

**BOROUGH OF EMERSON  
COUNTY OF BERGEN  
NOTICE OF ADOPTION**

**ORDINANCE NO. 1578-18**

**Introduced: December 4, 2018**

**Adopted: December 18, 2018**

**NOTICE IS HEREBY GIVEN** that the following ordinance was adopted on the second reading after a Public Hearing at the Regular Meeting of the Borough Council of the Borough of Emerson on the 18th day of December, 2018. A copy of Ordinance 1578-18 is on file in the Borough Clerk's Office in the Municipal Building, 1 Municipal Pl., Emerson, NJ 07630.

**AN ORDINANCE AMENDING CHAPTER 77, POLICE DEPARTMENT,  
SECTION 4, COMPOSITION.**

**WHEREAS**, Chapter 77 of the Code of the Borough of Emerson entitled "Police Department" provides a Table of Organization for positions within the Division of Police; and

**WHEREAS**, the Mayor and Council, in consultation with the Police Chief, wish to amend the Code of the Borough to permit the possibility of having an additional sworn police officer in order to provide sufficient staffing to allow for the assignment of a School Resource Officer (SRO) into the schools full time; and

**WHEREAS**, the Mayor and Council anticipate the execution of a Shared Service Agreement with the Emerson Board of Education to provide for the additional cost associated with the employment of the potential 14<sup>th</sup> police officer.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Emerson, within the County of Bergen and State of New Jersey, as follows:

**Section 1. Amending Section 77-4 – Composition.**

§ 77-4 Composition. A. The Police Department shall consist of a police force and such other nonsworn or civilian personnel as the governing body shall appoint. The police force shall consist of one Chief of Police and no more than: one Captain, one Lieutenant, five Sergeants and 14 police officers or one Captain, two Lieutenants, four Sergeants and 14 police officers. Such configuration shall be determined at the discretion of the Appropriate Authority after review by the CFO and certification of available funds to provide for the salaries associated with the selected configuration. Such employees shall carry out and obey all orders and instructions of the Chief of Police or, in his absence, in accordance with the chain of command. In the event of an officer in any of these positions being on leave immediately preceding an announced retirement or a suspension with intent to dismiss, the Mayor and Council may, for the efficiency of the Department, appoint a replacement to serve in the vacant position. The governing body may also choose to leave a position vacant to undertake a review of whether the current table of organization is still beneficial to the police mission. The governing body shall have up to one year from the effective date of retirement or resignation to appoint/promote the replacement in order to conduct a thorough, fair and competitive search and selection process.

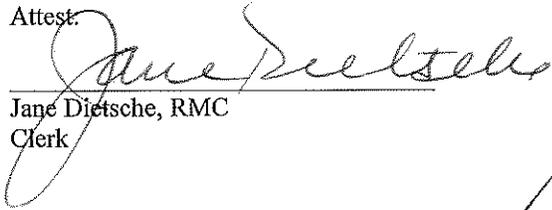
**Section 2. Severability and Repealer.**

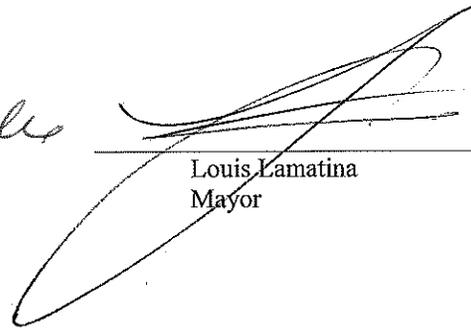
- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- B. All ordinances or parts of ordinances, which are inconsistent with any provisions of this ordinance, are hereby repealed as to the extent of such inconsistencies.

**Section 3. Effective Date.**

This ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

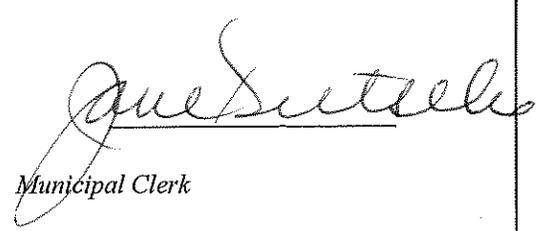
Attest:

  
 Jane Dietsche, RMC  
 Clerk

  
 Louis Lamatina  
 Mayor

COUNCIL	M O V E D	S E C O N D E D	A Y E S	N A Y E S	A B S E N T	A B S E N T I N
DiPaola			X			
Bayley			X			
Wolf			X			
Knoller	X		X			
Falotico					X	
Downing		X	X			

*I hereby certify that the above Ordinance No 1578-18 was duly adopted by the Borough of Emerson at a meeting held on December 18, 2018.*

Attest:   
 Municipal Clerk