

**TOWNSHIP OF ROCHELLE PARK**

**ORDINANCE NO. 1010-09**

**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 Township 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 and a Contract 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 employees 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 for a continuous period of employment of twenty-five (25) years shall be entitled to one (1) month salary upon retirement.

“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 any payment upon retirement. 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 or pursuant to the applicable Collective Bargaining Agreement. 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