

**TOWNSHIP OF MAPLEWOOD**



**RESOLUTION NO. 72-15**

**AUTHORIZE PAYMENT OF ACCUMULATED  
SEVERANCE LIABILITIES TO  
RETIRING EMPLOYEE**

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**WHEREAS**, Carl Kling, a Deputy Chief at the Township of Maplewood Fire Department retired from active duty effective on March 31, 2015; and

**WHEREAS**, under provisions of duly negotiated collective agreements he is entitled to an accumulated leave payout as indicated in the exhibit below;

UNUSED TIME FOR	HOURS	DAYS	HOURLY PAY RATE	DAILY PAY RATE	TOTAL PAYMENT	REMARKS
Attendance reward	60.00	6.00	73.30	586.40	4,398.00	Carryover from 2014
Clothing allowance				-	249.99	\$1,000 per year, prorated 3 months
Personal	40.00	4.00	73.30	586.40	2,932.00	
Vacation	225.00	28.13	73.30	586.40	16,492.50	4 wks, 2 days earned in 2014. 1 week 1/2 day earned in 2015
TOTAL					\$24,072.49	

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Maplewood that the compensation set forth above is hereby approved for payment.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Chief Financial Officer.

I, Elizabeth J. Fritzen, Township Clerk of the Township of Maplewood, in the County of Essex, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Township Committee at a regular meeting held on April 7, 2015.

**IN WITNESS THEREOF**, I have hereunto set my hand and affixed the seal of the Township of Maplewood in the County of Essex and State of New Jersey this 7<sup>th</sup> day of April 2015.

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**Elizabeth J. Fritzen, RMC**  
**Township Clerk**

**PAYOUT CALCULATIONS**  
for  
**DC Carl Kling**

TOWNSHIP OF MAPLEWOOD  
RECEIVED

MAR 16 2015

TOWNSHIP ADMINISTRATOR

**2015**

Base salary .....	121,008.80
Executive Officer Adjustment .....	5,344.71
Apparatus Chief Adjustment.....	<u>5,344.71</u>
Total: Base + Base pay Adjustments .....	131,698.22
Longevity – 10%.....	13,169.82
Holidays – 13 @ 585.06/Holiday .....	<u>7,605.78</u>
Total: Base + Longevity + Holidays.....	152,473.82
Hourly rate: $152,473.82 \div 2080 =$ .....	73.30/hr.
Bi-weekly rate: $152,473.82 \div 26 =$ .....	5,864.38

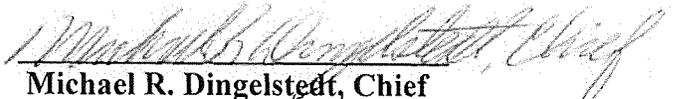
**Vacation rates for 2015 calculated as follows:**

- (1) - Week vacation = 40 hours
- (1) - Workday = 10 hrs.

Vacation earned in 2014 – 4 weeks, 2 days	
Used in 2015 – 0	
Owed for 2014 – 4 weeks – 160 hrs. @ 73.30/hr. ....	11,728.00
2 Days - 20 hours @ 73.30/hr. ....	1,466.00
Vacation earned in 2015 – 1 week - 40 hrs. ....	
½ day – 5 hrs. ....	
Owed for 2015 – 45 hrs @ 73.30/hr. ....	<u>3,298.50</u>
Balance due for Vacations .....	<b>16,492.50</b>
ARD's carried over from 2014 – 6 days	
Total ARD's earned and not used - 6 days	
60 hours @ 73.30/hr.....	<b>4,398.00</b>
Personal Days earned and not used – 4 days	
40 hours @ 73.30/hr. ....	<b>2,932.00</b>
Clothing Allowance – \$1,000/year	
3 months @ 83.33/month.....	<u>249.99</u>
<b>TOTAL AMOUNT DUE DC Kling.....</b>	<b>\$ 24,072.49</b>

**All calculations are based through March 31, 2015**

**I certify that the above calculations represent the amount due for unused earned leave time and clothing allowance for Deputy Chief Carl Kling through March 31, 2015.**

  
**Michael R. Dingelstedt, Chief**



# Township of Maplewood

MAPLEWOOD, NEW JERSEY 07040

## FIRE DEPARTMENT

105 DUNNELL ROAD

P: 973-762-6500

F: 973-763-4622



**MICHAEL R. DINGELSTEDT**  
CHIEF OF DEPARTMENT

**CARL W. KLING JR.**  
DEPUTY CHIEF / EXECUTIVE OFFICER

## MEMORANDUM

To: Juan Uribe  
From: Chief Michael R. Dingelstedt   
Date: March 16, 2015  
Copy: Joseph Manning  
Re: DC Kling Vacation Payout

The payout amount due to DC Kling for unused Vacation time, Personal Days, Attendance Reward Days (ARD's) is based upon his current hourly rate times the number of hours for the unused time. The Clothing Allowance is pro-rated for the three months he worked in 2015. Vacation time, Personal Days, ARD's and Clothing Allowance are all included in the current CBA between the Township and FMBA Local 25 (copies of each applicable article are attached). The calculation method is not included in the CBA. It has been in place since at least 1985 when Chief Sam Santucci was Chief of the Fire Department and David Carew was the Township Administrator. It is not considered a terminal leave payment as members do not accumulate leave time from year-to-year. At the time, the Township chose to provide retiring firefighters payouts in this format because it was less expensive than paying overtime to fill shifts when a member used all of his earned leave time prior to his retirement date. Minor changes were made to the calculation method when Peter Fresulone became CFO for Maplewood and Chief Wayne Crowell was Chief of the Fire Department. This method has been in place since that time.

The payout calculations provided for DC Kling were completed by me in the following manner:

1. The hourly rate was calculated including base pay adjustments, longevity and holidays as per the CBA.
2. The hourly rate was applied to the number of hours vacation time earned and not used to determine the amount due.
3. The hourly rate was applied to the number of hours for personal days and ARD's not used to determine the amount due.
4. The annual clothing allowance was broken down into a monthly amount and calculated based on DC Kling working three months in 2015.

## ARTICLE XVI. VACATIONS

Vacations shall be granted to officers and members of the Fire Department in accordance with the memo entitled Vacation Rules dated October 1, 2002 as posted by the Chief of the Fire Department or as amended by mutual agreement between the Township and the FMBA to the extent that the terms are negotiable and do not impinge upon managerial prerogative. If these rules are contrary to the specific terms of this Agreement, this Agreement shall prevail. There shall be no more than one (1) employee off per platoon at any given time and he shall receive his regularly scheduled three (3) off days prior to the start of his vacation. Vacations shall be taken throughout the year. The following is the vacation schedule:

A. Persons employed prior to August 1st in any calendar year shall in that year receive a vacation of one (1) day for each month of consecutive service, up to August 1st.

B. Persons employed after August 1st in any calendar year shall, in the next succeeding calendar year, receive a vacation of one (1) day for each month of consecutive service from the date of employment to the date of commencement of vacation, but in no event more than ten (10) working days' vacation.

C. Persons employed from one (1) to three (3) consecutive years shall receive a vacation of two (2) calendar weeks, plus two (2) days.

D. Persons who have completed three (3) consecutive years of service with the municipality through ten (10) consecutive years of service shall, in the calendar year following the year in which such three (3) consecutive years of service are completed, receive a vacation of three (3) calendar weeks.

E. Persons who have completed ten (10) consecutive years of service with the municipality through fifteen (15) consecutive years of service shall, in the calendar year

following the year in which such ten (10) consecutive years of service are completed, receive a vacation of three (3) calendar weeks plus two (2) days.

F. Persons who have completed fifteen (15) consecutive years of service with the municipality through twenty (20) consecutive years of service shall, in the calendar year following the year in which such fifteen (15) consecutive years of service are completed, receive a vacation of four (4) calendar weeks.

G. Persons who have completed twenty (20) consecutive years of service with the municipality shall, in the calendar year following the year in which such twenty (20) consecutive years of service are completed, receive a vacation of four (4) calendar weeks plus two (2) days.

H. As stated in Article XI, firefighters shall work a 24/72 work schedule pursuant to an eight (8) day cycle.

1. By way of example for purposes of vacation calculations, a one-week vacation shall be comprised of two 24-hour shifts over the course of an eight-day work cycle.

2. By way of example for purposes of vacation calculations, if a firefighter is entitled to two additional vacation days beyond the two, three or four week vacation periods, the two additional vacation days shall be comprised of: (i) two day shifts of ten hours each (8:00 a.m. until 6:00 p.m.); or (ii) two night shifts of fourteen hours each (6:00 p.m. until 8:00 a.m.); or (iii) one day shift and one night shift.

ARTICLE XXIV. CLOTHING ALLOWANCE

A. Employees covered by this Agreement shall receive a total clothing allowance of \$1,000.00 per year during the term of this contract. Fifty (50%) percent will be paid in the spring of the year; and fifty (50%) percent will be paid in the fall of the year.

B. Work jackets heretofore supplied every two (2) years by the Township shall be purchased by the employee. The Township shall supply boots, turnout coats, bunker pants, nomex hoods, helmet, face shields, gloves, flashlight and the initial EMS equipment to those assigned to EMS duties, such as; a jacket, stethoscope, penlight and equipment holster. The Township shall replace the above uniforms, gear and equipment upon the items being turned into the Fire Chief.

The Township shall supply the initial class A uniform for employees ninety (90) days from the date of hire. Additional maintenance and replacement of the class A uniform shall solely be the responsibility of the employee.

ARTICLE XXI. SICK LEAVE AND PERSONAL LEAVE

A. Whenever an employee is injured, ill or disabled, other than in the line of duty, the Township shall grant the employee on an annual basis a total leave of absence in accordance with the following schedules:

1. For employees hired before January 1, 2003 up to: (i) thirty (30.0) workdays at full pay; and (ii) thirty (30.0) workdays at one-half (1/2) the prevailing rate of pay.

2. Full time employees hired after January 1, 2003:

Seventh Grade	13.5 days per year
Sixth Grade	13.5 days per year
Fifth Grade	13.5 days per year
Fourth Grade	18.5 days per year
Third Grade	23.5 days per year
Second Grade	28.5 days per year
First Grade	30.0 days per year

In addition, to the above-mentioned days, full time employees hired after January 1, 2003 will receive thirty (30.0) workdays at one-half (1/2) the prevailing rate of pay.

B. An employee out as a result of said injury, illness or disability shall not lose any vacation due to the employee.

C. Sick leave shall not accumulate from year to year. There will be no pay out of unused sick time at separation of service or at retirement.

D. Sick time is advanced at the beginning of the year, with the exception of the first year of employment, therefore, if an employee separates from service or retires and has used more sick time than they earned at that point in the year, they shall pay to the Township the equivalent of the unearned sick time. Such payment shall be deducted from the employee's last paycheck.

E. Effective January 1, 2012, members of the Union shall have a total of four (4) shifts off for personal leave time, which shall be comprised of three (3) shifts of their choice and one (1) ten (10) hour shift. In return, the maximum full-time sick days shall be reduced from thirty (30) days to twenty-nine and a half (29.5) days.

ARTICLE XXXVII. ATTENDANCE REWARD PROGRAM

A. Firefighters will earn one (1) attendance reward day (ARD) for every three (3) months of perfect attendance. Time may be earned in the following periods only:

1. January 1 - March 31
2. April 1 - June 30
3. July 1 - September 30
4. October 1 - December 31

B. ARDs earned before 2003 shall be allowed according to the following:

9 members on duty	2 members may take an ARD during each shift  (See D. below)
8 members on duty  (Reduction in members on duty to sickness and/or vacation only)	1 member may take an ARD during each shift  (See D. below)

C. For ARDs earned in 2003 and thereafter, in addition to the above these days shall be allowed according to the following:

7 members on duty  (Reduction in members on duty due to sickness and/or vacation only)	1 member may take an ARD during each shift  (See D. below)
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D. By way of example and pursuant to the 24/72 work schedule, one ARD earned in accordance with this Article shall constitute: (i) one day shift of ten hours in duration (8:00

a.m. until 6:00 p.m.); or (ii) one night shift of fourteen hours in duration (6:00 p.m. until 8:00 a.m.).

E. When adequate shift coverage exists, the Fire Chief may request any employee who has more than 4 ARDs accrued to take the time off. If an employee has accrued 8 ARDs and is unable to use them due to scheduling deficiencies during the succeeding calendar quarter, the Township will pay for the additional ARDs at the rate of 12 hours of straight time pay for each ARD, said payment to be in the pay check following the conclusion of the calendar quarter.