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF ROCHELLE PARK AND, SPECIFICALLY, AMENDING THE PERSONNEL POLICIES AND PROCEDURES OF THE TOWNSHIP**

**WHEREAS**, the personnel policies and procedures ordinance for the Township of Rochelle Park provides for a six (6) month terminal leave payment for Department Heads upon retirement; and

**WHEREAS**, this terminal leave payment policy was adopted in order to provide equal treatment for employees not covered by a collective bargaining agreement since those agreements provided such payments for long time municipal employees of twenty-five (25) years or more; and

**WHEREAS**, the Township Committee has now determined that the amount of terminal leave, if any, to be paid upon retirement should be determined on a case by case basis and subject to negotiation between the individual employee and Township Committee except as set forth in this Ordinance; and

**WHEREAS**, the Township Committee also confirms that the payment of terminal leave to many employees is controlled pursuant to the various collective bargaining agreements that exist between employee and the Township; and

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

**SECTION 1** – The following is hereby deleted from the Personnel Policy Ordinance:

All Department Heads shall be entitled to a six (6) month salary package upon retirement and any unused vacation pay.

That Section shall be replaced with the following:

All full time Department Heads employed by the Township of Rochelle Park in that position for a continuous period of employment of twenty-five (25) years shall be entitled to six (6) months salary package upon retirement together with any unused vacation pay.

“Department Heads” shall include the Township Clerk, Chief Financial Officer, Superintendent of

the Department of Public Works, Construction Official, Librarian and Court Administrator.

In the event that two (2) Department Head positions are combined, the payment described herein shall only apply to one (1) position.

Other than the positions set forth above and under the terms and conditions set forth above, there shall be no entitlement to six (6) month salary package upon retirement or payment for any unused vacation pay. Any terminal leave payments other than those positions described above shall be strictly controlled pursuant to the contract between the individual employee and the Township. If no such contract exists, there shall be no entitlement to any such retirement payments.

## **SECTION 2 - REPEALER**

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

## **SECTION 3 - SEVERABILITY**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effects to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

## **SECTION 4 - EFFECTIVE DATE:**

This Ordinance shall take effect immediately upon final adoption and publication and in the manner provided by law.

ATTEST:

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VIRGINIA DE MARIA, Municipal Clerk