

BOROUGH OF GARWOOD

ORDINANCE NO. 16-16

Adopted: _____

Introduced: 09/27/2016

Public Hearing: _____

Motion: _____

Motion: _____

Seconded: _____

Seconded: _____

AN ORDINANCE TO AMEND §34-3 (SPECIAL LAW ENFORCEMENT OFFICERS) IN ARTICLE I (ESTABLISHMENT, ORGANIZATION AND ADMINISTRATION) IN CHAPTER 34 (POLICE DEPARTMENT) AND ARTICLE VI (CIVILIAN POLICE DISPATCHERS) IN CHAPTER 34 (POLICE DEPARTMENT) OF THE CODE OF THE BOROUGH OF GARWOOD TO REVISE PROVISIONS PERTAINING TO SPECIAL LAW ENFORCEMENT OFFICERS AND CIVILIAN POLICE DISPATCHERS.

SECTION 1. §34-3 (Special Law Enforcement Officers) in Article I (Establishment, Organization and Administration) in Chapter 34 (Police Department) of the Code of the Borough of Garwood is hereby amended to read as follows:

§ 34-3. Special Law Enforcement Officer.

The Mayor and Council may appoint from time to time Special Law Enforcement Officers (SLEO) in accordance with N.J.S.A. 40A:14-146.8, et seq., for terms not exceeding one year. They shall possess and exercise all the powers and duties provided by said statutes during their term in office, but shall not be continued as regular members of the Police Department and shall not be entitled to tenure. The Chief of Police may authorize special law enforcement officers when on duty to exercise the same powers and authority as regular members of the Police Department, including the carrying of firearms and the power of arrest in accordance with their state certification and classification. There shall be two classifications of SLEOs, as follows, in accordance with N.J.S.A. 40A:14-146.11.

A. Class One. Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited and no Class One officer shall be assigned any duties which may require the carrying or use of a firearm. The number of Class One SLEOs shall not exceed four.

B. Class Two. 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. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the New Jersey Police Training Commission. The number of Class Two SLEOs shall not exceed four.

SECTION 2. Article V (Civilian Police Dispatchers) in Chapter 34 (Police Department) of the Code of the Borough of Garwood is hereby amended to read as follows:

§ 34-37. Appointment.

The Mayor, with the advice of the Council, may appoint one or more civilian police dispatchers, who shall serve at the pleasure of the Mayor and Council. Civilian police dispatchers shall serve under the direction of the Chief of Police. Civilian Police Dispatchers shall be classified as follows:

- A. Permanent Dispatcher – Full time salaried position.
- B. Per-Diem Dispatcher - Employed as needed to fill open shifts.

§ 34-38. Qualifications.

A. No person shall be appointed as a civilian police dispatcher unless such person:

- (1) Is a citizen of the State of New Jersey;
- (2) Possesses a high school or a vocational high school diploma or a high school equivalency diploma;
- (3) Is of good moral character; and
- (4) Has not been convicted of any criminal offense.

B. Before any civilian police dispatcher is appointed, the Chief of Police shall ascertain the eligibility of the applicant and shall make a report to the Governing Body.

§ 34-39. Status.

- A. Neither a civilian police dispatcher or a per-diem dispatcher shall be a member of the Police Department of the municipality.
- B. Neither a civilian police dispatcher or a per-diem dispatcher shall have the right to bear firearms or the power of arrest.
- C. A per-diem dispatcher shall not be eligible for any of the employee benefits outlined in Chapter 30, Personnel Policies, of this Code.

§ 34-40. Supervision.

A. While employed by the Borough of Garwood, both a civilian dispatcher and a per-diem dispatcher shall be under the supervision and direction of the Chief of Police of the Borough of Garwood and shall perform duties only in the Borough of Garwood.

B. While employed by the Borough of Garwood, both a civilian dispatcher and a per-diem dispatcher shall comply with the rules and regulations applicable to the conduct and decorum of the regular police officers of the municipality.

C. Nothing herein shall preclude a civilian dispatcher employed by the Borough of Garwood from working outside employment with another agency as a per diem dispatcher. In that case, supervisory responsibilities and liabilities fall on the outside employing agency. The Borough of Garwood shall be the primary employer of a permanent civilian dispatcher and outside employment as a per-diem dispatcher shall not interfere or take priority over scheduled shifts with the primary employer.

§ 34-41. Compensation.

A. The compensation for full a time Civilian Police Dispatchers shall be fixed and determined by the Borough Council.

B. The Compensation for a Per-Diem Dispatcher shall be an hourly wage determined by the Borough Council

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 5. This ordinance shall take effect upon final passage and publication in accordance with law.

APPROVED:

CHARLES P. LOMBARDO, Mayor

ATTEST:

CHRISTINA M. ARIEMMA, Municipal Clerk

RECORDED VOTE

INTRODUCTION (9/27/16)

ADOPTION

COUNCILWOMAN CUCCARO

COUNCILMAN MARTIN

COUNCILMAN MATHIEU

COUNCILMAN SARNO

COUNCILWOMAN TODISCO

COUNCIL PRESIDENT PETRUZZELLI