

ORDINANCE NO.: 23-29

BOROUGH OF POMPTON LAKES

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF CHAPTER 2, "ADMINISTRATION," SECTION 42, "POLICE DEPARTMENT," SUBSECTIONS 13, "APPOINTMENT" and 14, "QUALIFICATIONS," OF THE MUNICIPAL CODE OF THE BOROUGH OF POMPTON LAKES SLEO/SPECIAL LAW ENFORCEMENT OFFICERS (CLASS III)

WHEREAS, the Borough Council of the Borough of Pompton Lakes (the "Borough") wishes to establish the positions of Class III Special Law Enforcement Officers within the Police Department pursuant to the Special Law Enforcement Officers' Act, N.J.S.A. 40A:14-163.8 et seq., (the "Act"); and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, as follows:

**SECTION 1.** Purpose & Authority. The purpose of this ordinance is to modify and amend Chapter 2, "Administration," Section 42, "Police Department," subsection 13, "Appointment," and subsection 14 "Qualifications," pursuant to N.J.S.A. 40:48-1, and 40:49-2.

**SECTION 2.** Recitals. The aforementioned recitals are incorporated herein as though fully set forth at length.

**SECTION 3.** Chapter 2, "Administration," Section 42, "Police Department," subsection 13 "Appointment" shall be amended as follows:

Note: Additions are shown in **bold and underline** and deletions are shown as ~~strikethrough~~.

**§ 2-42.13 Appointment.**

- A. The Mayor, with the advice and consent of the Council, may from time to time upon the advice of the Chief of Police and in accordance with the provisions of N.J.S.A. 40A:14-146.10 et seq, appoint Special Law Enforcement Officers, each for a term not exceeding one year; provided, however, that all appointments shall expire on the 31st day of December of the year in which the appointment is made.
- B. Upon the termination of employment of any Special Law Enforcement Officer who has been appointed pursuant to the provisions of Subsection A hereof, said appointment shall expire forthwith.
- C. There shall be appointed no more than nine Class II Special Law Enforcement Officers henceforth also referred to as Class II Special Officers being the number of Class II Officers in the employ of the Borough of Pompton Lakes on March 1, 1985, or 25% of the total number of regular Police Officers of the Borough of Pompton Lakes, whichever is greater.
- D. Class III Special Law Enforcement Officers henceforth also referred to as Class III SLEO Officers, may be appointed as a Pompton Lakes Special Law Enforcement Officer SLEO III if they meet the qualification listed under §2-42-14B herein. The total complement of Class III Special Law Enforcement Officers shall not exceed 25% of the total number of regular Police Officers of the Borough of Pompton Lakes.**

SECTION 4. Chapter 2, "Administration," Section 42, "Police Department," subsection 14 "Qualifications" shall be amended as follows:

§ 2-42-14 Qualifications.

**B. Class III SLEO Officers**

- 1. No person may be appointed as a Pompton Lakes Special Law Enforcement Officer SLEO III unless they meet the following qualifications:**
  - a. Is a retired police officer who has previously served as a duly qualified, fully trained, full-time officer in any municipality or county of this state, or as a member of the New Jersey State Police, and is living in New Jersey.**
  - b. Retired from that agency in good standing (necessary to have a letter of good standing issued by the agency from which the officer is retired from), listing the date and type of retirement. A copy will be submitted to the Police Training Commission (PTC).**
  - c. Is less than sixty-five (65) years of age at the time of appointment.**
  - d. Passes a psychological exam.**
  - e. Passes a medical exam and has a doctor complete the Medical Certification Form (Form PTC 8A).**
  - f. Passes a Drug test pursuant to Attorney General's Law Enforcement Drug testing Policy.**
  - g. Has an updated background investigation.**
  - h. Limited Break in Service: during the first year of the program (2023-2024), a new SLEO III's break in service may not exceed three (3) years.**
- 2. Once a SLEO III is appointed, the Borough shall ensure that the SLEO III:**
  - a. Completes SRO training within twelve (12) months of appointment.**
  - b. Conforms to Attorney General's Mandatory in-service training requirements.**
  - c. Is a uniformed officer, displaying the Special Law Enforcement Officer Class III patch provided by the Police Training Commission.**
  - d. Acts under the authority of the Police Department.**
  - e. Completes Agency Training.**
  - f. Is appointed yearly and is less than sixty-five (65) years of age (can only be reappointed up to age 65).**
  - g. Adheres to any other required mandates by the Police Training Commission.**
- 3. Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer 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 or when it is occupied by public or nonpublic school students or their teachers/professors. While on duty in the jurisdiction of employment, an officer may respond to the offenses or emergencies off school grounds if they occur in the officer's presence**

**while traveling to a school facility, but an officer shall not otherwise be dispatched or dedicated to any assignment off school property.**

**SECTION 5.** If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

**SECTION 6.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**SECTION 7.** This Ordinance shall take effect upon final passage and publication according to law.

### NOTICE

**NOTICE IS HEREBY GIVEN,** that the above Ordinance was introduced and passed on first meeting at the regular meeting of the Mayor and Borough Council of the Borough of Pompton Lakes, County of Passaic, State of New Jersey, held in the Municipal Building on the 11th day of October 2023, and the same came up for final passage at the regular meeting of the Mayor and Borough Council held on the 25th day of October, 2023, at which time, after persons interested were given the opportunity to be heard concerning said Ordinance, the same was passed and will be in full force and effect in the Borough of Pompton Lakes after approval by the Mayor or in accordance with law.

APPROVED:

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MICHAEL SERRA, MAYOR

ATTEST:

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ELIZABETH BRANDSNESS, RMC  
MUNICIPAL CLERK