

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY**

ORDINANCE 2019-18

**AN ORDINANCE TO AMEND CHAPTER 21B OF THE CODE OF THE TOWNSHIP
OF MANSFIELD ENTITLED “EMERGENCY MEDICAL SERVICES”**

WHEREAS, the Township of Mansfield has engaged the services of the Mansfield Township Ambulance Corps (“MTAC”) for at least the last fifteen (15) years to provide emergency medical services to the residents of the Township of Mansfield; and

WHEREAS, the Township Committee recently determined that, in lieu of entertaining Requests for Proposals in response to a competitive contracting process, that it preferred to employ the provisions of N.J.S.A. 40:5-2 to make contributions to the Mansfield Township Ambulance Corps in exchange for the MTAC agreeing to continue to provide emergency medical services to the residents of the Township; and

WHEREAS, N.J.S.A. 40:5-2 allows any municipality to “make a voluntary contribution of not more than Seventy Thousand Dollars (\$70,000.00) annually to any duly incorporated first aid and emergency or volunteer ambulance or rescue squad association...of any [the] municipality, rendering service generally throughout the municipality”; and in addition, if the association experiences extraordinary need, the municipality may contribute an additional amount of not more than Thirty Five Thousand Dollars (\$35,000.00) annually, so long as the need for such additional funds is established by the association and is directly related to the performance of said association’s duties, and where the contribution exceeds Seventy Thousand Dollars (\$70,000.00), the Township’s Chief Financial Officer must receive an audit performed by a certified public account or a registered municipal account of each the association’s financial records for the current year; and

WHEREAS, N.J.S.A. 40:5-2 also allows the municipality to appropriate such additional sums as it may deem necessary for the purchase of first aid, ambulance, rescue or other emergency vehicles, equipment, supplies and materials for use by these associations, the title to which shall remain with the municipality, provided that the funds are controlled and disbursed by the municipality; and

WHEREAS, MTAC has been using, in addition to other equipment and vehicles, ambulances, vehicles and equipment purchased by and titled to the Township of Mansfield; and

WHEREAS, MTAC desires to continue to provide emergency medical ambulance/rescue squad services to the Township of Mansfield, on a 24-hour per day, 7-day per week schedule, to meet the health, safety and welfare needs of the Township’s residents and citizens; and

WHEREAS, MTAC agrees to perform such services, as proposed, in compliance with N.J.A.C. 8:40-1-1, and any and all other federal, state, county and local rules, regulations or requirements; and

WHEREAS, MTAC is also the tenant, under a ninety-nine (99) year lease, which runs through the year 2101, and payment for which has been fully satisfied by MTAC with a payment of Seventy Two Thousand Five Hundred Dollars (\$72,500.00) beginning in the year 2002, of the Township-owned first aid/emergency services building, such that MTAC already has the exclusive right to use said building due to said lease; and

WHEREAS, the Township’s insurance consultant, and the Municipal Joint Insurance Fund of which the Township is a constituent member, have advised the Township that it is most cost-effective to insure MTAC and its operations, through the municipality, which the Township’s insurance consultant also indicated is a common practice among municipalities, which cover organizations such as this under their various Joint Insurance Fund insurance policies, and which policies include both general liability insurance and workers’ compensation coverage; and the insurance consultant further advised the Township that maintaining MTAC on the Township’s Joint Insurance Fund insurance coverage will also allow the Township to ensure safety compliance from the organization; and

WHEREAS, MTAC has advised the Township that it is able to undertake these services in exchange for the contributions contemplated under N.J.S.A. 40:5-2, if the Township were to also facilitate the employment of an emergency medical services administrator, who would be employed by the Township, but would work closely and on a day-to-day basis with MTAC; and

WHEREAS, the Township Committee deems it to be in the best interests of the residents and citizens of the Township of Mansfield to facilitate said employment.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey as follows:

ARTICLE I. AMENDED SECTIONS.

A. Section 21B-2 of the Code of the Township of Mansfield titled “Emergency Medical Services (EMS) Administrator” shall be repealed and replaced in its entirety with the following:

21B-2. Emergency Medical Services (EMS) Administrator.

- “A. Creation; Purpose. The Emergency Medical Services Administrator shall be employed by the Township. This position supports organizational goals by providing efficient communication between the Township Committee and MTAC, along with operational and strategic support to MTAC, thereby demonstrating a commitment to partnership and cooperation, fiscal responsibility, and participation in performance improvement efforts, to ensure a high standard of emergency medical care and dispatch.
- “B. Appointment. The EMS Administrator shall be appointed by the Township Committee, giving due consideration to recommendation(s) for said position by MTAC.

- “C. Duties. The EMS Administrator shall serve as a liaison between the Township Committee and the Mansfield Township emergency medical services provider, reporting directly to the Township Committee, as a whole, and to the Township Administrator, but shall work daily, and directly, with MTAC on behalf of the Township to ensure the faithful performance of MTAC’s duties and responsibilities under this Agreement.
- “D. Powers and Responsibilities. The EMS Administrator shall, to the extent not prohibited by law:
1. Manage and oversee the operational activities of MTAC on behalf of and in the interest of the Township, ensuring compliance with applicable New Jersey statutes and administrative rules and regulations, so that the Township financial and other contributions to MTAC are properly and satisfactorily supervised.
 2. Develop and maintain effective working relations between MTAC and the Township, facilitate information sharing/dissemination, provide conflict resolution, and ensure compliance with applicable regulations and policies.
 3. Prepare and recommend an annual budget, to be submitted to the Township Committee for purposes of ensuring that the Township’s subsidies to MTAC, under N.J.S.A. 40:5-2, allow it to continue as the Township’s emergency medical services provider.
 4. Oversee and document the repair and maintenance of EMS building and vehicles.
 5. Submit semi-annual financial statements to the Township Committee detailing expenditures and usage of funds received by the Township.
 6. Standardize policies and procedures to ensure that MTAC’s operations are compliant with federal and state requirements.
 7. Provide direction to MTAC personnel in the administration of the services provided to, and subsidized by, the Township.
 8. Manage licensure requirements and other related certifications and maintain records related to certifications to ensure compliance with applicable law.
 9. Participate in community outreach activities.
- “E. Compensation. The Emergency Service Administrator shall be compensated as an employee of the Township and in accordance with the Township’s Annual Salary Ordinance. For the balance of 2019 and all of 2020, said salary shall be Seventy Thousand Dollars (\$70,000.00) per annum with no medical benefits.

B. Section 21B-3, entitled “Emergency Medical Services Medical Director” is hereby repealed.

ARTICLE II. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

CERTIFICATION

I, LINDA SEMUS, RMC, CMR, Municipal Clerk of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an Ordinance which was introduced by the Mansfield Township Committee, County of Burlington, State of New Jersey at their regular meeting held on _____, 2019 at 4:00 PM at the Municipal Complex, with a Second Reading, public hearing and final adoption scheduled for _____, 2019.

LINDA SEMUS, RMC, CMR
Municipal Clerk

INTRODUCED:

ADOPTED:

4813-0120-6441, v. 1