

ORDINANCE 11-2023

AN ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS AMENDING AND SUPPLEMENTING CHAPTER 26 OF THE OF THE BOROUGH CODE ENTITLED “POLICE ASSISTANCE, INTERMUNICIPAL” AND REPEALING CHAPTER 27 OF THE BOROUGH CODE ENTITLED “POLICE DEPARTMENT”

WHEREAS, the Borough of Woodbury Heights was originally patrolled by the New Jersey State Police, which coverage was supplemented by Town Marshalls who were members of the Woodbury Heights Fire and Police Protection Association; and

WHEREAS, the Borough of “Woodbury Heights Police Department” was formally founded in 1961 and police protection was provided by Special Officers on a part-time basis until the first full-time Officers were appointed in 1977 and by 1984, under the guidance of Chief Thomas P. Reilly, the police department became a 24-hour, full-time operation manned by full-time officers; and

WHEREAS, the Borough of Woodbury Heights Police Department was established by the General Ordinances of the Borough of Woodbury Heights codified within Chapter 27 of the Borough Code entitled “Police Department” and specifically under Part I, Chapter Sections 27-1 through Section 27-16; and

WHEREAS, the City of Woodbury and the Borough of Woodbury Heights have successfully negotiated a Shared Services Agreement whereby the City of Woodbury agreed to undertake and assume all police coverage and protection services to and for the Borough of Woodbury Heights; and

WHEREAS, under the aforementioned Shared Services Agreement negotiated by and between the City of Woodbury and the Borough of Woodbury Heights pursuant to N.J.S.A. 40A:65-1 et. seq., Woodbury Heights would be policed, and service continued on a 24/7 basis by a larger police department with significantly more policing resources at its disposal for the benefit of all Woodbury Heights residents; and

WHEREAS, the Woodbury Heights Police Department has honorably served the Borough of Woodbury Heights and its residents with great valor, pride, and efficiency for many years; and

WHEREAS, manpower and personnel issues, coupled with ever increasing costs, New Jersey Attorney General Directives, and financial pressures of local and state government have made the future sustainability and viability of the Woodbury Heights Police Department economically and fiscally untenable given the current challenges; financial constraints; and capital expenditures facing the department; and

WHEREAS, the Mayor and Borough of Woodbury Heights Council entered into a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et. seq. for the provision of all police

protection and coverage services with the City of Woodbury Police Department compelling the adoption of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Woodbury Heights, in the County of Gloucester and State of New Jersey, and it is hereby enacted and ordained by the authority of same, as follows:

Section I. Dissolution of the Borough of Woodbury Heights Police Department

Chapter 27 of the Borough Code and specifically Sections 27-1 through 27-16 are hereby repealed, in their entirety. Any references to the Woodbury Heights Police Department in the Borough Code shall hereafter be deemed to refer to the City of Woodbury Police Department as the Provider of police protection services within the Borough of Woodbury Heights.

Section II. Chapter 26 entitled “Police Assistance, Intermunicipal” shall be amended and supplemented, as follows:

Chapter 26 of the Borough Code entitled “Police Assistance, Intermunicipal” is further amended and supplemented within Section 26-1 to read as follows: “The Borough of Woodbury Heights hereby establishes and authorizes a reciprocal agreement with each and every municipality within the County of Gloucester for intermunicipal police assistance at times of any and all emergencies. This shall become effective as to each and every other municipality within the County of Gloucester at such times that said municipality has in the past or may in the future adopt an Ordinance providing for the same terms and conditions as set forth herein in accordance with N.J.S.A. 40A:14-156.1 et. seq. The City of Woodbury Police Department, as agent for the Borough of Woodbury Heights, and any other municipality passing an Ordinance with the same terms and conditions as this section while on duty rendering assistance to any other municipality shall have the same powers, authority and immunities as have the members of the police force of the municipality in which such assistance is being rendered. Sections 26-2 and 26-3 are hereby repealed.

Section III. Designation of City of Woodbury Police Department as Enforcing Agency

Subject to the provisions of this Ordinance and to the extent authorized by law, the City of Woodbury Police Department is hereby designated as the enforcing agency for Borough Ordinances of the Borough of Woodbury Heights and is hereby authorized to carry out the police functions of the Borough as required by law and in accordance with the Shared Services Contract for Police Services between the City of Woodbury and the Borough of Woodbury Heights.

Section IV. Severability

If any provision or portion of a provision of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise deemed invalid by any court of competent jurisdiction, the remaining provision of this Ordinance shall not be invalidated.

Section V. Repealer

All Ordinances, or parts of Ordinances which are inconsistent with any provision of this Ordinance are hereby repealed as to the extent of such inconsistency.

Section VI. Effective Date

This Ordinance shall take effect immediately after the final passage and publication by the Clerk on behalf of the Mayor and Borough Council.

BOROUGH OF WOODBURY HEIGHTS

By: William C. Packer

William C. Packer, Mayor

Dated:

ATTEST:

Shannon Elton
Shannon Elton, Borough Clerk

NOTICE

The foregoing Ordinance was introduced at the regular meeting of the Mayor and Borough Council of the Borough of Woodbury Heights conducted on the 21st day of June 2023, and will be considered for final hearing and adoption at a special meeting to be held on the 19th day of July 2023 at 7:30 p.m. at which time any objections hereto may be heard.

Shannon Elton
Shannon Elton, Borough Clerk

NOTICE

AN ORDINANCE OF THE BOROUGH OF WOODBURY HEIGHTS AMENDING AND SUPPLEMENTING CHAPTER 26 OF THE BOROUGH CODE ENTITLED "POLICE ASSISTANCE, INTERMUNICIPAL" AND REPEALING CHAPTER 27 OF THE BOROUGH CODE ENTITLED "POLICE DEPARTMENT"

NOTICE is hereby given that the foregoing Ordinance 11-2023 was finally adopted at a special meeting of the Borough of Woodbury Heights Council held on July 19, 2023 at 7:30 p.m. in Borough Hall, Elm Ave., Woodbury Heights, New Jersey.



Shannon Elton, Borough Clerk