

**BOROUGH OF HILLSDALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 24-14
(ADOPTION)**

**AN ORDINANCE SUPPLEMENTING PROVISIONS OF CHAPTER 63
“POLICE DEPARTMENT” OF CODE OF THE BOROUGH OF
HILLSDALE TO ESTABLISH PROCEDURES FOR THE UTILIZATION
OF OFF-DUTY POLICE OFFICERS**

WHEREAS, Chapter 63 of the Borough Code of the Borough of Hillsdale regards the Police Department; and

WHEREAS, the Borough desires to expand Chapter 63 to establish procedures for the utilization of off-duty police officers

NOW BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:

Chapter 63 “Police Department” of the code of the Borough of Hillsdale is hereby supplemented by the addition of the following:

§ 63-17. Contracted Extra-Duty Employment.

A. Purpose. For the convenience of those persons and entities which utilize the services of law enforcement officers of the Hillsdale Police Department and to authorize the assignment of Extra Duty of Borough police from a pool of off duty officers, the Borough hereby establishes a policy regarding the use of said officers.

- (1) Members of the Police Department shall be assigned by the Police Department to police related functions for private employers or school districts only during off-duty hours and at such times as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Borough.
- (2) Any person or entity wishing to employ police shall first obtain the approval of the Chief of Police or his designee, which approval shall be granted if, in the opinion of the Chief, such employment would not be inconsistent with the efficient functioning and good reputation of the Police Department, and would not unreasonably endanger or threaten the safety of the officer or officers who are to perform the work. All such employment may only be in accordance with applicable Police Department policies and procedures

- (3) Off-duty officers selected on a rotating basis for extra-duty details will be considered “on-duty” and will function under the supervision of the Chief of Police. Employees working extra duty assignments will be held to the normal standard of conduct and are subject to disciplinary action for any violation of the rules and regulations.

B. Escrow Accounts.

- (1) Except as provided hereinbelow or required by local finance notices, any person or entity requesting the services of a law enforcement officer in the Hillsdale Police Department shall estimate the number of hours such law enforcement services are required, which estimate shall be approved in writing by the Chief of Police, or his designee, and shall establish an escrow account with the Treasurer of the Borough by depositing an amount sufficient to cover the rates of compensation and administrative fees set forth hereinbelow for the total estimated hours of service.
- (2) If the amount required to be deposited with the Borough pursuant to Subsection 1 hereinabove exceeds \$20,000.00, an escrow deposit of \$20,000.00 shall be required. Said \$20,000.00 deposit shall be maintained until such time as the amount required to be deposited for all remaining services on any given project shall be less than \$20,000.00, and then such lesser amount shall be required to be maintained.
- (3) Prior to posting any request for services of law enforcement officers, the Chief of Police or his designee shall verify that the balance in the escrow account of the person or entity requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited with the Borough Treasurer. No officer shall provide any such services for more hours than are specified in the request for services as same may be amended or required by emergency or unforeseen circumstances.
- (4) In the event the funds in such an escrow account should become depleted, services of off-duty law enforcement officers shall immediately cease and requests for further or future services shall not be performed or posted until additional funds have been deposited in the escrow account in the manner prescribed above.

- (5) The person or entity requesting such services shall be responsible for ensuring that sufficient funds remain in the escrow account in order to avoid any interruption of services.
- (6) The person or entity requesting such services and any municipality requesting that such services be performed by Hillsdale Officers outside the municipality of Hillsdale shall execute such Indemnification Agreements and provide such insurance as required by the Borough or its designees.
- (7) Houses of worship and local public schools shall be exempt from the requirements for the posting of an escrow deposit.

C. Requests for Services.

All requests to the Borough for the services of law enforcement officers in the Hillsdale Police Department shall be forwarded to the Chief of Police, or his designee, for a period of at least one week or longer shall be forwarded at least 10 days before such services are required. Any law enforcement officers, when so employed by the Borough, shall be treated as an employee of the Borough and shall be deemed to be “on-duty” for departmental purposes provided, however, that wages earned for Extra Duty shall not be applied toward the pension benefits of law enforcement officers so employed. Nor shall hours worked for extra duty employment be considered in any way as “departmental overtime”.

D. Rates of Compensation; Administration Fee; Payment for Services.

- (1) Rates of compensation to the Borough of Hillsdale from the vendor for contracting services of off-duty law enforcement officers including, without limitation, administrative charges and vehicle use charges shall be determined by the Mayor and Council by annual Resolution. Rate of compensation to the officer performing said services shall be equal to that of time and one-half of the contractual hourly rate for that individual officer.
- (2) The vendor is responsible to pay a minimum of four hours at the established rate of compensation regardless if the job takes less than four hours.
- (3) A vendor cancelling a requested job must provide notification to the Hillsdale Police Department, Chief of Police, or his designee, of at least two hours before; otherwise, such vendor shall be responsible to pay a four-hour minimum at the established rate of

compensation. On all cases, off-duty law enforcement officers are paid at their established rate of overtime.

E. Borough Liability.

By accepting extra-duty employment, officers recognize that the Borough can never be responsible for payment to the officers unless compensated by the entity seeking the use the officer's services.

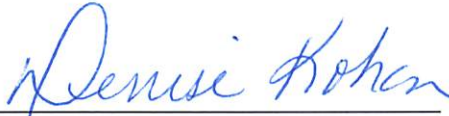
All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

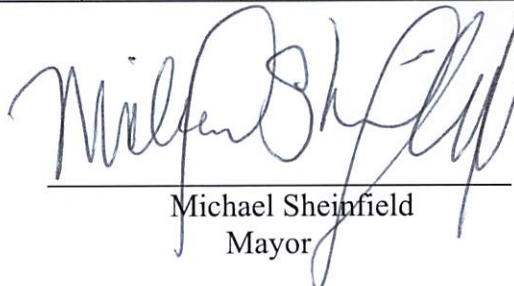
In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
Colletti, Robert			X				
Escobar, John		X	X				
Fox, Justin	X		X				
Osso, Clemente			X				
Ruocco, John			X				
Trochimiuk, Janetta					X		
Sheinfield, Michael							

Adoption: October 1, 2024

Attest: 
Denise Kohan
Municipal Clerk


Michael Sheinfield
Mayor