

**BOROUGH OF HILLSDALE  
ORDINANCE NO. 20-03  
(Adoption)**

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**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**

**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 needs to be revised in order to accommodate an increase in staff so as to allow the Police Department to participate in an Officer Loan Program with federal agencies involving the loan of an officer full-time for at least a period of a year, as recommended by the Police Chief and approved by the Mayor and Council,

**WHEREAS**, participation in this Officer Loan Program may result in significant revenue to the Hillsdale Police Department that could offset the additional expense the Borough would incur in future years by agreeing to replace the loaned officer with an officer to be newly hired,

**WHEREAS**, the Hillsdale Police Department has agreed to apply all the potential future revenue to reduce what it would otherwise request from the Borough to fund its operations and capital acquisitions, subject to the limitations and provisos of the Officer Loan Program as stipulated by the federal agencies and the U.S. Department of Justice,

**WHEREAS**, because of the uncertainty of the revenue stream, it is in the best interest of the Borough of Hillsdale that the Police Chief, the Borough Administrator, and the Certified Municipal Finance Officer monitor the financial impact of the Officer Loan Program on the Borough to insure that revenues, both actual and projected, cover the full cost of having to add an additional officer to facilitate the Program; and

**WHEREAS**, if the Borough or the federal agency decides to terminate the participation of the Borough in the Officer Loan Program, the Borough will bring back the level of the police force to 19 officers as quickly as reasonably possible using all means available to it, as decided by the Borough Administrator after consultation with the Police Chief;

**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 63-9 of the Code of the Borough of Hillsdale is hereby amended to 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
- (5) Patrol officers: 12. See Subsection C below.

(6) **Class I Special Law Enforcement Officers (SLEO I)** who are special law enforcement officers authorized to perform routine traffic details, spectator control and other similar duties. Class one officers shall be empowered to issue summons for disorderly persons and petty disorderly person's offenses, violations of municipal ordinances and violations of Title 39. Class one officers are not authorized to carry a firearm and shall not be assigned to any duty which may require the carrying of a firearm. Such officers are subject to the qualifications and provisions of N.J.S.A. 40A:14-146.10, et seq., including terms of office.

(7) **Class II Special Law Enforcement Officers (SLEO II)** who are special law enforcement officers authorized to exercise full police powers and duties similar to those of a permanent, regularly appointed full-time police officer. Class two officers may only carry a firearm while engaged in the actual performance of the officer's official duties and when specifically authorized by the Chief of Police. Such officers are subject to the qualifications and provisions of N.J.S.A. 40A:14-146.10, et seq., including terms of office.

(8) **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, unless the Police Department has an officer on loan with a "On-Loan Program", at which time the maximum number officers will be increased to 20 members for the duration of the on-loan program, as approved by the Police Chief, Borough Administrator, and the Mayor & Council.

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.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony	X		X				
Escobar, John			X				
Horvath, Zoltan			+				
Lundy, Abby		X	+				
Pizzella, Frank			+				
Trochimiuk, Janetta			X				
Ruocco, John							

Adoption: February 4, 2020

Attest: Denise Kohan  
Denise Kohan  
Municipal Clerk

John Ruocco  
John Ruocco  
Mayor