

**BOROUGH OF EMERSON  
COUNTY OF BERGEN**

**NOTICE OF ADOPTION**

**Introduced: July 12, 2022  
Adopted: August 16, 2022**

**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 16<sup>th</sup> day of August, 2022. Copies of Ordinance 1655-22 are available by contacting the Borough clerk or visiting our website at [www.emersonnj.org](http://www.emersonnj.org).

**ORDINANCE NO. 1655-22**

**AN ORDINANCE TO AMEND CHAPTER 77 POLICE DEPARTMENT,  
SECTION 4 COMPOSITION AND ESTABLISH A NEW POSITION  
SPECIAL LAW ENFORCEMENT OFFICER CLASS III**

**§ 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, up to 15 police officers **and up to four Special Law Enforcement Officers** or one Captain, two Lieutenants, four Sergeants, up to 15 police officers **and up to four Special Law Enforcement 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. [Amended 11-10-2015 by Ord. No. 1511; 12-18-2018 by Ord. No. 1578-18]

**§ 77-x Special Law Enforcement Officer Class III position established.**

The Borough hereby authorizes the establishment of Special Law Enforcement Officers Class III ("SLEO III") within the Borough of Emerson Police Department ("Police Department"), to assist the Police Department in the performance of its duties and responsibilities subject to the eligibility criteria, authorizations and limitations set forth in the Special Law Enforcement Officers Act, N.J.S.A. 40A: 14-146.10 et seq.

**§ 77-x Qualifications.**

The requirements for the position of SLEO III include, but not limited to, the following:

- A. Applicant must not have been separated from prior service as a full-time officer in any municipality or county of the State of New Jersey, or a member of the New Jersey State Police for more than three years.
- B. Applicant must be a resident of the State of New Jersey during his/her term of appointment.
- C. Applicant must be a retired officer in any municipality or county of the State of New Jersey, or a member of the New Jersey State Police.
- D. Applicant must have left the agency in good standing (it is necessary to have a good standing letter from the agency retired from and copy to be submitted to the Police Training Commission).
- E. Applicant must be less than 65 years of age for appointment.
- F. Applicant must be able to read, write and speak the English language well and intelligently, and must have a high school diploma or its equivalent.
- G. Applicant must be of sound body and of good health.
- H. Applicant must be of good moral character.

**§ 77-x Requirements.**

In order to qualify for consideration, an applicant must complete the following requirements:

- A. Applicant must pass a psychological exam.
- B. Applicant must pass a drug screening test.
- C. Applicant must pass an updated background investigation.

**§ 77-x Terms; revocation of appointments; supervisions; training; conduct; authority.**

- A. No SLEO III shall be appointed to any term exceeding one year.
- B. No SLEO III, by virtue of his/her appointment as such, shall be or become a regular member of the Police Department.
- C. SLEO III are considered at-will, part-time hourly employees, appointed annually and can be terminated for cause after an adequate hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing (N.J.S.A. 40A: 14-146.14).
- D. All SLEO III, while on duty, shall abide by all the rules and regulations of the Police Department and those policies, general orders or standard operating procedures established by the Borough of Emerson Chief of Police and reinforced throughout the chain of command.
- E. The Police Department is authorized to perform the necessary background investigations and arrange for all that is associated with the hiring of such SLEO IIIs, so that they will be ready to commence their duties.
- F. Upon appointment, all SLEO IIIs must:
  - (1) Must complete SRO training within 12 months of being appointed.

- (2) Must conform to Attorney General's mandatory in-service training requirements.
- (3) Must be a uniformed officer, displaying the Special Law Enforcement Officer Class III patch, provided by the Police Training Commission.
- (4) Must complete agency training.

**§ 77-x Powers and authorities.**

An SLEO III is authorized to exercise full powers and duties similar to those of a permanent, regularly-appointed, full-time police officer only while providing security at a public or nonpublic school, on the school premises, during hours when the public or nonpublic school is normally in session, when it is occupied by public or nonpublic school students, teachers, or staff, or when in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey Statutes or when authorized to perform duties in another unit pursuant to a mutual aid agreement enacted in accordance with § 1 of P.L.1976, c. 45.

**§ 77-x Cost.**

Compensation of an SLEO III, at the rate of \$35 per hour, plus administrative costs. The hourly rate will be paid by the Emerson Board of Education. Administrative costs will be paid by the Emerson Police Department. pursuant to the terms of an agreement to be entered into by the Borough and the Borough Board of Education on an annual basis.

**§ 77-X Conflict with other provisions.**

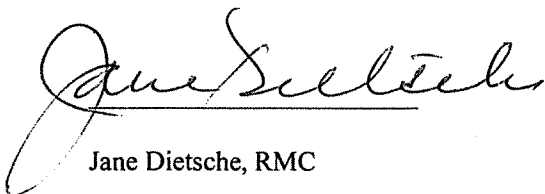
All ordinances, or parts thereof, in conflict or inconsistent with this article are hereby repealed, but only, however, to the extent of such conflict or inconsistency, it being legislative intent that all ordinances or parts of ordinances now existing or in effect, unless the same be in conflict or inconsistent with any provisions of this article, shall remain in effect.

**§ 77-X Severability.**

The provisions of this article are declared to be severable and if any section, subsection, sentence, clause, or phrase thereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this article, but shall remain in effect; it being the legislative intent that this article shall stand notwithstanding the invalidity of any part.

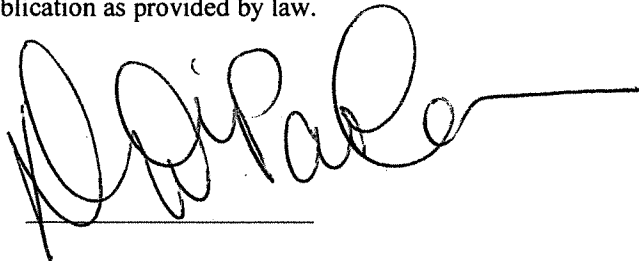
**§ 77-X When effective.**

This article shall take effect upon passage and publication as provided by law.



Jane Dietsche, RMC

Borough Clerk

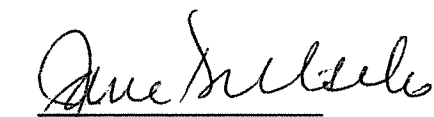


Danielle DiPaola, Mayor

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 T A I N
Timmerman	X		X			
Argenzia		X	X			
Pierro			X			
McGuire			X			
Moore			X			
Gordon			X			

*I hereby certify that the above Ordinance was duly adopted by the Borough of Emerson at a meeting held on August 16, 2022.*

Attest:

  
 Jane Dietsche, RMC