

BOROUGH OF UPPER SADDLE RIVER

ORDINANCE # 15-23

**AN ORDINANCE TO AMEND CHAPTER 3 OF THE
CODE OF THE BOROUGH OF UPPER SADDLE RIVER
ENTITLED, "ADMINISTRATION OF GOVERNMENT".**

BE IT ORDAINED by the Mayor and Council of the Borough of Upper Saddle River, in the County of Bergen, and State of New Jersey as follows:

Section 1.

Chapter 3 of the Code of the Borough of Upper Saddle River, Administration of Government, Article X, Department of Police, §3-43 is hereby amended to read as follows:

§3-43. Establishment.

There is hereby created, in and for the Borough of Upper Saddle River, a Police Department which shall consist of no more than a Chief of Police, a Captain, two Lieutenants, four Sergeants, a maximum of 13 patrol officers, and one Special Law Enforcement Officer Class III, to be appointed to these positions by the Mayor with the advice and consent of the Borough Council. The decision whether or not to fill the mentioned positions is within the complete and unfettered discretion of the governing body.

Section 2.

Chapter 3 of the Code of the Borough of Upper Saddle River, Administration of Government, Article X, Department of Police, §3-47 is hereby amended to add the following paragraph:

- C. The requirements of paragraphs A and B above shall not be applicable to the position of Special Law Enforcement Officer Class III. The requirements relating to this position shall be as set forth in §3-47.1 and 47.2.

Section 3.

Chapter 3 of the Code of the Borough of Upper Saddle River, Administration of Government, shall be amended to add these Sections following §3-47:

§3-47.1. Special Law Enforcement Officer Class III position established.

The Borough hereby authorizes the establishment of Special Law Enforcement Officer Class III (“SLEO III”) within the Upper Saddle River 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.

§3-47.2. 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.

- I. Applicant must be licensed in accordance with regulations promulgated by the New Jersey Attorney General's Office and the New Jersey Police Training Commission.

§3-47.3. 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.

§3-47.4. 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 Upper Saddle River 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.

§3-47.5. 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.

§3-47.6. Cost.

Compensation of an SLEO III, at the rate of \$37.50 per hour, plus administrative costs, shall be advanced through the Borough's budget, to be wholly reimbursed by the Upper Saddle River Board of Education, pursuant to the terms of an agreement to be entered into by the Borough and the Borough Board of Education on an annual basis.

§3-47.7. 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.

Section 4. Inconsistent Ordinances Repealed.

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 5. Effective Date.

This Ordinance shall take effect after publication thereof and final passage

as required by law.

ARMAN M. FARDANESH, Mayor

JOY C. CONVERTINI, Borough Clerk

Introduced: November 2, 2023

Adopted: December 7, 2023

Approved: December 7, 2023