

ORDINANCE NO. 02-2024

**BOROUGH OF ROSELAND
COUNTY OF ESSEX, STATE OF NEW JERSEY**

AN ORDINANCE AMENDING CHAPTER 2 OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF ROSELAND
ENTITLED “DEPARTMENT OF ADMINISTRATION”, AMENDING
SUBSECTION 2-24.4 ENTITLED “THE APPROPRIATE
AUTHORITY AND THE POLICE COMMITTEE”

WHEREAS, Subsection 2-6.1 of the Revised General Ordinances of the Borough of Roseland entitled “Standing Committees Designated”, and Subsection 2-6.2 entitled Appointment of Members to the Standing Committees of Council” were amended by Ordinance No. 43-2023, adopted December 19, 2023; and

WHEREAS, Subsection 2-6.1 of the Revised General Ordinances now requires the Borough Council to adopt a resolution annually at the Reorganization meeting designating the Standing Committees of the Borough of Roseland for that year; and

WHEREAS, Subsection 2-6.2 of the Revised General Ordinances now requires that the mayor appoint the members of the Standing Committees annually at the Reorganization meeting with the advice and consent of Council;

WHEREAS, the aforesaid ordinance changes require that Subsection 2-24.4 of the Revised General Ordinances entitled “The Appropriate Authority and the Police Committee” be amended to enable the members of the Police Committee to be appointed annually at the Reorganization meeting;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Roseland that Subsection 2-24.4 of the Revised General Ordinances of the Borough of Roseland entitled “The Appropriate Authority and the Police Committee” shall be amended to read as follows:

SECTION I

That Subsection 2-24.4 entitled “The Appropriate Authority and the Police Committee” shall be amended by adding the following **thus** and deleting the following **thus**:

§ 2-24.4 The Appropriate Authority and the Police Committee.

- a. The Mayor shall be the appropriate authority.

b. ~~Three (3) members of the Borough Council: the Chairperson of the Public Safety Committee, the Chairperson of the Finance and Administration Committee, and the Chairperson of the Public Works Committee~~ **one additional Committee as designated by the Mayor**, shall constitute the Police Committee. The Chairperson of the Police Committee shall be designated by the Mayor.

b. The Mayor, and two (2) members of the Borough Council selected by the Mayor, shall constitute the Police Committee. The Mayor shall serve as Chairperson of the Police Committee. The Borough Council shall adopt a resolution annually at its Reorganization Meeting designating the Police Committee.

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c. Duties. The Police Committee shall serve to assist the appropriate authority with the administration of the Police Department. As provided by N.J.S.A. 40A:14-118, the Mayor, as the appropriate authority, shall be responsible for the overall performance of the Police Department. The Police Committee, acting through the appropriate authority, may issue instructions to the Police Director or Chief of Police, as permitted through New Jersey Statutes, and transmit such instructions to the members of the police force in the name of the Police Committee. All such orders or instructions shall be recognized, carried out and obeyed by the Police Director or Chief of Police and other members of the police force. Orders or instructions issued by the Police Committee shall not conflict with the appropriate authority, and/or the rules and regulations as may be adopted by the Borough Council and, should there be a conflict between the orders and instructions issued by the Police Committee with those as established by the Council, the established rules and regulations shall apply until such time as the rules and regulations are amended.

d. The Borough Council shall adopt and promulgate the rules and regulations for the operation of the Police Department and for the discipline of its members. In the event there is not a complete Police Committee, the Mayor as the appropriate authority shall alone be responsible for overseeing the Police Department until the Police Committee is complete.

SECTION II

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect in accordance with applicable law.

DATE OF INTRODUCTION: February 27, 2024

Motion to Introduce by: Councilwoman Fishman

Motion Seconded by: Councilwoman Perrotti

Introduction Approved: 6-0 Voice Vote

DATE OF ADOPTION: March 19, 2024

COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	RECUSE	ABSENT
Council President Bardi			X				
Councilman Biron			X				
Councilwoman Fishman		X	X				
Councilman Goldstein			X				
Councilwoman Perrotti	X		X				
Councilman Trillo							X
Mayor Spango (In case of tie)							
VOTE:			5	0			

I hereby certify that the above Ordinance was duly adopted by the Mayor and Council of the Borough of Roseland at a meeting of Borough Council held on the 19th day of March, 2024.

James R. Spango, Mayor

Jock H. Watkins, Borough Clerk

Date of Publication: March 28, 2024, The Progress

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