

ORDINANCE #2013-5

AN ORDINANCE OF THE BOROUGH OF CHESTER, MORRIS COUNTY AMENDING CHAPTER 55 (POLICE DEPARTMENT) OF THE CODE OF THE BOROUGH OF CHESTER TO ADD THE POSITION OF POLICE DIRECTOR.

WHEREAS, municipalities are empowered to make, amend, repeal, and enforce its ordinances pursuant to Statute (N.J.S.A. 40:48-1, et seq.); and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough to update the Code of the Borough of Chester to include the position of Police Director; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Chester, in the County of Morris and State of New Jersey, as follows:

SECTION 1: Chapter 55 (Police Department) is hereby amended to include a new sub-section 55-10 (Police Director). Section 55-10 shall read in its entirety as follows:

55-10 Police Director

A. Established; Police Director; Appointment and Qualifications.

- (1) The position of Police Director may be appointed by the Mayor, with the advice and consent of the Council. The Police Director shall serve at the pleasure of the governing body.
- (2) The person appointed as Police Director shall be qualified by law enforcement training, have a minimum of 10 years' experience in law enforcement in a supervisory capacity.
- (3) A Police Director shall only be appointed when there is a vacancy in the position of Chief of Police. "Vacancy" shall include incapacity, termination of employment, terminal leave, and retirement.
- (4) The Police Director shall be the executive head of the Police Department, reporting to the Mayor and Council.

B. Powers and Duties. The powers and duties of the Police Director shall include, but not be limited to:

- (1) Recommend to the Mayor and Council efficiencies as to supervisory functions of the Police Department and evaluate effectiveness of work programs and procedures of all units within the Police Department and make recommendations to the Mayor and Council as to suggested changes.
- (2) Recommend to the Mayor and Council employment policies and adoption of special emergency directives and ordinances to assist in the governance and management of the Police Department and as necessary, to protect the health, safety and welfare of the municipality in an emergency.
- (3) Recommend to the Mayor and Council supervisory training beneficial to candidates for Chief of Police, Lieutenant, and/or Sergeants.
- (4) Provide written monthly reports by the first Council meeting of each month concerning his activities for the prior month. In addition, the Police Director shall make such other reports as may be requested by the Mayor and Council.

- (5) Keep and maintain all records, reports, documents and data required to be kept and maintained by the Federal and/or State government and/or any of their respective subdivisions.
- (6) Review and advise the Mayor and Council as to manpower allocations, overtime, vacation, sick and compensatory time accumulations and usage and schedules for all police personnel.
- (7) Keep and maintain an administrative record of all appointments, dismissals, removals and resignations of officers as they take place, with such other information as may be necessary.
- (8) Review and advise the Mayor and Council all expenditures and all purchases of the Police Department and develop and recommend to the Mayor and Council the annual budget for the Police Department and review.
- (9) Analyze crime trends and statistics.
- (10) Establish and maintain helpful and cooperative relations with civic and business organizations, schools, and court offices, and with other groups and public authorities and other jurisdictions, and with others interested in the maintenance of law and order.
- (11) All such other duties not specifically reserved to the Chief of Police pursuant to N.J.S.A. 40A:14-118.

SECTION 2: Sub-section 55-2 (Composition of Department) is hereby amended to include the following sentence at the existing paragraph: “In the event of a vacancy in the position of Chief of Police, a Police Director may be appointed.”

SECTION 3: If any Chapter, Article, Section or Sub-Section, Clause or Phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction such decisions shall not affect the remaining portions of this Ordinance.

SECTION 4: All ordinances or rules or regulations of the Borough of Chester which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: This ordinance shall take effect upon passage and publication according to law.

Robert Davis, Mayor

Attest:

Valerie A. Egan, Administrator/Borough Clerk

LEGAL NOTICE OF PENDING ORDINANCE

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Chester, in the County of Morris, New Jersey,

held on the 23rd day of April 2013. It will be further considered for final passage after public hearing thereon, at a meeting of said Mayor and Council to be held in the Chester Borough Hall, North Road, in said Borough, on May 21, 2013, said meeting to begin at 7:00 pm, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in said Borough Hall building to members of the general public who shall request the same.

Valerie A. Egan, Municipal Clerk