BOROUGH OF HILLSDALE
ORDINANCE NO. 17-17
(Adoption)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 63 OF THE CODE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO REVISE THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT TO FILL THE POSITION OF POLICE LIEUTENANT

WHEREAS, Chapter 63 of the Code of the Borough of Hillsdale established the Table of Organization for the Hillsdale Police Department; and

WHEREAS, the current Table of Organization provides for the position of Lieutenant, which is currently designated as "vacant"; and

WHEREAS, the Mayor and Council are desirous of filling the position of Lieutenant in the Borough, in accordance with the recommendation of the Chief of Police, with one Lieutenant; and

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

Chapter 63-9A(3) of the Code of the Borough of Hillsdale is hereby amended to delete the word "Vacant" and insert the number 1.

Hereinafter, Chapter 63-9 shall read as follows:

§ 63-9. Creation and composition.

A. Pursuant to the authority granted by N.J.S.A. 40A:14-118, the Borough of Hillsdale hereby establishes a Police Department in and for the Borough of Hillsdale, New Jersey, to consist of the following positions, and the maximum number of individuals assigned to each respective rank, as follows:

(1) Chief of Police: 1

(2) Captain: 1

(3) Lieutenant: 1

(4) Sergeant: 5 (plus a temporary 6th sergeant during 2018 in anticipation of a sergeant retiring)

(5) Patrol officers: 16. See Subsection C below.

(6) Class III Special Law Enforcement Officers (SLEO III) who are retired regular police officers and who may from time to time be appointed and shall serve at the

pleasure of the governing body for a term not to exceed one year, which officers shall not be members of the regular police force but shall nevertheless be under the control and supervision of the Chief of Police for use solely as school security officers as detailed in N.J.S.A. 40A:14-146.10, et seq.: as necessary.

B. This Section shall not be construed as establishing any right on the part of any member or members of the Police Department to appointment to any position within the Department, nor shall it be construed as terminating or interrupting any period of service or tenure of any member of the Hillsdale Police Department. The existence and continuance of any of the above-specified offices and the number of appointees to each such office shall be determined by the governing body as it may, from time to time, in its sole discretion, deem reasonably necessary for the efficient and effective operation of the Department.

C. In the event that there is an unfilled vacancy in any of the superior officer positions, the maximum number of patrol officers shall be increased by the number of such vacancies. However, in no event shall the maximum number of officers in the Police Department, including the Chief, Captain, Lieutenant, Sergeants and Patrol Officers, but excluding Special Law Enforcement Officers, exceed 19 members.

D. The Borough Administrator of the Borough of Hillsdale shall be deemed to be the "appropriate authority" for purposes of the Borough Code and N.J.S.A. 40A:14-118.

Section 2. Ratification of Prior Actions; No Interruption in Service.

The Borough does hereby ratify and reconfirm all prior actions concerning hiring and promotion in the Police Department taken prior to the adoption of this Ordinance. Nothing in this Ordinance shall be construed as terminating or interrupting any period of service or tenure of any member of the Hillsdale Police Department.

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law, but in no event sooner than September 25, 2017.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony		X	X				
Karcich, Scott			X				
Lundy, Abby			X				
Pizzella, Frank	X		X				
Segalas, Steven			X				
Ruocco, John							

Adopted: September 5, 2017

Attest: Denise Kohan
Denise Kohan
Municipal Clerk

John Ruocco
Mayor