

TOWNSHIP OF HAMILTON

ORDINANCE NO. 2061-2023

AN ORDINANCE ESTABLISHING A PAY TO RUN PROGRAM FOR THE TOWNSHIP'S FIRE DEPARTMENTS' FIREFIGHTERS.

WHEREAS, the Township Committee, in consultation with the Chiefs of the Township's four recognized Fire Companies, have determined that there should be a more equitable manner of compensation and reimbursement for the Township's Firefighters who are responding to calls; and

WHEREAS, it has been determined that a method for paying firefighters per response to a fire calls would be more equitable for the time and expense incurred by said firefighters.

NOW THEREFORE, BE IT HEREBY ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that a new Chapter of the Township Code, titled Pay to Run Program, shall be established as follows:

Section 1.

Commencing retroactively as of October 1, 2023, the Township of Hamilton shall make payments to qualified firefighters from the recognized fire companies who respond to fire calls. The payments made herein are subject to the obligations of the Township of Hamilton and the Township's Fire Departments as set forth in this Ordinance and shall be referred to as "Pay-To-Run" payments. The Township of Hamilton will also compensate firefighters holding the position of President, Vice-president, Treasurer, Secretary, Chief, Assistant Chief, Captain, Lieutenant and Safety Officer (command level position).

If the member holds more than one position they will receive the highest of their compensated positions.

Section 2. Township's Obligations Relative to Compensation

The Township's Obligations under this Ordinance, are as follows:

For the purpose of this ordinance the term "run" shall be defined as a firefighter's timely response to an individual fire call and approved training determined each year by Township Committee by way of resolution during the Annual Reorganization Committee Meeting.

- A. Subject to sufficient funds being budgeted by Township Committee, the Administrator shall annually budget certain monies to be used to compensate qualified firefighters for time expended and costs incurred in connection with their response to calls from either of the four recognized fire companies of the Township of Hamilton.
- B. The budgeted monetary amount for each calendar year shall be the maximum dollar amount that the Township shall be required to pay out to qualified firefighters for runs in said year. Upon the depletion of said funds, the Township shall have no further obligation of payment to any qualified firefighter under this Ordinance.
- C. By January 31st of each calendar year, the Township shall provide each of the recognized fire companies the amount which shall be paid for each run by a qualified firefighter and the amount which shall be paid for each compensated level position. The amount to be paid per run each year shall be determined by Township Committee by way of resolution during the Annual Reorganization Committee Meeting.
- D. The allotted monies for each qualified firefighter based on their response to fire calls shall be paid to that firefighter on no more than an annual basis in the month of February from the previous year's runs starting January 1st to December 31st.
- E. To the extent that any qualified firefighter who may be employed by the City responds to a call during the hours of his/her employment, said firefighter shall not be paid under this Article for any such run.

- F. Nothing in the Pay to Run Program will entitle any volunteer member to benefits, i.e. health benefits, death benefits, pension benefits, civil service or employment rights/status of any kind whatsoever as a result of receiving any payment for participation in the Pay to Run Program. Said volunteer member remains a volunteer for their respective fire company and has no individual relationship with the township.
- G. All members of the fire companies participating in the Pay to Run Program shall be indemnified by the Township against personal liability arising out of that person's participation in the Pay to Run Program to the same extent as an official of the Township pursuant to the indemnification provisions contained Chapter 17 of the Township of Hamilton Code.

Section 3. Fire Department and Recognized Companies' Obligations for Compensation to be issued.

The obligations of the Township's Fire Department and its recognized fire companies relative to its firefighters receipt of compensation and reimbursement under the Township's Pay to Run Program are as follows:

- A. Within seven (7) days of a call for service and/or training assignment designated by resolution the incident report including responding personnel shall be completed in the Pro Phoenix program. Compensation will not be given for that run if the incident report is not completed within the seven (7) days.
- B. No member of any fire company shall be entitled to participate hereunder until he/she first has executed a waiver, excluding their participation in any and all claims to pension, civil service, or employment status of any kind as a result of opting into the Pay to Run Program through the Township of Hamilton.

Section 4. SEVERABILITY AND EFFECTIVENESS CLAUSE.

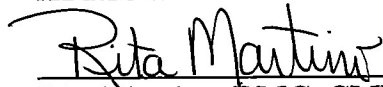
If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 5. WHEN EFFECTIVE

This Ordinance shall take effect immediately upon final passage and publication as provided by in law.

ATTEST:


 Rita Martino, RMC, CMR
 Township Clerk

**TOWNSHIP COMMITTEE OF THE
 TOWNSHIP OF HAMILTON,
 COUNTY OF ATLANTIC and
 STATE OF NEW JERSEY**


 Carl Pitale, Mayor

COMMITTEE MEMBER	MOTION	YES	NO	ABSTAIN	ABSENT
CHEEK	1	X			
LAWS		X			
LINK	2	X			
WITHERSPOON		X			
MAYOR PITALE		X			

FIRST READING AND INTRODUCTION: December 4, 2023
 FINAL READING AND ADOPTION: December 18, 2023