

CHAPTER 9

EMERGENCY SERVICES

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ARTICLE 1. FIRE DEPARTMENTS

Sec. 9.1-1. FINDINGS

Services are rendered to the Township of Pennsville for the protection of property and the preservation of life by volunteer firemen, emergency and rescue workers; and as a public operation, such services are deemed to be within the control and supervision of the Township; and it is the intent within the meaning of the law to provide the greatest extent of self-government to such persons rendering volunteer services. Therefore it is deemed advisable to permit such persons to establish such rules and regulations deemed necessary by them for the operation and management of their units, subject never the less to applicable requirements of law and by the Township Committee.

Sec. 9.1-2. COMPOSITION OF DEPARTMENT.

The fire departments of the Township shall be composed of Companies Nos. 1 and 2 (Pennsville Fire & Rescue Co. 1 and Deepwater Fire Co. 2), and the operation of such departments shall include emergency and rescue services in addition to the normal operation of a fire department.

Sec. 9.1-3. JURISDICTION OF COMPANIES.

The jurisdiction of Company No. 1 shall extend to the South side of a line drawn on the South of Jenkins Avenue from the Delaware River to North Broadway and from North Broadway to the Salem Creek by a line drawn on the South of Oliver Avenue excepting both sides of Jenkins Avenue and both sides of Oliver Avenue and further excepting Central Park School.

The remainder of the Township North of the said line shall be the jurisdiction of Company No. 2., including: both sides of Jenkins Avenue and both sides of Oliver Avenue and further including Central Park School.

Sec. 9.1-4 GOVERNMENT AND MANAGEMENT; BYLAWS.

The membership of each company is hereby authorized, empowered and required to annually, upon reorganization, adopt a Code of bylaws, rules and regulations for the control, management and government of the company, and shall specifically provide for the following matters:

- A. The extent and eligibility of membership including the procedures for application and approval of members.
- B. Resignations, retirement, suspension and expulsion of members including the procedures for which such determination shall be made.
- C. The number and nature of officers of the department and providing for their selection, the duties, responsibilities and removal of such officers.
- D. The duties and responsibilities of the membership, the department including their attendance, participation and functions in the operations of the company.
- E. The use and care of apparatus and other equipment of the company.
- F. Such other matters as are deemed necessary and advisable for the proper operation of the company.

Sec. 9.1-5. ADOPTION AND APPROVAL OF BYLAWS.

Upon adoption by the membership of bylaws, rules and regulations of the company as provided for in the previous section, they shall be immediately submitted to the Township Committee for approval, and shall not become effective and operative until such approval shall have been given.

Sec. 9.1-6. REPORT OF MEMBERSHIP.

Each company shall keep upon file with the Township Clerk, a list of the existing members of the department and a list of the officers of each department.

Sec. 9.1-7 EXEMPTION CERTIFICATES.

Exemption certificates will be issued to the members of the departments in active duty under municipal control as required by law and in accordance with the applicable provisions of Revised Statutes of the State of New Jersey.

Sec. 9.1-8. ANNUAL ELECTION OF LINE OFFICERS.

Subsequent to the annual election of line officers, both Pennsville Fire & Rescue Company #1 and Deepwater Fire Company #2 shall submit the names those elected to the Township Committee for confirmation within fourteen (14) days of the election. The Township Committee will review the names submitted within fourteen (14) days of receipt and thereafter notify each company that the results of the election are approved or disapproved. If the Township Committee, for any reason, disapproves of the individual or individuals selected, then the company shall immediately hold another election. In the event the Township Committee fails to take action within the fourteen day period aforesaid, then the names of the individuals submitted shall be deemed approved. The company shall amend its By-Laws as necessary to comply with the provisions of this section.

Sec. 9.1-9 REIMBURSEMENT FOR THE COST OF FIRE FIGHTING FOAM AND CHEMICAL EXTINGUISHING AGENTS,

A. Definitions:

1. **COST OF MATERIALS** – The cost of materials to be reimbursed to the Township shall include, without limitation, fire fighting foam, chemical extinguishing agents, absorbent material, sand recovery drums and specialized protective equipment, including acid suits, acid gloves, goggles and protective clothing. The cost of materials associated with cleanup and removal costs shall be presumptively the purchase price of the materials used.
2. **CLEANUP AND REMOVAL COSTS** – Shall mean all costs associated with discharge of hazardous substances incurred by the Township of Pennsville Fire Department, the Township of Pennsville Ambulance Department, the Township of Pennsville Road Department, and/or the Office of Emergency Management (a) in the removal or attempted removal of hazardous substances or suspected hazardous substances or (b) in the taking of reasonable measures to prevent or mitigate damage to public health, safety or welfare, including but not limited to public and private property, surface water, subsurface waters, water columns and bottom sediments, soils and other effected property including wildlife and other natural sources. The cost of removal shall include not only the materials mentioned in paragraph A1 above, but also any cost incurred as a result of using the services of individuals or entities that are not associated with the Township of Pennsville (independent contractors and/or companies).
3. **DISCHARGE** – Shall mean any intentional or unintentional action or omission resulting in the release, spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous substances or suspected

hazardous materials into the waters, onto the lands, or into the air, which may or does cause or is reasonably believed will damage or result in damage to the lands, waters, air and natural resources.

4. FIRE FIGHTING FOAM AND EXTINGUISHING AGENTS – Self-explanatory.
 5. HAZARDOUS SUBSTANCES – Shall mean such elements and compounds, including petroleum products, which are defined as such by the Department of Environmental Protection of the State of New Jersey, the National Fire Protection Association (NFPA) Guide of Hazardous Materials, the list of hazardous substances adopted by the Federal Environmental Protection Agency, the list of toxic pollutants designated by Congress or the Environmental Protection Agency. This definition also includes substances which the Township’s Emergency Management Coordinator or the Chiefs of the Fire Departments have reason to believe are hazardous substances.
 6. PERSON – Shall mean public or private corporations, companies, associations, societies, firms, partnerships, joint stock companies, individuals, or any other entity.
 7. PETROLEUM – Shall mean oil or petroleum of any kind and in any form, including but not limited to oil, petroleum, gasoline, kerosene, fuel oil, oil sludge, oil refuse, oil mixed with other waste, crude oils and substantives or additives utilized in the refining or blending crude, petroleum or petroleum stock.
- B. Purpose/Intent: The purpose and intent of this chapter is to authorize and direct the cleanup, containment and abatement of any hazardous and/or toxic substances discharged or spilled and to provide for the total reimbursement and recovery of all associated costs to the Township of Pennsville Fire Departments, the Township of Pennsville Ambulance, the Township of Pennsville Road Department and/or the Township of Pennsville Office of Emergency Management. It is also the intent of this ordinance that the Township be reimbursed for the use of fire fighting foam and other chemical extinguishing agents. It shall be the responsibility of the department heads of the three departments set forth above and/or the Township’s Emergency Management Coordinator to seek full restitution and recovery of all costs related with said cleanup, removal and abatement activities incurred by the Township of Pennsville.
- C. Liability for Cost of Cleanup or Abatement of Discharges and for the Cost of Fire Fighting Foam and/or Chemical Extinguishing Agent: The owner of real or personal property associated with the discharge of a hazardous substance is responsible for the cost of materials associated with the

cleanup of the discharge. The owner or real or personal property associated with the use of fire fighting foam or chemical extinguishing agents is responsible for the cost of those substances. The remedy provided by this section shall be in addition to any other remedies provided for by law.

- D. Responsibility for Seeking Reimbursement: It shall be the responsibility of the respective department heads set forth above or the Emergency Management Coordinator to provide a bill of materials and services rendered to the Township Administrator who shall, in conjunction with the Township Clerk, be responsible for obtaining full restitution and recovery of all costs incurred as a result of the use of the substances set forth in paragraph 4 above.
- E. Determination of Costs; Fee Schedule: The cost of materials to be reimbursed as provided by this ordinance shall include, without limitation, fire fighting foam, chemical extinguishing agents, absorbent materials, sand recovery drums, and specialized protective equipment including acid suits, acid gloves, goggles and protective clothing, and any other such materials or substances. The cost of the materials shall be in accordance with the FEMA rate schedules.
- F. Accounting of Costs Incurred: The cost recovered as a result of this ordinance shall be paid over directly to the Township's Chief Financial Officer for an appropriate disposition.

ARTICLE 2

INCENTIVES

Sec. 9.3-1. INCENTIVES.

- A. A Length of Service Awards Program (LOSAP) is herewith created in accordance with Chapter 388 of the Laws of 1997 (NJSA 40A: 14-185, et seq) to reward volunteer members of Pennsville Fire & Rescue Co. No. 1 and Deepwater Fire Co. No. 2 for their loyal, diligent and devoted service to the residents of the Township of Pennsville.
- B. The LOSAP shall provide for fixed annual contributions to a deferred income account for each volunteer member that meets the criteria set forth below, that such contributions shall be made in accordance with a plan that shall be established by the Township of Pennsville pursuant to P. L. 1997, c. 388, and that such plan shall be administered in accordance with the laws of the State of New Jersey, the U. S. Internal Revenue Code and this Ordinance.
- C. The LOSAP shall provide for an annual contribution to each active member of the Pennsville Fire & Rescue Co. No. 1 and Deepwater Fire Co. No. 2 who accumulates 35 points for participation in the events as set forth on Schedule A which is attached hereto and made a part hereof, 25 of which points must be earned as a result of participation in Department responses.
- D. The annual contribution of each participant who satisfies the criteria as set forth in paragraph 3 above, effective September 1, 2009, shall be \$700, which contribution shall increase by 5% per year until it reaches the maximum amount of \$900.
- E. LOSAP shall provide for contributions as credits for no more than five (5) years of prior years service for each eligible member in accordance with the following schedule:
 1. Active members of the Pennsville Fire & Rescue Co. No. 1 and Deepwater Fire Co. No. 2 shall be credited with a year of active service for each year that the member was active and satisfied the minimum percentage, for that year, as set forth above, provided, however, that in no event shall a member receive more than five (5) years of prior service credits. A prior member who returns to active status after the adoption of this Ordinance must meet the requirements of the program for two years before becoming eligible to receive such a credit. Prior service shall be credited at the rate of \$190.00 per year.

- F. The estimated cost of the program has been calculated as follows:
- a. For regular annual services: \$51,600.00 per year
 - b. For contributions for prior years' service: \$ 9,485.00 per year for an estimated six years, for a total cost of \$56,910.00.
- G. The LOSAP shall commence on January 1, 2000, and shall continue thereafter unless terminated and/or modified in accordance with the provisions of NJS 40A:14-185(5)f. (09-02-99)

**SCHEDULE A
LOSAP POINT SYSTEM**

In order to qualify for a year of service, a member must earn 35 points which can be accumulated as follows:

I. **EMERGENCY CALLS, DRILLS AND IN-HOUSE TRAINING** - A combined percentage of all emergency calls, drills and in-house training:

35% and over	35 points
30% to 34%	30 points
25% to 29%	25 points
24% and under	0 points

II. **OFFICE HOLDERS** - Any member holding an elected line or business office will receive 5 points.

III. **ATTENDANCE IN SCHOOLS** - By attending a school approved by the Chief, a member may receive a maximum of 5 points:

12 hours to 31 hours	2 points
32 hours and over	5 points

IV. **SPECIAL ASSIGNMENTS AND ATTENDING MEETINGS** - By attending special assignments and meetings, a member may receive a maximum of 5 points:

- 1 point per special assignment
- 1 point per company meeting

ARTICLE 3

AMBULANCE DEPARTMENT

Sec. 9.3-1. FINDINGS/MISSION STATEMENT

The Township Committee of the Township of Pennsville has determined that it is has become ever increasingly more difficult to find volunteers who are willing to devote their time to manning the ambulances currently operated by the Pennsville Fire & Rescue Co. No. 1; and the Township Committee has determined that the health, safety and welfare of the citizens of this Township will be jeopardized if alternatives to a volunteer ambulance squad are not found; and in order to insure that response times for ambulance calls are kept at an absolute minimum, the members of the Township Committee have determined that it is both necessary and proper to establish a municipal department which shall provide ambulance services manned by qualified individuals at little or no additional cost to the residents of this Township and to, where appropriate, residents of surrounding communities,

The Mission Statement of the Ambulance Department shall be as follows:

Township Employees assigned to the Department created herein shall have the primary responsibility of rendering emergency medical care to Township residents, and residents of surrounding communities, under certain circumstances, and transporting said individuals to a primary care facility. The employees of the Department shall have a secondary responsibility to cooperate with other Township agencies in order to promote the public safety of the citizens of this Township, including the Township volunteer fire department and the Township's police department (hereinafter referred to as collateral duties). Department employees shall provide emergency medical services to fire, crime, and accident victims, or firefighters or law enforcement personnel injured in the performance of their respective duties.

Sec. 9.3-2. ESTABLISHMENT OF DEPARTMENT.

The Pennsville Township Ambulance Department is hereby established and the operation of the Department shall be governed by the provisions of this chapter as hereinafter set forth.

Sec. 9.3-3. NAME OF DEPARTMENT.

The department established above, shall hereinafter be known as the Pennsville Township Ambulance Department.

Sec. 9.3-4. NATURE OF SERVICES.

- A. Employees of the Pennsville Township Ambulance Department shall provide non-volunteer ambulance services on a paid basis to ambulance users, the cost of which shall be determined by the Township Committee by, from time to time, duly adopted resolutions. All money collected for services rendered by the Pennsville Township Ambulance Department shall be paid over to the Township's Chief Financial Officer for proper deposit and disposition.
- B. In addition, employees of the Ambulance Department shall provide emergency medical services to fire, crime, and accident victims, or firefighters, or law enforcement personnel injured in the performance of their respective duties, meaning dispatches to fire, crime scenes, riots, natural disasters and accidents. When not actively engaged in providing the specific services as set forth above, the employees of the Department, as part of their collateral duties, shall be dispatched to fire calls – however, only to fire scenes located within an area not farther than 5 miles from the Township's borders. Upon such a dispatch, the ambulance shall respond to the scene and the EMTs manning such ambulance shall be available to treat injured citizens and/or firefighters. Such services shall be rendered on a not-to-interfere basis with the primary mission of the department, which is stated hereinabove.

Sec. 9.3-5. BILLING SERVICES.

The Township Committee, at its discretion, may provide for billing for services rendered or, in the alternative, said services may be acquired through the competitive bidding process established by Title 40A of New Jersey Statutes.

Sec. 9.3-6. EMERGENCY MEDICAL TECHNICIANS.

- A. The Township Committee of the Township of Pennsville shall, from time to time, hire a sufficient number of emergency medical technicians (EMTs) who shall man the Township's ambulances.
- B. All EMTs employed by the Township of Pennsville shall meet the requirements and qualifications established by relevant New Jersey law, including but not limited to NJSA 27:5M-22, and such individuals shall be certified in accordance with the provisions of N J A C 8:40A-9.1, or any other law which now or in the future shall govern such qualifications and/or certifications.
- C. The Township Committee, in its discretion, may hire such individuals on a full-time or a part-time basis, or any combination thereof that they deem appropriate.

Sec. 9.3-7. AMBULANCES.

All ambulances operated by the Pennsville Township Ambulance Department shall be licensed in accordance with the provisions of N J A C 8:40-2.1, or any other law which nor in the future shall govern such qualifications and/or certifications.

Sec. 9.3-8. APPOINTMENTS TO THIS DEPARTMENT/ QUALIFICATIONS

It shall be the sole responsibility of the Township Committee to determine the employment needs for this department.

A. EMPLOYEES: The Department shall consist of the following employees:

1. Part time Administrator
2. Supervisor
3. Other Supervisory Personnel
4. Emergency Medial Technicians
(Am. 02-02-2012)

B. DUTIES:

1. The Administrator shall be responsible for the day-to-day operation of the Pennsville Ambulance Department. Said Administrator may be an Emergency Medical Technician employed by the Township as a member of this Department. Said Administrator shall be required to comply with the provision of relevant New Jersey law, including NJAC 8:40-3.2, et seq.
2. Among other duties assigned to the Administrator by his Department head shall be the preparation and maintenance of a standard operating procedures manual as required by NJAC 8:40-3.3, et seq.
3. The Supervisor shall perform such duties as shall be assigned to him/her by the Administrator.
4. Other Supervisory personnel shall perform such duties as may be required by law for those who hold such positions or as assigned by the Administrator.

C. HIRING CRITERIA – EMT’S – Order of preference

1. Those EMTs who are currently members of Pennsville Fire & Rescue Co. No. 1 and Deepwater Fire Co. No. 2.
2. Residents of the Township of Pennsville
3. Other Residents of Salem County
4. Other Residents of the State of New Jersey
5. All other qualified applicants

Any individuals currently filling such positions as are set forth above shall be considered Township employees, and they shall be entitled to all of the rights and privileges as provided to such employees under Township ordinances and the Township’s Personnel Policy Manual.

Sec. 9.3-9. COMPENSATION.

- A. Full time Ambulance Department employees shall be paid in accordance with the provisions of the Township’s salary ordinance.
- B. Part time Ambulance Department employees shall be paid a fixed fee for each ambulance run in which they participate, which fee shall be established by the Township Committee from time to time by duly-adopted resolution, or an hourly rate if filling a shift, which hourly rate will be set forth in the Township salary ordinance.

Sec. 9.3-10. JURISDICTIONAL LIMITATIONS.

The Pennsville Township Ambulance Department has been created to render services primarily to Township residents. Notwithstanding that fact, should citizens of other municipalities request the assistance of the Pennsville Ambulance Department, then such services may be rendered to such citizens, in other municipalities, on a not-to-interfere basis, with the services to be rendered to Township residents.

Sec. 9.3-11. TOWNSHIP ORDINANCES/PERSONNEL POLICY MANUAL.

Employees of the Township assigned to the Pennsville Township Ambulance Department shall be governed by the terms and conditions of all applicable Township of Pennsville ordinances, as well as the Township of Pennsville Personnel Policy Manual.

Sec. 9.3-12. EMPLOYEE SCHEDULES.

The Township Committee shall fix, by resolution, from time to time, the shifts and hours to be worked by those Township employees assigned to the Pennsville Township Ambulance Department.

Sec. 9.3-13. GARAGING AND ADMINISTRATIVE FACILITIES.

The Pennsville Township Ambulance Department ambulance or ambulances shall be housed within the facilities maintained and operated by Pennsville Fire & Rescue Co. No. 1; and those Township employees assigned to the Pennsville Township Ambulance Department shall be provided with appropriate administrative facilities therein. It is acknowledged that Pennsville Fire & Rescue Co. No. 1 is authorized to provide ambulance services on a volunteer basis. Notwithstanding that fact, the employees, the administrative facilities, and the equipment of the Pennsville Township Ambulance Department shall be kept separate and apart from the facilities and equipment of Pennsville Fire & Rescue Co. No. 1.