

**TOWNSHIP OF FAIRFIELD
ORDINANCE #2010-06**

**AN ORDINANCE AMENDING CHAPTER 3-20.4
OF THE CODE OF THE TOWNSHIP OF FAIRFIELD
REGARDING EMPLOYEE AND VOLUNTEER BACKGROUND CHECKS**

WHEREAS, the Governing Body of the Township of Fairfield wants to ensure that the Township is providing the safest possible recreational and other programs for its youth; and

WHEREAS, N.J.S.A. 15A:3A-1 et seq., permits the Township to request that the State Bureau of Identification in the Division of State Police, conduct a criminal history record background check on each prospective and current employee or volunteer participating in any Township endorsed or sponsored programs, which provide recreational, cultural, charitable, social or other activities for persons younger than 18 years of age; and

WHEREAS, at the request of the Fairfield Recreation Commission, after reviewing the current background check policy and feedback from the local Police Department, would like to amend the policy and change the renewal time for background checks from a three (3) year period to a five (5) year period; and to add a provision to the Ordinance that in the event an employee or volunteer commits a violation within the five (5) year period, it will be the employee's/volunteer's responsibility to inform the Recreation Director and/or Department Head, and the employee/volunteer shall be required to submit to another criminal history background check; and

WHEREAS, based upon the foregoing, the Governing Body of the Township of Fairfield desires to amend the provisions of the Ordinance as recommended by the Recreation Commission.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND
COUNCIL OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE
OF NEW JERSEY AS FOLLOWS:**

1. Chapter 3-20.4 **Submissions; Exchange of Background Check Information** be and is hereby amended to read as follows:
 - c. The nonprofit youth servicing organization shall coordinate a criminal history background check every ~~three (3)~~ **five (5)** years after the initial check, for as long as the prospective or current employees and volunteers shall remain involved in nonprofit youth serving organizations and/or Township sponsored programs involving minors.
 - d. **If an employee or volunteer commits a violation within the five (5) year period, it is the employee's/volunteer's responsibility to inform the Recreation Director and/or Department Head, and the**

employee/volunteer shall be required to submit to another criminal history background check at their own expense.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. If any section, paragraph, subdivision, clause of provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.
4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

JAMES W. GASPARINI, MAYOR

ATTEST:

DENISE D. CAFONE, MUNICIPAL CLERK

NOTICE

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **April 12, 2010**, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting to be held on **April 26, 2010 at 7:00 p.m.**, at the Municipal Building, 230 Fairfield Road, Fairfield New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone
Municipal Clerk

INTRODUCTION OF ORDINANCE APRIL 12, 2010:

ORDINANCE #2010-06, AN ORDINANCE AMENDING CHAPTER 3-20.4 OF THE CODE OF THE TOWNSHIP OF FAIRFIELD REGARDING VOLUNTEER BACKGROUND CHECKS

INTRODUCED BY: Council President LaForgia

SECONDED BY: Councilman McGlynn

PUBLISHED : April 15, 2010

2ND READING AND PUBLIC HEARING: April 26, 2010

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT JOHN LAFORGIA	X				
COUNCILMAN MICHAEL MCGLYNN	X				
COUNCILMAN WILLIAM CONNINGTON	X				
COUNCILMAN THOMAS MORGAN	X				
MAYOR JAMES GASPARINI	X				

2ND READING AND PUBLIC HEARING APRIL 12, 2010:

INTRODUCED BY: COUNCIL PRESIDENT LAFORGIA

SECONDED BY: COUNCILMAN MCGLYNN

PUBLISHED: April 29, 2010

ROLL CALL VOTE

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NO VOTE
COUNCIL PRESIDENT MICHAEL MCGLYNN	X				
COUNCILMAN JOHN LAFORGIA	X				
COUNCILMAN WILLIAM CONNINGTON	X				
COUNCILMAN THOMAS MORGAN				X	
MAYOR JAMES GASPARINI	X				