

**ORDINANCE 2025-16**

*Borough of Metuchen  
County of Middlesex  
State of New Jersey*

**ORDINANCE AMENDING SECTION 169-3(E) OF THE CODE OF THE BOROUGH  
OF METUCHEN ENTITLED "MEMBERSHIP AND FEES" - OFF DUTY POLICE  
REGULATIONS AND PAY**

**WHEREAS**, the Chief of Police has reviewed the Off-Duty Police Work, specifically Part III of Chapter 37 of the Code of the Borough of Metuchen (§37-101 through §37-105) and has recommended that the off-duty police regulations be updated and amended; and

**WHEREAS**, Council of the Borough of Metuchen have determined that it is in the best interest of the Borough to amend and update and amend the police off-duty regulations pursuant to the recommendation of the Chief of Police.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Borough of Metuchen that Part III of Chapter 37 of the Code of the Borough of Metuchen (§37-101 through §37-105) is hereby amended to state the following:

**Part III**

**Off-Duty Police Work**

**ARTICLE 7**

**Regulations**

**§ 37-101. Requirements.**

Prior to any Borough police officer being employed by another governmental unit, commercial enterprise or other third party for traffic control, security or other police-related functions, the following procedures apply:

A. All requests for such employment of off-duty police officers shall be directed to and handled by the Chief of Police, his designated officer or through a third party designated by the Chief of Police.

B. The Chief of Police or his designated officer shall satisfy himself that the request is appropriate and reasonable.

C. The Chief of Police or his designated officer shall be made aware that the employing entity has the intention of performing work that will last in excess of two (2) workdays. When this occurs a preconstruction meeting may be required prior to the commencement of work, if so determined by the Chief of Police or his designated officer.

D. The Borough of Metuchen shall require all outside agencies or entities intending to perform work within the Borough of Metuchen, which requires traffic control or work site security, to consult with the Chief of Police or his designee on plans, and where appropriate, hire at least one Metuchen Police Officer if that agency or entity has the intention of hiring an outside law enforcement officer to perform said work.

E. The Chief of Police or his designated officer must approve all requests for employment of off-duty municipal police officers covered under this policy.

F. The Chief of Police or his designated officer shall approve each individual officer's request to be assigned for off-duty employment and satisfy himself that the assignment would not jeopardize the proper and efficient operations of the department.

G. The Borough of Metuchen may enter into a contract with a third-party consultant to assist in the administrative functions for the provision of off-duty police work within the Borough of Metuchen. Said contract shall be approved by the Mayor and Council of the Borough of Metuchen in coordination with the Chief of Police.

**§ 37-102. Rate of compensation for officers assigned.**

Any officer assigned to outside employment will be compensated at the following rate schedule:

A. Traffic duty or outdoor work:

(1) Between the hours of 6:00 a.m. and 6:00 p.m. (weekdays): \$85 per hour (four-hour minimum).

(2) Between the hours of 6:00 p.m. and 6:00 a.m. or Saturday and Sunday (all day): \$95 per hour (four-hour minimum).

(3) Security or indoor work: \$65 per hour (three-hour minimum).

B. Minimum hours of compensation:

(1) The minimum compensation will be for four hours at the applicable hourly rate.

(2) If the assignment is more than four hours but less than eight hours, the officer will be compensated for eight hours.

(3) If the Borough or the designated third-party consultant is notified less than 16 hours before the contract is to begin, an emergency rate of \$10 per hour will be added to the normal rate.

(4) Prior notice of cancellation of assignment within 1 1/2 hours prior to the scheduled start of the assignment requires compensation of four hours.

(5) The Borough, or the third-party consultant, if applicable, shall be paid directly from the individual, corporation or entity requesting the services, and from such funds will compensate the officers for the time expended.

C. In addition to the compensation of the officers provided above, persons or entities seeking off-duty police services shall pay the Borough of Metuchen or the third-party consultant the sum of \$20 per hour for each vehicle required for off-duty use.

D. In addition to the aforementioned fees to be collected by the Borough of Metuchen or third party consultant for the payment of said off-duty police officers, there shall be an administrative fee of 18% of the invoiced amounts. Said fees shall be used to offset all of the administrative costs associated with the assignment of Borough police officers by the Borough of Metuchen and third-party consultant, if applicable.

**§ 37-103. Billing.**

A. The officer employed off duty shall record such employment time on a designated form established by the Chief of Police or his designated officer to verify his/her attendance.

B. The party seeking off-duty police services shall forward a deposit to the Borough of Metuchen or designated third party consultant if applicable, by check or money order payable in the amount equal to the costs expressed in the police services agreement as required below, payable to the Borough of Metuchen or designated third-party consultant, prior to any officer being scheduled.

**§ 37-104. Agreement.**

The requesting agency or entity shall receive a copy of this Part III and shall execute an agreement with the Borough of Metuchen, or third-party consultant if applicable, prior to the assignment of any off-duty officer to the agency or entity.

**§ 37-105. General policy.**

A. Any police officer employed off duty shall be bound to follow all rules, regulations, procedures, orders, directives or their equivalent of the Police Department. This includes, but is not limited to, the use of deadly force, pursuits, reporting of injuries, reporting of property damages, proper conduct, etc.

B. It is the intention of this Part III to set forth the requirements for all parties involved in the hiring of off-duty municipal police officers. The Borough of Metuchen views such work as a necessary and logical extension of the law enforcement officer's job and is, therefore, deemed in the public's best interest. At all times the officer shall be subject to the same rules of conduct and performance as if performing his regular duty assignment.

C. This Part III is not applicable to outside employment in fields unrelated to police work, such as landscaping, electrical, radio repair, umpiring, consulting, etc., where the employee's law enforcement skills will not be required. However, police officers remain

held to the high standard of good conduct and duty bound to the rules and regulations, where appropriate, while off duty.

D. It is the intention of the Borough to provide, or arrange for the provision of, insurance coverage, including workers' compensation coverage, to officers accepting off-duty employment under this policy to the full extent permissible under the relevant statutes and ordinances consistent with the applicable policies of insurance which are in force. The Borough reserves the right to seek indemnification from any third party tortfeasor or reimbursement from the officer for the sums he or she receives from a third party tortfeasor in accordance with applicable law.

E. The Chief of Police or his designee shall have the authority to order any member of the Police Department engaged in employment authorized by this Part III to respond to emergency situations requiring a response by the Metuchen Police Department. The Chief or his designee shall be authorized to terminate any employment authorized by this Part III whenever such employment creates an unacceptable risk to the health, safety and welfare of the officer or the citizenry. In the event that the employment authorized by this Part III is interrupted by emergency or terminated because it has created an unacceptable risk, then the private person or entity shall not be required to pay during the period of interruption or termination.

F. Nothing contained herein shall be construed as affecting or changing the provision of any mutual aid agreements between the Borough and any other municipality.

**BE IT FURTHER ORDAINED** by the Mayor and Council that all remaining sections of Chapter 37 not amended herein shall not be affected thereby and shall remain in full force and effect; and

**BE IT FURTHER ORDAINED** by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable; and

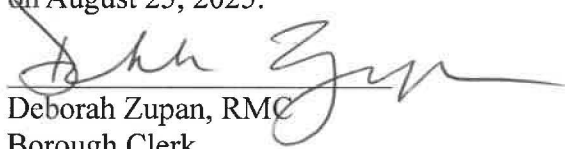
**BE IT FURTHER ORDAINED** by the Mayor and Council that this ordinance shall become effective immediately upon final passage and publication as provided by law; and

**BE IT FURTHER ORDAINED** by the Mayor and Council that it hereby authorizes the Borough Administrator, Chief Financial Officer, Chief of Police and all other Borough employees to take all action necessary in order to implement the within Ordinance.

Introduction: August 25, 2025  
 Date of Publication: August 29, 2025

| COUNCILMEMBER      | YES          | NO | NV         | AB            | COUNCILMEMBER | YES            | NO | NV | AB |
|--------------------|--------------|----|------------|---------------|---------------|----------------|----|----|----|
| BRANCH             | X            |    |            |               | HYMAN         | X              |    |    |    |
| DELIA              | X            |    |            |               | JETHWANI      | X              |    |    |    |
| GIAMBOI            | X            |    |            |               | KANDEL        | X              |    |    |    |
| MOTION             | <b>DELIA</b> |    |            | <b>SECOND</b> |               | <b>GIAMBOI</b> |    |    |    |
| X - INDICATES VOTE |              |    | AB- ABSENT |               |               | NV- NOT VOTING |    |    |    |

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on August 25, 2025.

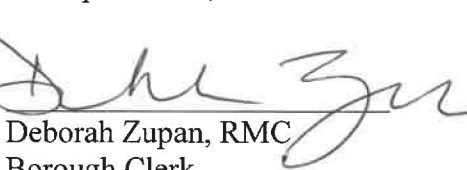
  
 Deborah Zupan, RMC  
 Borough Clerk



Adopted: September 8, 2025  
 Date of Publication: September 12, 2025

| COUNCILMEMBER      | YES          | NO | NV         | AB            | COUNCILMEMBER | YES            | NO | NV | AB |
|--------------------|--------------|----|------------|---------------|---------------|----------------|----|----|----|
| BRANCH             | X            |    |            |               | HYMAN         | X              |    |    |    |
| DELIA              | X            |    |            |               | JETHWANI      | X              |    |    |    |
| GIAMBOI            | X            |    |            |               | KANDEL        | X              |    |    |    |
| MOTION             | <b>DELIA</b> |    |            | <b>SECOND</b> |               | <b>GIAMBOI</b> |    |    |    |
| X - INDICATES VOTE |              |    | AB- ABSENT |               |               | NV- NOT VOTING |    |    |    |

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held On September 8, 2025.

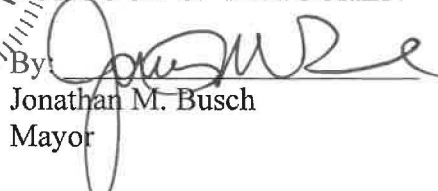
  
 Deborah Zupan, RMC  
 Borough Clerk



ATTEST:

  
 Deborah Zupan, RMC  
 Borough Clerk

BOROUGH OF METUCHEN

By   
 Jonathan M. Busch  
 Mayor