



THE MAYOR AND BOROUGH COUNCIL
of the
BOROUGH OF GLEN RIDGE
County of Essex
State of New Jersey

Monday, November 13, 2023

RESOLUTION NO. 163– 23

Offered by Councilor **HUGHES**
Seconded by Councilor

WHEREAS, the Borough of Glen Ridge is a public body established and existing under the laws of the State of New Jersey and, as such, has all the powers and is entitled to all the deference granted thereto under the New Jersey Constitution, Article 4, 87, paragraph 1;

WHEREAS, in furtherance of the foregoing, New Jersey courts have affirmed that the New Jersey Constitution (1947) Art. IV, s VII, par. 1, provides that laws concerning municipalities and counties shall be liberally construed in their favor;

WHEREAS, the Mayor and Council have determined that it is necessary and expedient for the preservation of the Borough's public health, safety and general welfare that Borough own an unmanned aircraft (a drone) and that such drone be operated by an individual qualified as a public aircraft operator pursuant to 49 U.S.C. §40102(a)(41)(C);

WHEREAS, one or more officers of the Borough Police Department have already obtained an FAA Part 107 license and are authorized to operate the unmanned aircraft and to train other Borough employees in pursuit of a license to also operate the unmanned aircraft;

NOW THEREFORE

BE IT RESOLVED, that under the authority given under the Borough under the laws of the State of New Jersey, the Mayor and Council determine that it is necessary and expedient for the preservation of the Borough's public health, safety and general welfare that:

(a) the Borough own an unmanned aircraft (a drone); and

(b) such drone be operated by an individual qualified as a public aircraft operator pursuant to 49 U.S.C. §40102(a)(41)(C), it being recognized that one or more officers of the Borough Police Department already have obtained an FAA Part 107 license and are authorized to operate the unmanned aircraft and to train other Borough employees in pursuit of a license to also operate the unmanned aircraft; and

BE IT FURTHER RESOLVED, that those officers of the Borough Police Department who already have obtained an FAA Part 107 license and are authorized to operate the unmanned aircraft are hereby authorized to train other Borough employees in pursuit of a license to also operate the unmanned aircraft; and

BE IT FURTHER RESOLVED that the Borough shall not use the unmanned aircraft for any commercial purposes, compensation or hire, nor shall the Borough use the unmanned aircraft to carry any individual to any location (as the unmanned aircraft is incapable of carrying any individual), in compliance with the requirements of 94 U.S.C. §40125(b); and

BE IT FURTHER RESOLVED that, in accordance with 49 U.S.C. §40125(a)(2), the Borough shall utilize its unmanned aircraft for only the following purposes and operations (such purposes and operations meeting the definition of “Governmental Function” under 49 U.S.C. §40125(a)(2)):

- (1) use in critical incident/Tactical Operations, to provide situational awareness to the Tactical Commanders in the Command Post;
- (2) use in vehicular accident reconstruction;
- (3) use in search and rescue operations;
- (4) use in crime scene photography and documentation;
- (5) use in hazmat scene development;
- (6) use in major disaster scenes;
- (7) use in storm damage;
- (8) use in fire scenes; and
- (9) should the need arise as determined by the approval of the Borough Chief of Police or his/her designee, deployment outside of the Borough’s jurisdictional boundaries for the purposes of achieving the above referenced governmental function goals; and

BE IT FURTHER RESOLVED that the Borough’s current and future planned activities for its unmanned aircraft comply with the terms of 94 U.S.C. §40125(a)(2).