BOROUGH OF OCEANPORT

MAYOR & COUNCIL

AGENDA ● JANUARY 17, 2019

Regular Meeting **Maple Place School** **7:00 PM**

2 Maple Place, Oceanport, NJ 07757

1. Call to Order

2. Statement of Compliance with Open Public Meetings Act: *This meeting complies with the Open Public Meetings Act by notification on January 2, 2018 of this location, date and time to the Asbury Park Press and the LINK News and by the posting of same on the municipal bulletin board and Borough Web Site.*

3. Flag Salute

4. Invocation

5. Roll Call

6. Presentation of Holiday Decorating Contest Winners

BEST OVERALL - 38 Wolf Hill Ave
BEST TREE - 18 Iselin Ave
BEST YARD - 42 Pemberton Ave
BEST DOOR/WINDOWS - 30 Steeplechase Ct
BEST CONDOMINIUM/TOWNHOUSE - 54 Steeplechase Ct
MOST ORIGINAL - 31 Massaro St

7. Administrators Report

8. Consent Agenda

#2019-39	1.	Resolution authorizing payment of BILL LIST 01-17-2019
#2019-40	2.	Resolution authorizing Tax Sale Redemption #18-00015
#2019-41	3.	Resolution authorizing Tax Sale Redemption #16-00018
#2019-42	4.	Resolution authorizing 2018 budget appropriation transfers
#2019-43	5.	Resolution appointments to Boards & Committees
#2019-44	6.	Resolution appointing CJHIF Fund Commissioners
#2019-45	7.	Resolution appointing MCJIF Fund Commissioners
#2019-46	8.	Resolution appointing a Municipal Housing Liaison
#2019-47	9.	Resolution authorizing extension of grant agreement for Milton Ave Drainage Project
#2019-48	10.	Resolution extending Agreement with BOE for lawn and snow plowing services
#2019-49	11.	Resolution authorizing amendments to Police Department Rules & Regulation

9. Minutes

1. Approval of Special Meeting Minutes, Nov. 8, 2018
2. Approval of Executive Session Minutes, Nov. 8, 2018
3. Approval of Workshop Minutes, Dec. 13, 2018
4. Approval of Regular Meeting Minutes, Dec. 13, 2018
5. Approval of Executive Session Minutes, Dec. 13, 2018
6. Approval of Reorganization Minutes, Jan. 3, 2019

10. Executive Session

#2019-50 Resolution authorizing an Executive Session

Matters Relating to Collective Bargaining Agreements N.J.S.A. 10:4-12(b)(4)
Personnel Matters - N.J.S.A. 10:4-12(b)(8)
PBA Grievance - Contract Terms, Health Care

Litigation, Negotiations and Attorney Client Privilege - N.J.S.A. 10:4-12(b)(7)
Oceanport Gardens Renewal Project

11. First Reading Ordinances

1. An Ordinance to Authorize a Finanical Agreement in lieu of taxes for Oceanport Gardens Renewal Project

12. Committee Reports

1. Councilman Deerin, Parks and Recreation Liaison
2. Councilman Gallo, Public Works and Engineering Liaison
3. Councilman Irace, Finance and Administration Liaison
4. Councilman O'Brien, Health and Human Services Liaison
5. Councilman Proto, Planning and Development Liaison
6. Council President Solan, Public Safety Liaison

13. Mayor Coffey's Report

14. Petitions from the public

15. Adjournment

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING PAYMENT OF BILL LIST FOR JANUARY 17, 2019

Resolution #2019-39
01/17/19

WHEREAS, the Governing Body has considered the payment of said bills as set forth on the bill list at its public meeting of January 17, 2019.

BE IT RESOLVED, by the Mayor and Council that the bills be paid as on the attached bill list dated January 17, 2019 totaling $2,424,982.88.

CERTIFICATION OF FUNDS

I, Catherine D. LaPorta, Chief Financial Officer, of the Borough of Oceanport, do hereby certify that funds are available for the purpose stated herein.

Catherine D. LaPorta, CFO

I certify that the foregoing Resolution #2019-39 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

_____
JEANNE SMITH, RMC
BOROUGH CLERK

BOROUGH OF OCEANPORT
BILL LIST

17-Jan-19

PAYEE	AMOUNT	
PAYROLL ACCOUNT	$157,656.82	25TH PAY
PAYROLL ACCOUNT	$123,249.45	26TH PAY
DCRP	$967.24	
PAYROLL ACCOUNT	$103,810.68	1ST PAY
2019 EXPENDITURES - WIRES		
TD BANK -MCIA 2011	$97,170.41	
PAYFLEX - CONTRACTUAL CONTRIBUTION	$54,000.00	
PAYFLEX - NON UNION CONTRIBUTION	$24,000.00	
TREASURER: STATE OF NJ PRESERVATION TRUST	$1,094.44	
LOCAL SCHOOL TAX	$842,174.17	
REGIONAL SCHOOL TAX	$265,652.00	
MMJIF	$106,794.00	
CAPITAL TRUST TOTAL	$10,464.32	
DOG REGISTRY TOTAL	$803.52	
TRUST OTHER TOTAL	$4,505.50	
ESCROW TRUST TOTAL	$21,276.30	
OPEN SPACE TRUST TOTAL	$822.20	
SUI	$0.00	
2017 VOUCHERS PAID THIS MEETING	$143,788.84	
2018 VOUCHERS PAID THIS MEETING	$466,752.99	
TOTAL	**$2,424,982.88**	

I CERTIFY THAT THE ABOVE ITEMS ARE TRUE AND CORRECT AS PRESENTED

Donna M. Phelps

Report Printed 2019-01-10 18:11:03 BOROUGH OF OCEANPORT

8.1.

List of Bills - (All Funds)

Vendor		Description	Payment	Check Total
		Current Fund		
1532 - **A & K EQUIPMENT**	PO 1789	PLOW EQUIPMENT	1,274.04	**1,274.04**
1009 - **ADP, INC**	PO 2411	3RD QUARTER 2018 - DOCS/SHIP & HAN	19.80	
	PO 2505	PAYROLL SERVICES - DEC 2018	384.71	**404.51**
1010 - **AHERN BLUEPRINTING, INC**	PO 2456	SQ FT OF BOARD	9.84	**9.84**
1014 - **ALLCOMM TECHNOLOGIES, INC**	PO 2419	CHECK RADIO & REINSTALL/MICROPHONE	287.25	**287.25**
1017 - **AMERICAN WEAR, INC**	PO 2328	NOVEMBER UNIFORM RENTAL	254.20	**254.20**
1116 - **ASBURY PARK PRESS**	PO 2169	Legal Advertising - Notice of Adopt	63.60	
	PO 2175	Legal Advertising - Notice of M&C S	65.80	
	PO 2455	LEGAL ADVERTISING - NOTICE OF M&C C	11.00	
	PO 2453	Legal Advertising	46.55	
	PO 2572	PLANNING BOARD REORG MEETING	45.56	**232.51**
1522 - **BLUELINE EMERGENCY LIGHTING, LLC**	PO 1980	MOUNT TABLET IN CAPTAINS CAR	1,608.88	**1,608.88**
1033 - **BOB'S UNIFORM SHOP, INC**	PO 2325	Equip purchase for Chenoweth	79.90	
	PO 2324	Uniform purchase Leimburg	105.00	
	PO 2462	Uniform purchase for Chief Kelly	279.95	
	PO 2481	Uniform purchase Fagliarone	77.95	**542.80**
1034 - **BORO PRINTING, INC**	PO 2251	BORO LETTERHEAD	224.00	
	PO 2468	Landscaper & Boat Ramp forms	285.00	**509.00**
1472 - **BOROUGH OF EATONTOWN**	PO 2350	BRUSH COMPOST SERVICE - NOV	589.00	**589.00**
1042 - **C&S ELECTRICAL CONTRACTOR, INC**	PO 2377	CONNECTING HOIST	297.00	**297.00**
1516 - **CANON FINANCIAL SERVICES, INC**	PO 2321	CONTRACT CHARGE - PD COPIER - 10/18	60.62	**60.62**
1054 - **CITY OF LONG BRANCH**	PO 2414	2018 GAS & OIL - NOVEMBER	4,618.48	**4,618.48**
1055 - **CLARKE CATON HINTZ CORP**	PO 2291	HOUSING PLAN/FAIR SHARE ELEMENT	2,970.44	
	PO 2290	OLD PO #17-01175; Land Use Ordinanc	2,291.95	**5,262.39**
1057 - **COMCAST (MODEM @ 222 MONMOUTH)**	PO 2405	PD MODEM 11/01-11/30/18 &12/01-12/3	155.94	
	PO 2568	CALL FORWARDING 01/01-01/31	90.05	**245.99**
1058 - **COMCAST * DPW**	PO 2415	DPW - 12/08-01/07	125.22	**125.22**
1059 - **COMCAST BUSINESS**	PO 2470	2018 POLICE - 12/09-01/08/19	690.28	**690.28**
1060 - **COMCAST BUSINESS COMMUNICATION**	PO 2436	BOROUGH HALL - 12/14-01/13/19	553.03	**553.03**
1446 - **DIRECT ENERGY BUSINES**	PO 2422	282 HILDRETH 9/15/18-11/14/18	272.63	
	PO 2423	BLANKET - 2018 900 MURPHY DRIVE (DP	192.72	
	PO 2500	21 MAIN - 11/14-12/14/18	299.58	
	PO 2498	433 MYRTLE - 11/14-12/14/18	303.10	
	PO 2499	2 PEMBERTON - FIRST AID	256.58	**1,324.61**
1553 - **DOXTECH SOLUTIONS**	PO 2400	1 case of DOX specimen containers f	294.10	**294.10**
1089 - **EDWARDS TIRE CO, INC**	PO 2378	TIRES FOR LeafVac	285.90	**285.90**
1091 - **ELIZABETH C. McKENZIE,PP,PA**	PO 2409	MOUNT LAUREL LITIGATION 11/01-11/30	62.50	**62.50**
1099 - **EUROFINS QC INC**	PO 2255	WATER WATCH COMMITTEE TESTING - NOV	210.50	
	PO 2437	WATER WATCH COMMITTEE TESTING - DEC	230.00	**440.50**
1102 - **F. J. FOGGIA FLORIST**	PO 2067	VETERANS DAY FLOWERS	86.00	
	PO 2314	WREATH FOR VETERANS DAY	116.00	**202.00**
1105 - **FIREFIGHTER ONE, LLC**	PO 2257	SAFETY EQUIPMENT	870.65	
	PO 2367	PERSONAL PROTECTIVE EQUIPMENT - FLO	1,384.74	**2,255.39**
1109 - **FMERA**	PO 2578	STREET LIGHTS ROUTE 537	273.26	
	PO 2580	DPW UTILITIES - 900 MURPHY - DEC 20	608.03	
	PO 2579	BLDG 282 - ELECTRIC & WATER - DEC 2	963.40	**1,844.69**
1114 - **G&M TROPHY COMPANY**	PO 2447	FAREWELL PLAQUE - Patricia Cooper	125.00	**125.00**
1120 - **GARDEN STATE HIGHWAY, INC**	PO 2176	New cones and barricades	1,574.00	**1,574.00**
1124 - **GEORGE WALL**	PO 2318	New headlight for Unit 5	90.86	
	PO 2317	Repairs to Unit 2	765.21	
	PO 2357	Repairs to Unit 6	1,464.35	**2,320.42**
1126 - **GLENCO SUPPLY INC**	PO 2480	EIGHT SIGNS - MARIA GATTA	45.00	**45.00**
1128 - **GOODYEAR AUTO SERVICE CENTER**	PO 2323	Replace all 4 tires on Unit 7	648.08	**648.08**
1131 - **GRAINGER (ACCT #831466131**	PO 2320	Multipurpose Ladder	526.00	**526.00**
1506 - **GRANICUS, LLC**	PO 2381	OLD PO#17-01734 - LEGISLATIVE MGT S	415.00	
	PO 2432	OLD PO#17-01734 - LEGISLATIVE MGT S	830.00	**1,245.00**
1143 - **I.D.M. MEDICAL SUPPLY INC**	PO 2427	REFILL OXYGEN	115.68	**115.68**
1151 - **JAY SILVERMAN**	PO 2424	MUSIC AND MUSIC PLAYER - TREE LIGHT	87.45	**87.45**
1152 - **JEANNE SMITH**	PO 2430	Reimbursement for Business Cards th	89.94	**89.94**
1153 - **JERSEY CENTRAL POWER & LIGHT**	PO 2457	#200-000-957-009 12/11/18	1,035.37	
	PO 2429	200 000 957 015 12/11/18	1,301.86	
	PO 2541	JCPL #200-000-957-007 11/17-12/18	3,948.84	**6,286.07**
1168 - **KYLE SHERIDAN**	PO 2360	Supplies for Tree Lighting	211.28	**211.28**
1556 - **LANGUAGE SERVICES ASSOCIATES INC**	PO 2410	TELEPHONIC CHARGES 11-01-18 THROUGH	8.40	**8.40**
1185 - **LAWES COAL CO INC**	PO 2204	SUPPLIES FOR CHAINSAW	17.71	
	PO 2304	PARTS FOR BACKPACK BLOWER	57.70	**75.41**
1195 - **MASER CONSULTING, P.A.**	PO 2523	NOVEMBER ENGINEERING	4,750.00	**4,750.00**
1557 - **MICHAEL P BOLAN PP/AICP**	PO 2477	MT LAUREL LITIGATION - 11/12-11/26/	1,925.00	**1,925.00**
1211 - **MILLENNIUM STRATEGIES LLC**	PO 2372	GRANT WRITING NOV 2018	1,500.00	

List of Bills - (All Funds)

Vendor		Description	Payment	Check Total
	PO 2475	GRANT WRITING DEC 2018	1,500.00	**3,000.00**
1218 - **MONMOUTH COUNTY POLICE ACADEMY**	PO 2327	Training for Fagliarone	25.00	**25.00**
1220 - **MONMOUTH COUNTY PUBLIC WORKS**	PO 1816	REPAIR 4X4 PICK UP - ESTIMATE	5,746.54	
	PO 2426	MONMOUTH COUNTY PUBLIC WORKS SALT R	1,448.36	
	PO 2425	FIRE POLICE VEHICLE	1,931.93	
	PO 2484	SERVICE TO PUBLIC WORKS TRUCK	227.00	**9,353.83**
1480 - **MONMOUTH TRUCK EQUIPMENT**	PO 2191	OEM - INSTALL STEP ON TRUCK	789.00	**789.00**
1241 - **NAPA AUTO PARTS (#15456)**	PO 2306	CABLE TIE FOR WREATHS	59.98	
	PO 2375	BATTERY - PUBLIC WORKS	133.99	
	PO 2418	DIESEL FLUID	109.00	**302.97**
1245 - **NJ AMERICAN WATER CO**	PO 2443	OLD WHARF PARKS - 12/12-01/28/19	16.85	
	PO 2442	OLD WHARF PARKS - 12/12-01/28/19	42.10	
	PO 2441	PAP FIRE HOUSE - 12/12-01/28/19	131.91	
	PO 2440	OLD WHARF - 12/12-01/03/19	48.68	
	PO 2439	LIBRARY - 12/13-01/28/19	13.89	
	PO 2502	HYDRANT SERVICES - 10/25-12/26/18	10,937.47	**11,190.90**
1249 - **NJ MOTOR VEHICLE COMMISSION**	PO 2585	ANNUAL ADMINISTRATIVE FEE	150.00	**150.00**
1251 - **NJ NATURAL GAS CO**	PO 2482	2018 PORT AU PECK FIRE HOUSE 11/1	340.25	
	PO 2466	FIRST AID - 11/13-12/14/18	314.00	
	PO 2487	2018 HOOK & LADDER 11/13-12/14/18	336.64	
	PO 2488	315 E MAIN - OLD WHARF - 11/13-12/1	220.34	
	PO 2483	TOHICON LIBRARY - 11/12-12/13/18	156.58	
	PO 2507	282 HILDRETH (PD) 11/14-12/17/18	791.37	
	PO 2504	977 MURPHY (NEW PD) 11/14-12/17/18	26.37	
	PO 2503	918 MURPHY 11/14-12/17/18	26.37	**2,211.92**
1251 - **NJ NATURAL GAS CO**	PO 2494	900 MURPHY DRIVE (DPW) 11/14-12/17	752.42	
	PO 2490	2018 901 MURPHY DRIVE (NEW BOROUGH	1,236.92	**1,989.34**
1256 - **NJIB ATTN: MICHELLE DEYO**	PO 2587	ENVIR. INFRASTRUCTURE TRUST-LOAN	426,651.59	**426,651.59**
1262 - **OCEANPORT FIRST AID SQUAD**	PO 2347	COUNTY ELECTION REIMBURSEMENT 2018	400.00	**400.00**
1263 - **OCEANPORT HOOK & LADDER**	PO 2346	COUNTY ELECTION REIMBURSEMENT- 2018	400.00	**400.00**
1520 - **PASHMAN STEIN WALDER HAYDEN, PC**	PO 2474	LEGAL SERV - COAH -11/01-11/30/18	2,852.50	**2,852.50**
1275 - **PITNEY BOWES GLOBAL FINANCIAL**	PO 2229	LEASE OF DIGITAL MAILING SYSTEM	423.99	**423.99**
1281 - **PORT AU PECK CHEMICAL HOSE**	PO 2345	COUNTY ELECTION REIMBURSEMENT - 201	400.00	**400.00**
1286 - **PRO JANITORIAL SERVICES, LLC**	PO 2508	DECEMBER CLEANING SERVICES	1,735.00	**1,735.00**
1310 - **RYSER'S LANDSCAPE SUPPLY INC**	PO 2472	REPAIIR OF SIDEWALK E. Main St	26.75	**26.75**
1314 - **SEABOARD FIRE & SAFETY**	PO 2428	PAP INSPECT & FUSIBLE LINK	105.00	**105.00**
1315 - **SEABOARD WELDING SUPPLY, INC.**	PO 2351	MONTHLY OXYGEN & CYLINDER CHARGES	41.50	**41.50**
1325 - **SHREWSBURY AUTO PARTS**	PO 2305	WIRE AND BLACK TAPE TO REPAIR TRAIL	38.87	**38.87**
1326 - **SIP'S PAINT**	PO 2312	SPIRAL SCREW EXTRACTOR	13.99	**13.99**
1327 - **SLATTERY PEST CONTROL**	PO 2464	PEST TREATMENT - 433 Myrtle Ave	50.00	**50.00**
1330 - **STATE OF NEW JERSEY**	PO 2497	REIMBURSE CHARGE FOR 09/30/18	55.47	
	PO 2538	BALANCE DUE THIRD QUARTER 2018	31.35	**86.82**
1433 - **STATE OF NJ**	PO 2588	BFCE REGISTRATION RENEWAL	191.00	**191.00**
1337 - **SUBURBAN DISPOSAL**	PO 2413	SOLID WASTE & RECYCLING - DECEMBER	16,975.00	
	PO 2412	DISPOSAL FEE & RECYCLING & CONTAINE	22,131.62	
	PO 2569	SOLID WASTE & RECYCLING - JAN 2109	16,975.00	
	PO 2567	DISPOSAL FEE & RECYCLING & CONTAINE	20,135.31	**76,216.93**
1341 - **TARGETED TECHNOLOGIES LLC**	PO 2589	QUARTERLY DOMAIN HOSTING - BORO	375.00	
	PO 2586	QUARTERLY DOMAIN HOSTING - PD	75.00	
	PO 2574	MSP AGREEMENT BORO - JAN 2019	2,549.00	
	PO 2573	MAIL ARCHIVING - JAN 2019	228.00	**3,227.00**
1345 - **TEAM LIFE, INC**	PO 2461	Recert for officers AED & CPR	150.00	**150.00**
1346 - **THE ARNETTE LAW FIRM LLC**	PO 2539	BOROUGH ATTORNEY FEES - OCT 2018	3,565.00	**3,565.00**
1348 - **THE HOME DEPOT**	PO 2476	CERTIFICATION - SUPPLIES	45.88	**45.88**
1349 - **THE LINK NEWS, INC**	PO 2330	Legal Advertising - Ordinance Adopt	23.52	
	PO 2303	Legal Advertising - Notice of RFP f	39.35	**62.87**
1447 - **TREASURER STATE OF NJ**	PO 2583	MARRIAGE LICENSE FEE DUE STATE - 4T	125.00	**125.00**
1358 - **TREASURER: COUNTY OF MONMOUTH**	PO 2540	FOURTH QUARTER OF 2018	1,705.00	**1,705.00**
1361 - **TREASURER: STATE OF NJ**	PO 2511	FOURTH QUARTER CONSTRUCTION FEE	1,858.05	**1,858.05**
1365 - **TREASURER: STATE OF NJ/727GSPT**	PO 2577	GS PRESERVATION TRUST	7,688.94	**7,688.94**
1369 - **TRIUS, INC**	PO 2289	REPAIR ON BRINE TANK TRUCK 126	740.30	**740.30**
1372 - **TRYSTONE CAPITAL ASSETS**	PO 2172	LIEN 18-00011; B115, L14 RESOLUTION	1,915.09	
	PO 2252	LIEN 18-00003, B44 - L8 RESOLUTION	1,915.09	**3,830.18**
1376 - **UNIVERSAL COMPUTING SERVICE**	PO 2331	MAILERS FOR COURT	415.80	**415.80**
1377 - **US BANK AS CUST FOR ACTLIEN**	PO 2178	REDEEM LIEN 18-00008 Resolution #20	1,611.80	**1,611.80**
1437 - **US BANK CUST FOR PC7 FIRSTTRUST BAN**	PO 1945	REDEEM LIEN 18-00013 Resolution #20	365.10	**365.10**
1387 - **VERIZON**	PO 2438	FIRE ALARM MONITOR - 12/08-01/07/1	43.80	
	PO 2473	2018 LIBRARY - 12/01-12/31/18	294.71	
	PO 2570	OEM (732-389-9801) 12/23-01/24	228.72	**567.23**
1388 - **VERIZON WIRELESS**	PO 2581	2018 PD WIRELESS SERVICES	366.44	
	PO 2584	FIRST AID AIR CARDS - 12/24 - 01/23	140.04	**506.48**

List of Bills - (All Funds)

Vendor		Description		Payment	Check Total
1389 - **VERIZON WIRELESS (OEM)**	PO 2417	OEM WIRELESS SERVICE - 12/02-01/01		38.01	
	PO 2566	OEM AIR CARD - 01/02-02/01		38.01	**76.02**
1392 - **W.B. MASON CO, INC**	PO 2244	SUPPLIES FOR VARIOUS DEPTS		805.70	
	PO 2256	SUPPLIES FOR VARIOUS DEPTS		96.01	
	PO 2374	SUPPLIES FOR ADM & CONSTRUCTION		135.26	
	PO 2348	SUPPLY FOR CONSTRUCTION		9.85	**1,046.82**
		Capital Fund			
1138 - **HALE TRAILER BRAKE & WHEEL INC**	PO 2394	OLD PO#17-01243; OFFICE TRAILER EXP		340.00	**340.00**
1157 - **JOHNNY ON THE SPOT INC**	PO 2212	900 MURPHY - TRAILER, 11/1-11/28/18		199.50	
	PO 2274	OLD PO#17-01246; RESTROOM SERVICE D		90.00	
	PO 2392	DPW TRAILER- PORT A WATER 64 GALLON		199.50	**489.00**
1174 - **KEY TECH, INC**	PO 2452	Main Street Improvements Phase I -		1,400.00	**1,400.00**
1195 - **MASER CONSULTING, P.A.**	PO 2537	AERIAL PHOTOGRAPHY AND PHOTOMMETRIC		3,950.00	
	PO 2536	MYRTLE AVE ENGINEERING		704.50	
	PO 2535	ADRIAN AVE CONSTRUCTION OVERSIGHT		815.00	
	PO 2534	MILTON AVE		975.00	
	PO 2533	MAIN STREET PHASE 2		442.82	
	PO 2532	DEAL AVE BULKHEAD		1,348.00	**8,235.32**
		DOG TRUST FUND			
1204 - **MGL PRINTING SOLUTIONS**	PO 2170	2019 LICENSE TAGS - DOG TAG $216 -		318.00	**318.00**
1445 - **Monmouth County SPCA**	PO 2416	ANIMAL CONTROL - 11/18		485.52	**485.52**
		OPEN SPACE TRUST			
1042 - **C&S ELECTRICAL CONTRACTOR, INC**	PO 2236	OLD WHARF PARK - JUNCTION BOXES AT		188.00	**188.00**
1126 - **GLENCO SUPPLY INC**	PO 2339	TWO SIGNS - MARIA GATTA		93.00	
	PO 2467	NO SMOKING SIGN		40.00	
	PO 2480	EIGHT SIGNS - MARIA GATTA		210.00	**343.00**
1157 - **JOHNNY ON THE SPOT INC**	PO 2393	MARIA GATTA PARK - RESTROOMS - NOV		291.20	**291.20**
		OTHER TRUST			
1234 - **MONMOUTH WIRE & COMPUTER**	PO 2420	ELECTRONICS RECYCLING - OCTOBER		350.00	**350.00**
1394 - **WASTE MANAGEMENT OF NJ, INC**	PO 2313	COMMINGLE ACCT 33000 OCT 2018		1,026.00	
	PO 2310	RECYCLING CENTER - ACCT 33004 OCT 2		735.00	
	PO 2407	RECYCLING NEWSPAPER 11/26/18		498.50	
	PO 2406	RECYCLING MIXED PAPER 11/16/18		458.00	
	PO 2448	COMMINGLE ACCT 33000 NOV 2018		703.00	**3,420.50**
1394 - **WASTE MANAGEMENT OF NJ, INC**	PO 2450	RECYCLING CENTER - ACCT 33004 NOV 2		735.00	**735.00**
		DEVELOPERS ESCROW TRUST			
1564 - **JOSEPH GALLO**	PO 2510	ESCROW FOR J. GALLO		139.44	**139.44**
1195 - **MASER CONSULTING, P.A.**	PO 2531	Construction Observation - ACUTECAR		81.50	
	PO 2530	Construction Observation - FT MONMO		81.50	
	PO 2529	ROW Inspection Permit #3748		81.50	
	PO 2528	ROW Inspection Permit #3749		472.50	
	PO 2522	PROJECT OPP 245 - 47 HIAWATHA		81.50	
	PO 2521	Planning Board Review - 61 WERAH		81.50	
	PO 2520	Planning Board Review - 86 SEA GIR		81.50	
	PO 2519	Planning Board Review - 11 Hiawatha		163.00	**1,124.50**
1340 - **T&M ASSOCIATES**	PO 2518	RPM NORTH POST - B 11.02, L 1		20,003.80	**20,003.80**
1349 - **THE LINK NEWS, INC**	PO 2389	PB Notice of Decision - 36 Tohican		8.56	**8.56**

TOTAL					**648,413.67**

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-011	CASH OPERATING			0.00	610,541.83
01-113-04-000-026	TAX SALE PREMIUMS			4,100.00	
01-201-20-100-200	ADMINISTRATIVE & EXECUTIVE OE	3,377.00			
01-201-21-180-200	PLANNING BOARD OE	45.56			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	38.01			
01-201-25-260-200	FIRST AID ORGANIZATION OE	140.04			
01-201-26-305-200	SANITATION-TRASH REMOVAL OE	14,141.67			
01-201-26-306-200	RECYCLING OE	2,833.33			
01-201-26-310-252	REPAIRS & EQUIPMENT	191.00			
01-201-30-410-200	NJEIT ADMIN FEES	9,397.50			
01-201-31-430-203	TELEPHONE/INTERNET	318.77			
01-201-45-920-200	DEBT SERVICE OE	424,943.03			

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-203-20-100-200	(2018) ADMINISTRATIVE & EXECUTIVE OE		7,511.48		
01-203-20-130-200	(2018) FINANCIAL ADMINISTRATION OE		1,078.19		
01-203-20-145-200	(2018) COLLECTION OF TAXES OE		20.73		
01-203-20-155-200	(2018) LEGAL SERVICES OE		8,405.00		
01-203-20-165-200	(2018) BOROUGH ENGINEER OE		4,750.00		
01-203-21-180-200	(2018) PLANNING BOARD OE		2,970.44		
01-203-22-195-200	(2018) CONSTRUCTION CODE OE		163.97		
01-203-25-240-200	(2018) POLICE OE		6,849.48		
01-203-25-252-200	(2018) EMERGENCY MANAGEMENT OE		3,082.40		
01-203-25-255-200	(2018) FIRE HYDRANT SERVICE OE		10,937.47		
01-203-25-260-200	(2018) FIRST AID ORGANIZATION OE		2,295.14		
01-203-25-265-200	(2018) FIRE DEPARTMENT OE		642.00		
01-203-25-265-209	(2018) REPAIRS & MAINTENANCE		1,931.93		
01-203-26-300-200	(2018) STREETS & ROADS OTHER EXPENSES		675.50		
01-203-26-300-271	(2018) REPAIRS		6,713.84		
01-203-26-300-273	(2018) SUPPLIES		1,751.16		
01-203-26-300-281	(2018) UNIFORM RENTAL		254.20		
01-203-26-300-282	(2018) SALT & SAND		1,448.36		
01-203-26-305-200	(2018) SANITATION-TRASH REMOVAL OE		16,975.00		
01-203-26-310-200	(2018) PUBLIC BUILDINGS & GROUNDS OE		1,811.75		
01-203-26-310-252	(2018) REPAIRS & EQUIPMENT		687.90		
01-203-27-335-300	(2018) WATER WATCH COMMITTEE-OTHER		440.50		
01-203-28-371-200	(2018) PARKS AND PLAYGROUNDS OE		298.73		
01-203-30-420-200	(2018) CELEBRATION OF PUB. EVENTS OE		86.00		
01-203-31-430-201	(2018) JCPL-Buildings		2,726.14		
01-203-31-430-203	(2018) TELEPHONE		1,308.23		
01-203-31-430-204	(2018) New Jersey American Water		544.78		
01-203-31-430-205	(2018) NATURAL GAS		4,955.29		
01-203-31-430-207	(2018) STREET LIGHTING		9,731.75		
01-203-31-465-200	(2018) SANITATION DUMPING FEES		42,266.93		
01-203-43-490-200	(2018) MUNICIPAL COURT OE		474.55		
01-204-55-000	Accounts Payable			3,536.95	
01-214-55-000-003	DUE 3RD PARTY LIEN HOLDERS			1,707.08	
01-218-55-000-028	DUE STATE-MARRIAGE LICENSES			125.00	
01-218-55-000-030	DUE TO STATE - CONSTRUCTION FEES			1,858.05	
TOTALS FOR	**Current Fund**	**455,425.91**	**143,788.84**	**11,327.08**	**610,541.83**
04-101-01-100-011	CAPITAL CASH - TD			0.00	10,464.32
04-215-55-474-000	MUNICIPAL COMPLEX ORD #970			829.00	
04-215-55-973-A00	2017 #973 VARIOUS CAPITAL EQUIPMENT			1,400.00	
04-215-55-988-A00	ROADS, DRAINAGE, TRAFFIC SIGNAL, BULKHEA			8,235.32	
TOTALS FOR	**Capital Fund**	**0.00**	**0.00**	**10,464.32**	**10,464.32**
05-101-00-100-011	CASH - TD			0.00	803.52
05-270-00-500-020	RESERVE FOR EXPENDITURES			803.52	
TOTALS FOR	**DOG TRUST FUND**	**0.00**	**0.00**	**803.52**	**803.52**
06-101-01-100-011	OPEN SPACE CASH - TD			0.00	822.20
06-270-00-500-020	RESERVE FOR OPEN SPACE			822.20	
TOTALS FOR	**OPEN SPACE TRUST**	**0.00**	**0.00**	**822.20**	**822.20**
60-101-01-100-101	CASH-OTHER TRUST - TD			0.00	4,505.50
60-270-55-600-206	RES FOR RECYCLING			4,505.50	
TOTALS FOR	**OTHER TRUST**	**0.00**	**0.00**	**4,505.50**	**4,505.50**
61-101-01-100-101	CASH-DEV.ESCROW/TD			0.00	21,276.30
61-270-55-600-205	RES.FOR DEV.ESCROW			21,276.30	
TOTALS FOR	**DEVELOPERS ESCROW TRUST**	**0.00**	**0.00**	**21,276.30**	**21,276.30**

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
Total to be paid from Fund 01	Current Fund	610,541.83			
Total to be paid from Fund 04	Capital Fund	10,464.32			
Total to be paid from Fund 05	DOG TRUST FUND	803.52			
Total to be paid from Fund 06	OPEN SPACE TRUST	822.20			
Total to be paid from Fund 60	OTHER TRUST	4,505.50			
Total to be paid from Fund 61	DEVELOPERS ESCROW TRUST	21,276.30			
		648,413.67			

8.1.a

Report Printed *2019-01-10 18:12:56* **BOROUGH OF OCEANPORT**Click here to save CSV (Excel) Version

Pending Payments (*Not Finalized*) - (..) ALL FUNDS

From 01/01/2019 to 01/31/2019 With a Line Amount > 10000

DATE	ENTRY #	PO#	CHECK #	ACCOUNT	VENDOR/EXPLANATION	DEBIT	CREDIT	ACCOUNT
1/09/2019		2502		01-203-25-255-201	FIRE HYDRANT SERVICE - 135 HYDTS FIREH - 10	5,612.00		
				01-203-25-255-201	FIRE HYDRANT SERVICE - 135 HYDTS - 11/27-12	6,210.00		
				01-203-25-255-201	RATE REFUND	-872.85		
				01-203-25-255-201	INTEREST ON RATE REFUND	-11.68		
					NJ AMERICAN WATER CO		10,937.47	01-101-01-000-011
1/09/2019		2413		01-203-26-305-201	SOLID WASTE & RECYCLING COLLECTION	16,975.00		
					SUBURBAN DISPOSAL		16,975.00	01-101-01-000-011
1/09/2019		2412		01-203-31-465-201	DISPOSAL, RECYCLING & ROLL-OFF CONTAINER	21,411.53		
				01-203-31-465-201	NJ Recycling Enhancement Act Fee	720.09		
					SUBURBAN DISPOSAL		22,131.62	01-101-01-000-011
1/09/2019		2518		61-270-55-600-205	RPM NORTH POST - B 110.02, L 1N - CATALOG #	20,003.80		
					T&M ASSOCIATES		20,003.80	61-101-01-100-101
1/09/2019		2567		01-203-31-465-201	DISPOSAL, RECYCLING & ROLL-OFF CONTAINER	19,489.83		
				01-203-31-465-201	NJ Recycling Enhancement Act Fee	645.48		
					SUBURBAN DISPOSAL		20,135.31	01-101-01-000-011
1/09/2019		2587		01-201-45-920-212	ENVIRONMENTAL INFRASTRUCTURE TRUST-LOAN	331,074.09		
				01-201-30-410-201	NJEIT ADMIN FEES	9,397.50		
				01-201-45-930-213	NJEIT LOAN INTEREST	86,180.00		
					NJIB ATTN: MICHELLE DEYO		426,651.59	01-101-01-000-011
1/09/2019		2569		01-201-26-305-201	SOLID WASTE COLLECTION	14,141.67		
				01-201-26-306-201	RECYCLING COLLECTION	2,833.33		
					SUBURBAN DISPOSAL		16,975.00	01-101-01-000-011

JANUARY SUMMARY BY ACCOUNT:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	PENDING CR
01-101-01-000-011	CASH OPERATING				513,805.99
61-101-01-100-101	CASH-DEV.ESCROW/TD				20,003.80
01-201-26-305-201	SANITATION-TRASH REMOVAL		14,141.67		
01-201-26-306-201	OTHER EXPENSES		2,833.33		
01-201-30-410-201	NJEIT ADMIN FEES		9,397.50		
01-201-45-920-212	PAYMENT OF NJSEA PRINCIPAL		331,074.09		
01-201-45-930-213	INTEREST ON BONDS		86,180.00		
01-203-25-255-201	(2018) FIRE HYDRANT SERVICE	10,937.47			
01-203-26-305-201	(2018) SANITATION-TRASH REMOVAL	16,975.00			
01-203-31-465-201	(2018) SANITATION DUMPING FEES	42,266.93			
61-270-55-600-205	RES.FOR DEV.ESCROW			20,003.80	
JANUARY TOTALS (FOR RANGE):		70,179.40	443,626.59	20,003.80	533,809.79

SUMMARY BY ACCOUNT FOR RANGE:

ACCOUNT	ACCOUNT DESCRIPTION	APR RESERVE	CURRENT	NON-BUDGETARY	DISBURSED
01-101-01-000-011	CASH OPERATING				513,805.99
61-101-01-100-101	CASH-DEV.ESCROW/TD				20,003.80
01-201-26-305-201	SANITATION-TRASH REMOVAL		14,141.67		
01-201-26-306-201	OTHER EXPENSES		2,833.33		
01-201-30-410-201	NJEIT ADMIN FEES		9,397.50		
01-201-45-920-212	PAYMENT OF NJSEA PRINCIPAL		331,074.09		
01-201-45-930-213	INTEREST ON BONDS		86,180.00		
01-203-25-255-201	(2018) FIRE HYDRANT SERVICE	10,937.47			
01-203-26-305-201	(2018) SANITATION-TRASH REMOVAL	16,975.00			
01-203-31-465-201	(2018) SANITATION DUMPING FEES	42,266.93			
61-270-55-600-205	RES.FOR DEV.ESCROW			20,003.80	
TOTALS (FOR RANGE):		70,179.40	443,626.59	20,003.80	533,809.79

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #18-00015 FOR
BLOCK 138, LOT 14 KNOWN AS 100 MAIN STREET

Resolution #2019-40
01/17/19

WHEREAS, at the Borough Tax Sale held on August 23, 2018, a lien was sold on Block 138 Lot 14 otherwise known as 100 Main St; and

WHEREAS, this lien, known as Tax Sale Certificate 18-00015 was sold to Trystone Capital Assets LLC at an interest rate of 0% and;

WHEREAS, the owner's representative has redeemed certificate 18-00015 in the amount of $ 515.82.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of $515.82 payable to Trystone Capital Assets LLC, PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate 18-00015.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of $1,400 (Premium) to the aforementioned lienholder.

I certify that the foregoing Resolution #2019-40 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING REDEMPTION OF TAX SALE CERTIFICATE #16-00018 FOR
BLOCK 89, LOT 5 KNOWN AS 372 MILTON AVE

Resolution #2019-41
01/17/19

WHEREAS, at the Borough Tax Sale held on August 22, 2016, a lien was sold on Block 89 Lot 5 otherwise known as 372 Milton Ave; and

WHEREAS, this lien, known as Tax Sale Certificate 16-00018 was sold to Trystone Capital Assets LLC at an interest rate of 0% and;

WHEREAS, the owner's representative has redeemed certificate 16-00018 in the amount of $ 1,372.73.

NOW, THEREFORE, BE IT RESOLVED that the CFO be authorized to issue a check in the amount of $1,372.73 payable to Trystone Capital Assets LLC, PO Box 1030, Brick NJ 08723 for the redemption of Tax Sale Certificate 16-00018.

BE IT FURTHER RESOLVED, that the CFO be authorized to issue a check in the amount of $900 (Premium) to the aforementioned lienholder.

I certify that the foregoing Resolution #2019-41 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING 2018 BUDGET APPROPRIATION TRANSFERS

Resolution #2019-42
01/17/19

WHEREAS, it shall become necessary to expend for some of the purposes specified in the Budget an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect an appropriation to which or from which transfers are prohibited under the statutes.

NOW, THEREFORE, BE IT RESOLVED the following transfers between appropriations be authorized pursuant to N.J.S.A. 40A:4-58:

Budget Transfers		**AMOUNT**	
FROM:			
Electricity		(5,000.00)	01-201-31-430-202
	$	(5,000.00)	
TO:			
Natural Gas		5,000.00	01-201-31-430-205
	$	5,000.00	

BE IT FURTHUR RESOLVED that a copy of this resolution be filed forthwith with the Borough's Chief Financial Officer.

I certify that the foregoing Resolution #2019-42 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTMENTS TO BOARDS AND COMMITTEES

Resolution #2019-43
01/17/19

BE IT RESOLVED, by the Mayor and Council of the Borough of Oceanport, that the following recommended appointments be made by the Mayor with advice and consent of Council:

PARKS & RECREATION COMMITTEE

Scott Marcantonio	Unexpired term ending 12/31/2021

WATER WATCH COMMITTEE

Patty Cooper	1yr term expiring 12/31/2019

I certify that the foregoing Resolution #2019-43 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT APPOINTING DONNA M. PHELPS AS FUND COMMISSIONER AND JEANNE SMITH AS ALTERNATE FUND COMMISSIONER TO THE CENTRAL JERSEY HEALTH INSURANCE FUND

Resolution #2019-44
01/17/19

BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport that Donna M. Phelps is appointed as Fund Commissioner and Jeanne Smith is hereby appointed as Alternate Fund Commissioner to Central Jersey Health Insurance Fund.

I certify that the foregoing Resolution #2019-44 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A FUND COMMISSIONER IN ACCORDANCE WITH
MONMOUTH COUNTY JIF REQUIREMENTS

Resolution #2019-45
01/17/19

WHEREAS, it is necessary to appoint a Fund Commissioner to represent the Borough of Oceanport at monthly meetings of the Monmouth County Joint Insurance Fund; and

NOW, THEREFORE, BE IT RESOLVED that Donna M. Phelps be and is hereby appointed Fund Commissioner and Jeanne Smith as Alternate.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Monmouth County Joint Insurance Fund and the Chief Financial Officer.

I certify that the foregoing Resolution #2019-45 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT
APPOINTING A MUNICIPAL HOUSING LIAISON

Resolution #2019-46
01/17/19

WHEREAS, the Borough of Oceanport's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Oceanport is required to appoint a Municipal Housing Liaison for the administration of the Borough's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, the Borough of Oceanport Code Chapter 390 entitled Zoning provides for the appointment of a Municipal Housing Liaison to administer the Borough of Oceanport*'s* affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing body of the Oceanport Borough in the County of Monmouth and State of New Jersey that Donna M. Phelps is hereby appointed by the Governing Body of the Borough of Oceanport as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section 390 of Oceanport Borough's Municipal Code.

I certify that the foregoing Resolution #2019-46 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING AN EXTENSION OF THE GRANT AGREEMENT WITH THE COUNTY OF MONMOUTH FOR THE MILTON AVENUE DRAINAGE IMPROVEMENT PROJECT

Resolution #2019-47
01/17/19

WHEREAS, the Borough of Oceanport entered in a Project Agreement with the County of Monmouth for the project entitled “Milton Avenue Drainage Improvement Project” pursuant with Resolution #2017-195; and

WHEREAS, the Borough is seeking to extend the termination date of the project agreement to **December 31, 2019.**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Clerk are hereby authorized to execute the amendment to the original agreement attached hereto extending the project termination date to December 31, 2019.

BE IT RESOLVED that the Clerk is directed to forward a certified copy of this resolution and the executed agreement amendment to the Monmouth County Community Development Program.

I certify that the foregoing Resolution #2019-47 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

DIVISION OF PLANNING
OFFICE OF COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PROJECT AGREEMENT EXTENSION

PROJECT TITLE: **Milton Avenue Drainage Improvement Project**

SUB-RECIPIENT: **Borough of Oceanport**

PROJECT NUMBER: G-14-56-892-170-228

ORIGINAL PROJECT AGREEMENT TERMINATION DATE: 11/30/2018

AMENDED PROJECT AGREEMENT TERMINATION DATE: 12/31/2019

THIS AMENDMENT, entered into this **1st** day of **December, 2018,** by and between the MONMOUTH COUNTY BOARD OF CHOSEN FREEHOLDERS (hereinafter referred to as the "COUNTY") and the Borough of Oceanport**,** hereinafter referred to as the "Sub-Recipient").

WHEREAS, the COUNTY has applied for and received grant funds from the U.S. Department of Housing and Urban Development under Title I of the Housing and Urban-Rural Recovery Act of 1983, as amended, and

WHEREAS, the Sub-Recipient and the COUNTY are parties to an original project agreement dated **November 30th, 2017** (hereinafter referred to as the "Project Agreement") to perform the services as set forth in the scope of services for a project entitled "Milton Avenue Drainage Improvement Project" in accordance with provisions of this Agreement, the General and Specific Assurances and all other documents hereto; and wish to extend the termination date of the project agreement to **December 31, 2019.**

NOW, THEREFORE, in consideration of the mutual promises and other conditions, covenants, and obligations made and agreed to by and between the parties,

it is hereby agreed as follows:

I. Section III, PROJECT PERFORMANCE, is hereby amended to reflect that the services of the Sub-Recipient shall terminate no later than **December 31, 2019.**

II. All other terms and provisions of the Project Agreement, not herein amended, shall remain in full force and effect.

WITNESS THEREOF, the County and the Sub-recipient have executed this Agreement of the date first above written.

ATTEST

MARION MASNICK
CLERK OF THE BOARD OF CHOSEN FREEHOLDERS

COUNTY OF MONMOUTH
BOARD OF CHOSEN FREEHOLDERS:

BY: _____
THOMAS A. ARNONE, DIRECTOR
BOARD OF CHOSEN FREHOLDERS

_____
DATE

ATTEST

_____
SIGNATURE

_____
PRINT NAME

_____
TITLE

_____
DATE

SUB-RECEPIENT:

BY: _____
SIGNATURE

_____
PRINT NAME

_____
TITLE

_____
DATE

**RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING AN EXTENSION OF THE INTERLOCAL AGREEMENT WITH
THE OCEANPORT BOARD OF EDUCATION FOR LAWN MAINTENANCE
AND SNOW PLOWING SERVICES**

Resolution #2019-48
01/17/19

WHEREAS, the Borough of Oceanport entered into an Interlocal Agreement with the Oceanport Board of Education for performance of grounds maintenance and snow plowing services with the exception of the walkways of school properties;

WHEREAS, said Agreement expired June 30, 2018; and

WHEREAS, the Oceanport Board of Education has requested to renew the agreement; and

WHEREAS, the Borough Council has determined that due to budget appropriation caps, staffing and increased demands on the Public Works Department due to the reuses being established at the former Fort Monmouth sites that the Borough is unable to continue to provide said services; and

WHEREAS, the Borough Council has agreed to continue services through the period ending June 30, 2019 to allow time for the Board of Education to solicit new servicing; and

WHEREAS it has been agreed upon that the Board of Education will pay the Borough of Oceanport $19,750.00 for grounds maintenance and snow plowing with the exception of the walkways of school properties.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oceanport hereby affirms and extends the interlocal services agreement for the period July 1, 2018 through June 30, 2019 with the Oceanport Board of Education for grounds maintenance and snow plowing on school properties for a cost of $19,750.00; and

BE IT FURTHER RESOLVED that a copy of the Agreement be provided to the Oceanport Board of Education, the Borough Administrator, Public Works Foreman and the Chief Financial Officer.

I certify that the foregoing Resolution #2019-48 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

RESOLUTION OF THE BOROUGH OF OCEANPORT AUTHORIZING AMENDMENTS TO POLICE DEPARTMENTS RULES AND REGULATIONS PURSUANT WITH BOROUGH CODE § 78-7 "RULES AND REGULATIONS"

Resolution #2019-49
01/17/19

WHEREAS, the Police Chief has reviewed the Police Department's Rules and Regulation and has made recommendations to amend same to reflect changes in department structure and operations including legal and statutory changes; and

WHEREAS, the Governing Body has reviewed and considered the recommendations of the Police Chief.

NOW, THEREFORE BE IT RESOLVED BY THE Mayor and Council of the Borough of Oceanport that the proposed amendments be made to the Borough's Police Department Rules and Regulations and is hereby amended pursuant with §78-7 of the Borough Code effective immediately upon passage by the Governing Body.

I certify that the foregoing Resolution #2019-49 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

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JEANNE SMITH, RMC
BOROUGH CLERK

OCEANPORT POLICE DEPARTMENT
RULES AND REGULATIONS

1.0 Establishment of police Department rules and regulations

1.1 Police Department authority

1.1.1 The Police Department of the Borough of Oceanport is established pursuant to N.J.S.A. 40A:14-118 and (Chapter 16 of the Municipal Ordinances of the Borough of Oceanport). The Oceanport Police Department shall after this be called the "Department."

1.2 Department Rules

1.2.1 Rules and Regulations Established. The Governing Body or its designee (a designated committee thereof or Borough Administrator) is designated as the appropriate authority as provided in the New Jersey statutes. The Appropriate Authority shall be responsible for the overall performance of the Police Department. The Governing Body or its designee shall adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of its members (N.J.S.A. 40A:14-118).

1.2.2 Right to Amend or Revoke. In accordance with N.J.S.A. 40A:14-118, the right is reserved by the appropriate authority to amend or to revoke any of the rules contained herein.

1.2.3 Previous Rules, Policies and Procedures. All rules previously issued, and policies, procedures and guidelines that are contrary to the rules contained herein, are hereby revoked. All other policies and guidelines shall remain in force.

1.2.4 Application. These rules are applicable to all police officers of the Department and to all civilian employees of the Department where appropriate.

1.2.5 Distribution. One copy of these rules shall be distributed to each employee of the Department. Copies will also be maintained on file in the Department Training database, by the records clerk and in the Squad room.

1.2.6 Responsibility for maintenance. Employees shall be responsible for maintaining a current copy of the rules, including all additions, revisions, and amendments as issued.

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1.2.7 The Chief of Police will advise the Appropriate Authority of any necessary changes or additions to the rules.

1.2.8 Familiarization. Employees shall thoroughly familiarize themselves with the provisions of the rules. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these rules.

2.0 Definitions

2.1 Authority. The right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided for in the Department rules, policies, and guidelines. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered to be in violation of the rules.

Deleted: department

2.2 Chain of command. Vertical lines of communication, authority and responsibility within the organizational structure of the Department.

Deleted: department

2.3 Day Off. Those days determined by the appropriate supervisor on which a given employee is excused from duty.

2.4 Directive. A document detailing the performance of a specific activity or method of operation. "Directive" includes:

Deleted: "

2.4.1 General Order: Broadly based directive dealing with policy and guidelines and affecting one or more organizational subdivisions of the Department.

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2.4.2 Personnel order: A directive initiating and announcing a change n the assignment, rank or status of personnel.

2.4.3 Special order: A directive dealing with a specific circumstance or event that is usually self-canceling.

2.5 Employee. All employees of the Department, whether sworn regular or special police officers or civilian employees.

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2.6 Governing Body. The Mayor and Borough Council of the Borough of Oceanport.

2.7 Guideline. A written statement providing specific direction for performing Department activities. Guidelines are implemented through policies and directives.

2.8 May/Should. As used herein words “may” and “should” mean that the action indicated is permitted.

2.9 Order. Any written or oral directive issued by a supervisor to any subordinate, or group of subordinates in the course of police duty.

2.10 Policy. A statement of Department principles that provides the basis for the development of guidelines and directives.

2.11 Shall/Will. The words “shall” and “will” as used herein, shall indicate that the action required is mandatory.

2.12 Supervisor. Employee assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

3.0 Rank and command

3.1 The order of Rank in the Police Department shall be:

A. Chief
B. Captain
C. Lieutenant
D. Sergeant-
E. Detective-
F. Patrolman-
G. Probationary Officer
H. Special Officer Class II
I. Special Officer Class I
J. Records Clerk-

3.2 Command in the Police Department shall be exercised by virtue of rank and in cases of equal rank by length of service in such rank, and where equal by length of service in the next preceding rank.

4.0 Powers and Duties of Officers

4.1 Authority and Duties of the Chief of Police

4.1.1 Summary

The Chief of Police is the Chief Administrative Officer of the Department and is directly responsible to the Public Safety Committee for

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its efficiency and day-to-day operations. He is the final authority in all matters of policy, operations, and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the Department.

Through the Chief of Police, the Department is responsible for the enforcement of all laws coming within its legal jurisdiction. The Chief of Police is responsible for planning, directing, coordinating, controlling and staffing all activities of the Department. He is also responsible for its continued and efficient operation, for the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be required by proper authority and for the Department's relations with local citizens, the local government and other related agencies.

The Chief is responsible for training of all members of the Department. The Chief shall have general charge of the station house and all property of the police Department.

4.1.2 General Duties and responsibilities:

1. Protect life and property.
2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.
3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.
4. As necessary, recommends and makes recommendations for the adoption of new town ordinances or the amendment of existing ones.
5. Supervises the maintenance of police vehicles and any other equipment needed for the operation of the Department.
6. Prepares periodic and special reports and assures that adequate records are maintained of all Department activities. Forwards monthly activity reports to the Public Safety Committee.
7. Controls the expenditure of Department appropriations and prepares annual budget estimates of needs.

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8. Plans and coordinates training of members in procedures, duties and proper use of equipment.

9. Cooperates with other laws enforcement agencies in the apprehension and detention of wanted persons and with other agencies as appropriate.

10. Receives and disposes of complaints; attends civic club and school meetings to explain the activities and functions of the Police Department, and to establish favorable public relations.

11. Formulates written administrative guidance in the form of policies, regulations, and other orders governing activities of the Police Department

12. Ensures compliance with all laws that the Department or its officers have the authority to enforce.

13. Organizes, directs, and controls all resources of the Department to preserve the peace, protect persons and property and enforce the law.

14. Establishes a routine of daily duties to be performed by officers.

15. Assigns, details or transfers any member or employee of the Department to or from any assignment wherever he shall deem such action necessary for the efficiency, discipline or morale of the Department

16. Ensures that all members have copies of the Department's Rules and Regulations and Guideline manuals.

17. Oversees Investigations of all cases of alleged or apparent misconduct by Department personnel, and makes determination of all disciplinary actions following Departmental Investigations.

18. Keeps himself informed of Departmental affairs, ensuring that the duties and responsibilities of members and employees are properly discharged.

19. Promulgates all general and special orders of the Department and issues on his own authority orders, written and oral, consistent with his powers, duties, and responsibilities.

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20. Supervises the safekeeping of all evidence and any property recovered, found or confiscated.

21. Maintains a personnel record system in which shall be kept all pertinent information on all Departmental members and employees.

22. Notifies the Chairman of the Public Safety Committee and Borough Clerk any time that he intends to leave the borders of the State of New Jersey.

23. Reports immediately to the Chairman of the Public Safety Committee the death, resignation or suspension of any member and takes into custody all the equipment of the Department issued to that officer.

24. Reports promptly to the Chairman of the Public Safety Committee the name of any member who, by reason of age, disease, injury or other cause, does not or is unable to fully and efficiently perform his duties. In his discretion, he may order the member to be examined by a physician selected by the borough for the purpose of determining his ability to perform his duties.

25. Reports in writing to the Governing Body all instances of special faithfulness to duty, exceptional skill and bravery in the performance of duty, and any recommendation as to special award or commendation to be made.

26. Certifies the correctness of all bills and vouchers relating to the Department and maintains an accurate record of all supplies ordered by and delivered to police headquarters.

27. Investigates and reports to the Public Safety Committee all cases involving personal injury or damage to property whereby the borough may be held liable.

28. Reports in person, when possible, at all serious incidents.

29. Reviews, plans, implements safety protocols and measures for Special Events within the Borough.

30. Ensures that Department Payroll is completed in a timely manner, maintains the schedule and makes any necessary changes regarding overtime, sick time, vacation time, Kelly

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time, Special Details, outside work assignments, meetings, Training, military time and/or any other leave of absence reflected on the Department work schedule.

31. Maintains an inventory of all property and belongings of the police Department.

32. Causes an investigation into the background of each applicant for appointment to the Police Department, and reports the results to the Public Safety Committee.

4.1.3 Knowledge, Skills, and Abilities

The Police Chief must maintain comprehensive knowledge of laws, rules, and court decisions relating the administration of criminal justice and law enforcement; comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communications; comprehensive knowledge of controlling laws and ordinances, thorough knowledge of the geography of the town; demonstrated ability to lead and direct the activities of police officers; ability to maintain cooperative relationships with other town officials and with the general public; ability to evaluate the effectiveness of the police operation and to institute improvements; ability to prepare and review reports; resourcefulness and sound judgement in emergencies; demonstrated integrity; tact, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.2 Authority and Duties of the Captain

4.2.1 Summary

The Captain is the second highest rank authorized in the police Department. The Captain possesses the authority in matters of policy, operations, and discipline delegated to him by the Chief of Police. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of Department personnel.

The Captain is responsible for the enforcement of all laws coming within the legal jurisdiction of the Department. He is responsible for planning, directing, coordinating, controlling and staffing all activities assigned to his command. The Captain shares responsibility with the Chief of Police for the continued and efficient operation of the Department, the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be required by proper authority and for the

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Department's relations with local citizens, the local government, and other related agencies.

The Captain shares responsibility for the training of all members of the Department.

4.2.2 General Duties and Responsibilities

1. Protect life and property.
2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.
3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.
4. As necessary, recommends and makes recommendations for the adoption of new policies and procedures or the amendment of existing ones.
5. Supervises the maintenance of police vehicles and any other equipment needed for the operation of his command.
6. Prepares periodic and special reports, and assures that adequate records are maintained of all command activities
7. Plans and coordinates training of members of his command in procedures, duties and proper use of equipment
5. Cooperates with other laws enforcement agencies in the apprehension and detention of wanted persons and with other agencies as appropriate.
6. Receives and disposes of complaints; attends civic club and school meetings to explain the activities and functions of the police Department, and to establish favorable public relations.
7. In consultation with the Chief of Police, formulates written administrative guidance in the form of policies, regulations, and other orders governing activities of the police Department
8. Ensures compliance with all laws that the Department or its officers have the authority to enforce.

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9. Organizes, directs, and controls all resources of the Department to preserve the peace, protect persons and property and enforce the law.

10. Establishes a routine of daily duties to be performed by officers under his command.

11. Assigns, details or transfers any member or employee of the Department to or from any assignment wherever he shall deem such action necessary for the efficiency, discipline or morale of the Department with the prior approval of the Chief of Police.

12. Ensures that all members have copies of the Department's Rules and Regulations and Guidelines manuals

13. Investigates all cases of alleged or apparent misconduct by Department personnel and forwards that information to the Chief of Police for determination of all disciplinary actions.

14. Keeps himself informed of Departmental affairs, ensuring that the duties and responsibilities of members and employees are properly discharged.

15. Promulgates general and special orders for his command and issues on his own authority orders, written and oral, consistent with his powers, duties, and responsibilities conveyed to him by the Chief of Police.

16. Supervises the Field Training Officers and the Field Training program and its proper implementation to train new officers.

17. Is the Commander of the Department's Internal Affairs Function, in which capacity the Captain shall:

    a) Supervise internal affairs investigations.
    b) Maintain Internal Affairs Reports and Files
    c) Report to the County Prosecutor in regards to internal affairs reporting on a quarterly and annual basis.
    d) Recommend to the Chief of Police Internal Affairs discipline and disposition.

18. Reviews, plans, implements safety protocols and measures for Special Events within the Borough.

19. Ensures that Department Payroll is completed in a timely manner, maintains the schedule and makes any necessary changes regarding

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overtime, sick time, vacation time, Kelly time, Special Details, outside work assignments, meetings, Training, military time and/or any other leave of absence reflected on the Department work schedule.

20. During the absence or disability of the Chief of Police, possesses temporarily all the powers, authority and responsibility and shall perform temporarily all of the duties of the Chief of Police.

4.2.3 Knowledge, Skills and Abilities;

The Captain must maintain comprehensive knowledge of laws, rules, and court decisions relating to the administration of criminal justice and law enforcement; comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communications; comprehensive knowledge of controlling laws and ordinances, thorough knowledge of the geography of the town; demonstrated ability to lead and direct the activities of police officers; ability to maintain cooperative relationships with other town officials and with the general public; ability to evaluate the effectiveness of the police operation and to institute improvements; ability to prepare and review reports; resourcefulness and sound judgement in emergencies; demonstrated integrity; tact, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.3 Authority and Duties of the Lieutenant.

4.3.1 Summary

The Lieutenant is the third highest rank authorized in the police Department. The Lieutenant supervises the patrol operations of the Department and supervises the detective bureau and possesses such authority in matters of policy, operations, and discipline as delegated to him by the Chief of Police. He exercises all lawful powers of his assignment and issues such lawful orders as are necessary to assure the effective performance of personnel assigned to the Patrol and the Detective Bureau. The Lieutenant also supervises the Records Bureau.

The Lieutenant is responsible for the enforcement of all laws coming with the legal jurisdiction of the Department. In consultation with the Chief and Captain, the Lieutenant is responsible for the planning, direction, coordination, control and supervision of the Detective Bureau. The Lieutenant shares responsibility with the command above for the continued efficient operation of the Department, the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be

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required by proper authority and for the Departments relations with local citizens, the local government, and other related agencies.

The Lieutenant, in consultation with the Chief and Captain, bears responsibility for implementation of mandatory and in-service training of all members of the Department. The Lieutenant will work with and supervise the Sergeants of the Department and ensure that the Sergeants are properly following all supervisory functions within patrol, as well as all aspects assigned to them, and that they are knowledgeable on policy, procedures, and laws.

4.3.2 General Duties and Responsibilities:

1. Protect life and Property.
2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.
3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.
4. Supervises the Patrol Sergeants and the Departments Patrol Functions.
5. Supervision of all investigations assigned to the Detective Bureau.
6. Informs the Chief and Captain about progress of all investigative responsibilities.
7. Prepares periodic and special reports and assures that adequate records are maintained of all command activities.
8. Ensures that Department Payroll is completed in a timely manner, maintains the schedule and makes any necessary changes regarding overtime, sick time, vacation time, Kelly time, Special Details, outside work assignments, meetings, Training, military time and/or any other leave of absence reflected on the Department work schedule.
9. Oversee and supervises the operations of the Records Bureau.
10. Plans and coordinates training of members of the Department in procedures, duties and proper use of equipment.

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11. Cooperates with other laws enforcement agencies in the apprehension and detention of wanted persons and with other agencies as appropriate.

12. Investigates all cases of alleged or apparent misconduct by Department personnel and forwards that information to the Chief of Police for determination of all disciplinary actions.

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13. Ensures compliance with all laws that the Department or its officers have the authority to enforce.

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14. Organizes, directs, and controls all resources assigned to his command to preserve the peace, protect persons and property and enforce the law.

15. Establishes a routine of daily duties to be performed by officers under his command.

16. Reviews, plans, implements safety protocols and measures for Special Events within the Borough.

17. Keeps himself informed of Departmental affairs, ensuring that the duties and responsibilities of members and employees are properly discharged.

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18. Supervises the safekeeping of all evidence and any property recovered, found or confiscated by members of the Department.

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4..3.3 Knowledge, Skills and Abilities

The Lieutenant must maintain comprehensive knowledge of laws, rules, and court decisions relating the administration of criminal justice and law enforcement; comprehensive knowledge of controlling laws and ordinances, thorough knowledge of the geography of the town; demonstrated ability to lead and direct the activities of police officers; ability to maintain cooperative relationships with other town officials and with the general public; ability to evaluate the effectiveness of the police operation and to institute improvements; ability to prepare and review reports; resourcefulness and sound judgement in emergencies; demonstrated integrity; tact, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.4 Authority and Duties of the Sergeant

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4.4.1 Summary

The Sergeant serves as the front-line level of supervision in the Department. His primary responsibility is exacting the proper performance of police duty from patrol officers.

The Sergeant is charged with enforcing Department rules and ensuring compliance with the Department's regulations. He handles all infractions and reports violations to the Captain or Lieutenant.

He shall thoroughly acquaint himself with the duties of patrol officers and shall assist and instruct the officers under his supervision in the proper performance of their duties.

He shall be responsible for the proficiency, discipline, conduct, appearance, and strict attention to duty of all officers.

A Sergeant with the Department may be assigned to specialized assignment, or supervise a specific assignment that is a required function within the Department, such as:

1. Supervisory Firearms Instructor
2. Supervisor of Traffic Safety
3. Internal Affairs Officer
4. Field Training Officer
5. TAC Officer
6. Other specialized assignments as determined by the Chief of Police, or Captain.
7. Training officer in any police related specialization or topic.

4.4.2 General duties and Responsibilities of Sergeants

1. Protect Life and Property.

2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

4. Instructs and trains new police officers and assists those concerning difficult police problems and cases.

5. Performs all work required of a police officer.

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6. Prepares reports on a variety of police Department activities.

7. Supervises patrol officers assigned to him

8. Maintains active, working knowledge of Departmental rules, policies, procedures, and developments in the law that affect him and members under his supervision.

9. Continuously audits the performance of officers under his supervision to determine whether they are properly, effectively, and consistently carrying out their police duties. In particular, compares field practices with the standards established through written orders.

10. Ensures that when the performance of an officer under his command is unsatisfactory, measures are taken through encouragement, explanation, referral to his superior officer or other means consistent with Departmental policy to see that the officer's future conduct is up to standard.

11. Submits a written report to the Captain or Lieutenant regarding any member of the Department who commits a serious breach of the regulations of the Department, or where informal corrective measures prove inadequate. Includes in this report the complete details of the misconduct and of corrective measures attempted. Examples of types of misconduct which would ordinarily be considered "serious" include, but are not limited to, the following:

    a. Flagrant refusal to obey orders.

    b. The commission of any criminal offense.

    c. Oral or physical abuse of a member of the public.

    d. Excessive use of force with a prisoner or other person.

    e. Absence without leave.

    f. Excessive tardiness

    g. A Conflict of interest.

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h. Failure amounting to negligence to discover or act upon a felony or upon the existence of conditions dangerous to the health or safety of the public.

i. Repeated failure to respond to orders, instructions or other admonitions to correctly execute duties.

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12. Implements all orders received from the Chief or Captain and/or Lieutenant. To this end, thoroughly explains to Departmental personnel under his command the content and meaning of new orders that affect their responsibilities.

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13. Accountable for the actions or omissions of the officers under his supervision which are contrary to Departmental regulations or policy.

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14. Responds to emergencies, incidents, or dispatches as required. Takes command of the situation until relieved by an officer of superior rank.

15. Ensures that all patrol officers receive, serve, or deliver warrants, summonses, subpoenas or other official papers and performs relevant duties promptly and accurately.

16. Performs other duties as may be assigned by the Chief, Captain or Lieutenant.

4.4.3 Knowledge, Skills and Abilities

The Sergeant must maintain thorough knowledge of the rules and regulations of the Department; thorough knowledge of approved principles, practices and procedures of police work; thorough knowledge of pertinent state laws, municipal ordinances and court decisions; thorough knowledge of the geography of the municipality and location of important buildings; commands respect of the officers and assigns, directs and supervises their work; handles the public courteously and firmly and establishes and maintains satisfactory public relations; analyzes complex police problems and situations and adopts quick, effective, and reasonable courses of actions; skilled in the use of police equipment, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

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4.5 Authority and Duties of the Detective

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4.5.1 Summary

Assignments received usually consist of specific cases to be followed to conclusion, normally closing with the preparation of a case for prosecution. This aspect of the work distinguishes the investigator from other police personnel who make preliminary investigations of cases at the scene of the crime.

4.5.2 General Duties and Responsibilities

1. Protect life and property.
2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

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3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

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4. Investigates all assigned cases to the best of one's ability.
5. Demonstrates skills in interviewing and interrogating, properly observing legal safeguards.
6. Testifies in various state and federal court proceedings; presenting a professional competent image of the Department.

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7. Develops and maintains case files and other files or paperwork appropriate to investigative matters, Knowledgeable about relevant legal processes such as grand juries, obtaining warrants, understands and safe guards the constitutional rights of suspects under investigation.
8. Informs the Lieutenant about progress of all investigative responsibilities and completes bi-weekly reports that are forwarded to the Lieutenant of relevant cases, incidents being investigated.
9. Maintains liaison with investigators of the County Prosecutor's officer, State Police and other local and federal law enforcement agencies on matters of mutual concern.
10. Performs all duties required of police officers.
11. Timely completion of background investigations for firearms permits, solicitor permits, and volunteer organizations.

12. Collects, stores, inventories evidence, and maintains records for evidence submission, collection, and destruction.

13. Services as the Departments Juvenile officer, handling cases which involve juvenile involvement or cases where the schools are involved.

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13. Performs other duties as assigned by the Lieutenant, Captain or Chief of police.

4.5.3 Knowledge, Skill and Abilities:

Possess substantial knowledge of police investigative techniques and techniques of identification; general knowledge of rules of evidence and laws of search and seizure; general knowledge of geography of the municipality and important buildings; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise reports; skill in the use of police equipment; physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.6 Authority and Duties of the Police Officer

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4.6.1 Summary

A Police officer is responsible for the efficient performance of required duties conforming to the rules, regulations, and general orders contained herein. Duties shall consist of, but are not limited to, general police responsibilities necessary to the safe and good order of the community. A police officer shall:

1. Protect life and property

2. Identify criminal offenders and criminal activity and, where appropriate, apprehend offenders and participate in subsequent court proceedings.

3. Reduce the opportunity for the commission of crime through preventative patrol and other measures.

4. Aid people who are in danger of physical harm.

5. Facilitate the movement of vehicular and pedestrian traffic.

6. Identify potentially serious law enforcement or governmental problems.

7. Promote and preserve the peace.

8. Provide emergency service.

Although the police officer position is non-supervisory, he or she may be the senior officer working in absence of a Sergeant, Lieutenant, or the Captain. That senior officer, when working with a less experienced officer, shall be responsible for the supervision, proficiency, discipline, conduct, appearance, and strict attention to duty of all subordinate officers working with them. Police officer duties are performed on an assigned shift under the general guidance of the Police Chief, Captain, Lieutenant, and/or Sergeant.

4.6.2 General Duties and Responsibilities

1. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

2. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

3. Is accountable to superior officers. Promptly obeys legitimate orders.

4. Coordinates efforts with those of other members of the Department so that teamwork may ensure continuity of purpose and achievement of police objectives.

5. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.

6. Responds punctually to all assignments. Performs their duties promptly, faithfully and diligently.

7. Acquires and records information concerning events that have taken place since the last tour of duty.

8. Records activity during the tour of duty in the manner prescribed by proper authority.

9. Report to the proper borough officials, any violations of any of the borough codes which may come to his attention.

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10. Strives to improve their skills and techniques through study and training

11. Maintains weapons and equipment in a functional, presentable condition.

12. Assists citizens requesting assistance or information. Courteously explains any instance where jurisdiction does not lie with the police Department and suggests other procedures to be followed.

13. Accountable for the securing, receipt, and proper transporting of all evidence and property coming into custody.

14. Answers questions asked by the general public, counsels juveniles and adults when necessary and refers them to persons or agencies where they can obtain further assistance.

15. Preserves the peace at public gatherings, neighborhood disputes, and family quarrels

16. Serves or delivers warrants, summonses, subpoenas, and other official papers promptly and accurately when so directed by a superior officer.

17. Confers with prosecutors and testifies in court.

18. Accomplishes other general duties as they are assigned or become necessary.

19. Performs other duties as may be assigned by the Chief, Captain, Lieutenant, and/or Sergeants.

20. Cooperates with the efforts of other law enforcement agencies.

21. Police officers may be assigned to specific tasks within the Department by the Chief of Police, Captain, and/or Lieutenant. These assignments include, but are not limited to:

a. Backup Detective duties and rendering assistance in the Detective Bureau.

b. Traffic Safety Officer.

c. Field Training Officer.

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d. Drug Awareness and Resistance Education, or School drug and alcohol education officer.

e. Firearms Instructor, Radar Instructor, Drug Recognition Expert, or any other Police related Instructor or assignment that is beneficial to the Department or the Community.

f. T.A.C. Officer

g. Any Multi-agency assistance entity, such as M.O.C.E.R.T (SWAT). County RDF (Rapid Deployment Force), Narcotics Task Force, S.C.A.R.T. (County Accident Response Team, etc.

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4.6.3 Specific duties and responsibilities: Preventative Patrol.

1. Patrols an assigned area for general purposes of crime prevention and law enforcement. Patrol includes:

   a. Being thoroughly familiar with the assigned route of patrol. Such familiarity includes knowledge of residents, merchants, businesses, roads, alleyways, paths etc. Conditions that contribute to crime should be reported. The location of telephones and other emergency services should be noted.

   b. Apprehending persons violating the law or wanted by the police.

   c. Completing detailed reports on all crimes, vehicle accidents and other incidents requiring police attention. In cases where an arrest is made, an arrest report is submitted along with the required crime reports. When property is recovered or additional information is discovered pertaining to a previously reported offense, and completes any necessary follow-up reports.

   d. Preserving any serious crime scene until the sergeant or detective arrives.

   e. Public assembly checks.

   f. Building security checks.

   g. Observing and interrogating suspicious persons.

   h. Issuing traffic citations.

i. Being alert for and repressing fires.

j. Reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety

k. Checking schools, parks and playgrounds

l. Responding to any public emergency

2. Conducts a thorough investigation of all offenses and incidents within the area of assignment and scope of activity. Collects evidence and records data, which will aid in identification, apprehension, and prosecution of offenders, as well as the recovery of property.

3. Alert to the development of conditions tending to cause crime or indicative of criminal activity. Takes preventive action to correct such conditions, and informs superiors as soon as the situation permits.

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4. Responds to situations brought to the officer's attention while in the course of routine patrol or when assigned by radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing police services.

5. Remains on assigned route throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or senior police officer on duty has issued authorization for a temporary absence.

6. Patrols area giving particular attention to and frequently rechecking locations where the crime hazard is great. Insofar as possible, a patrol officer shall not patrol an area according to any fixed route or schedule, but shall alternate frequently and backtrack in order to be at the location least expected.

7. Be alert for all nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health or convenience of the public within the patrol area.

8. Concerning a patrol vehicle:

a. See that it is well maintained mechanically and that it is kept clean both inside and out.

b. Inspects the vehicle at the beginning of the tour of duty for any defects or missing equipment. Immediately reports all defects and damage sustained to the proper authority and completes all reports and forms required by current procedures.

c. Removes the keys whenever the patrol car is left unattended for any reason.

d. Uses only vehicles assigned by the Captain or senior police officer on duty

e. Operates the radio according to FCC regulations and current Departmental procedures.

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f. Ensures that the assigned vehicle's gas tank is full before completion of each tour of duty.

9. Keeps radio equipment in operation at all times and remains thoroughly familiar with Departmental policy concerning its use.

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10. Takes measures to direct the flow of traffic during periods of congestion.

11. Notifies the Sergeant or officer-in-charge on duty if more than a temporary absence from regular duties is required.

4.6.4 Specific duties and responsibilities: Traffic Patrol.

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.

2. Enforces the parking ordinances and motor vehicle laws in the patrol areas in specified areas, or where the need to conduct the necessary targeted enforcements actions are required. (Radar enforcement, traffic light enforcement,

3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports such conditions to the Sergeant or officer-in-charge.

4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant, or officer-in charge, at the earliest possible opportunity.

5. Wears the prescribed traffic safety clothing and equipment.

4.6.5 Knowledge, Skills and Abilities:

Knowledge of the laws of the federal government, the State of New Jersey, and all ordinances of the Borough of Oceanport which may be related to the intelligent performance of police duties. Some knowledge of the philosophy, objectives and practices of counseling, particularly as related to juveniles; some knowledge of the fundamental principles of adolescent psychology; knowledge of police investigative techniques and techniques of identification; general knowledge of rules of evidence and laws of search and seizure; ability to deal effectively with juveniles and adults; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise oral and written reports; skill in the use of firearms and police equipment; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers and the public; physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.7 Duties of the Special Officer Class II

4.7.1 Summary

A Special Officer Class II, who is appointed by the Governing Body on a yearly basis, is responsible for the efficient performance of required duties conforming to the rules, regulations, and general orders contained herein. Duties shall consist of, but are not limited to, general police responsibilities necessary to the safe and good order of the community. A Special Officer Class II police officer shall:

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1. Protect life and property

2. Identify criminal offenders and criminal activity and, where appropriate, apprehend offenders and participate in subsequent court proceedings.

3. Reduce the opportunity for the commission of crime through preventative patrol and other measures.

4. Aid people who are in danger of physical harm.

5. Facilitate the movement of vehicular and pedestrian traffic.

6. Identify potentially serious law enforcement or governmental problems.

7. Promote and preserve the peace.

8. Provide emergency service.

4.7.2 General Duties and Responsibilities

1. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

2. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

3. Is accountable to superior officers. Promptly obeys legitimate orders.

4. Coordinates efforts with those of other members of the Department so that teamwork may ensure continuity of purpose and achievement of police objectives.

5. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.

6. Responds punctually to all assignments. Performs their duties promptly, faithfully and diligently.

7. Acquires and records information concerning events that have taken place since the last tour of duty.

8. Records activity during the tour of duty in the manner prescribed by proper authority.

9. Report to the Supervisor, who in turn will report to the proper borough officials, any violations of any of the borough codes which may come to his attention.

10. Strives to improve their skills and techniques through study and training

11. Maintains weapons and equipment in a functional, presentable condition.

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12. Assists citizens requesting assistance or information. Courteously explains any instance where jurisdiction does not lie with the police Department and suggests other procedures to be followed.

13. Accountable for the securing, receipt, and proper transporting of all evidence and property coming into custody.

14. Answers questions asked by the general public, counsels juveniles and adults when necessary and refers them to persons or agencies where they can obtain further assistance.

15. Preserves the peace at public gatherings, neighborhood disputes, and family quarrels.

16. Serves or delivers warrants, summonses, subpoenas, and other official papers promptly and accurately when so directed by a superior officer.

17. Confers with prosecutors and testifies in court.

18. Accomplishes other general duties as they are assigned or become necessary.

19. Performs other duties as may be assigned by the Chief, Captain, Lieutenant, and/or Sergeants.

20. Cooperates with the efforts of other law enforcement agencies.

4.7.3 Specific duties and responsibilities: Preventative Patrol.

1. Patrols an assigned area for general purposes of crime prevention and law enforcement. Patrol includes:

   a. Being thoroughly familiar with the assigned route of patrol. Such familiarity includes knowledge of residents, merchants, businesses, roads, alleyways, paths etc. Conditions that contribute to crime should be reported. The location of telephones and other emergency services should be noted.

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b. Apprehending persons violating the law or wanted by the police.

c. Completing detailed reports on all crimes, vehicle accidents and other incidents requiring police attention. In cases where an arrest is made, an arrest report is submitted along with the required crime reports. When property is recovered or additional information is discovered pertaining to a previously reported offense, the officer must produce any and all necessary follow-up reports.

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d. Preserving any serious crime scene until the sergeant or detective arrives.

e. Public assembly checks.

f. Building security checks.

g. Observing and interrogating suspicious persons.

h. Issuing traffic citations.

i. Being alert for and repressing fires.

j. Reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety

k. Checking schools, parks and playgrounds

l. Responding to any public emergency

2. Conducts a thorough investigation of all offenses and incidents within the area of assignment and scope of activity. Collects evidence and records data, which will aid in identification, apprehension, and prosecution of offenders, as well as the recovery of property.

3. Alert to the development of conditions tending to cause crime or indicative of criminal activity. Takes preventive action to correct such conditions and informs superiors as soon as the situation permits.

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4. Responds to situations brought to the officer's attention while in the course of routine patrol or when assigned by

radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing police services.

5. Remains on assigned route throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or officer-in-charge on duty has issued authorization for a temporary absence.

6. Patrols area giving particular attention to and frequently rechecking locations where the crime hazard is great. Insofar as possible, a patrol officer shall not patrol an area according to any fixed route or schedule, but shall alternate frequently and backtrack in order to be at the location least expected.

7. Be alert for all nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health or convenience of the public within the patrol area.

8. Concerning a patrol vehicle:

   a. See that it is well maintained mechanically and that it is kept clean both inside and out.

   b. Inspects the vehicle at the beginning of the tour of duty for any defects or missing equipment. Immediately reports all defects and damage sustained to the proper authority and completes all reports and forms required by current procedures.

   c. Removes the keys whenever the patrol car is left unattended for any reason.

   d. Uses only vehicles assigned by the Captain, Lieutenant, Sergeant or senior police officer on duty

   e. Operates the radio according to FCC regulations and current Departmental procedures.

   f. Ensures that the assigned vehicle's gas tank is full before completion of each tour of duty.

   g. Keeps radio equipment in operation at all times and remains thoroughly familiar with Departmental policy concerning its use.

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h. Takes measures to direct the flow of traffic during periods of congestion.

i.. Notifies the sergeant or officer-in-charge on duty if more then a temporary absence from regular duties is required.

4.7.4 Specific duties and responsibilities: Traffic Patrol.

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.

2. Enforces the parking ordinances and motor vehicle laws in the patrol areas

3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports such conditions to the sergeant.

4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant or officer-in-charge at the earliest possible opportunity.

5. Wears the prescribed traffic safety clothing and equipment.

4.7.5 Knowledge, Skills and Abilities:

Knowledge of the laws of the federal government, the State of New Jersey, and all ordinances of the Borough of Oceanport which may be related to the intelligent performance of police duties. Some knowledge of the philosophy, objectives and practices of counseling, particularly as related to juveniles; some knowledge of the fundamental principles of adolescent psychology; knowledge of police investigative techniques and techniques of identification; general knowledge of rules of evidence and laws of search and seizure; ability to deal effectively with juveniles and adults; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise oral and written reports; skill in the use of firearms and police equipment; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers and the public; physically fit and is capable of

successfully performing all of the essential functions required for the position of police officer.

4.8 Duties of Class I special Officers

A Special Officer Class I, who is appointed by the Governing Body, on a yearly basis, is responsible for the efficient performance of required duties conforming to the rules, regulations, and general orders contained herein. Duties shall consist of, but are not limited to, general assigned police responsibilities necessary to the safe and good order of the community. A Special Officer Class I officer is a part time employee who is assigned to special details, events, and/or outside details as scheduled by the Chief, Captain, Lieutenant, Sergeants, or other officers following Department policy. Special officer Class I shall:

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1. Protect life and property
2. Identify criminal offenders and criminal activity and, where appropriate, notify a superior officer (Patrol Officer or Class II Special Officer) of such offense.
3. Aid people who are in danger of physical harm.
4. Facilitate the movement of vehicular and pedestrian traffic.
5. Identify potentially serious law enforcement or governmental problems.
6. Promote and preserve the peace.
7. Provide emergency service.

4.8.2 General Duties and Responsibilities

1. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

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2. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

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3. Is accountable to superior officers. Promptly obeys legitimate orders.

4. Coordinates efforts with those of other members of the Department so that teamwork may ensure continuity of purpose and achievement of police objectives.

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5. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.

6. Responds punctually to all assignments. Performs their duties promptly, faithfully and diligently.

7. Acquires and records information concerning events that have taken place since the last tour of duty.

8. Records activity during the tour of duty in the manner prescribed by proper authority.

9. Report the Supervisor, who in turn will report to the proper borough officials, any violations of any of the borough codes which may come to his attention.

10. Strives to improve their skills and techniques through study and training

11. Assists citizens requesting assistance or information. Courteously explains any instance where jurisdiction does not lie with the police Department and suggests other procedures to be followed.

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12. Answers questions asked by the general public, and when necessary and refers them to persons or agencies where they can obtain further assistance.

13. Preserves the peace at public gatherings, neighborhood disputes, and family quarrels

14. Performs other duties as may be assigned by the Chief, Captain, Lieutenant, and/or Sergeants

4.8.3 Specific duties and responsibilities: preventative patrol.

1. Patrols an assigned event or work area for general purposes of crime prevention and public safety. These may include:

a. Being thoroughly familiar with the assigned route of the event. Such familiarity includes knowledge of residents, merchants, businesses, roads, alleyways, paths etc. Conditions that contribute to hazards should be reported.

b. Observing persons violating the law or wanted by the police and making notification to Officers on duty.

c. Issuing traffic citations or parking citations.

d.. Being alert for and repressing fires.

e. Reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety

f. Checking the assigned areas for hazards, criminal activity, suspicious activity

2. Responding to any public emergency.

3. Alert to the development of conditions tending to cause crime or indicative of criminal activity. Takes preventive action to correct such conditions, and informs superiors as soon as the situation permits.

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4. Responds to situations brought to the officer's attention while in the course of the assigned event or detail and notify the supervisor or officer by radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing police services.

5. Remains on assigned route throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or senior police officer on duty has issued authorization for a temporary absence.

6. Be alert for all nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health or convenience of the public within the patrol area.

7. Concerning a patrol vehicle:

a. See that it is well maintained mechanically and that it is kept clean both inside and out.

b. Inspects the vehicle at the beginning of the tour of duty for any defects or missing equipment. Immediately reports all defects and damage sustained to the proper authority and completes all reports and forms required by current procedures.

c. Removes the keys/secure vehicle whenever the patrol car is left unattended for any reason.

d. Uses only vehicles assigned by the Captain, Lieutenant, Sergeant or senior police officer on duty

e. Operates the radio according to FCC regulations and current Departmental procedures.

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f. Ensures that the assigned vehicle's gas tank is full before completion of each tour of duty.

8. Keeps radio equipment in operation at all times and remains thoroughly familiar with Departmental policy concerning its use.

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9. Takes measures to direct the flow of traffic during periods of congestion.

10. Notifies the sergeant or senior officer on duty if more than a temporary absence from regular duties is required.

4.8.4 Specific duties and responsibilities: Traffic Patrol.

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.

2. Enforces the parking ordinances and motor vehicle laws in the patrol areas

3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports such conditions to the sergeant.

4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant at the earliest possible opportunity.

5. Wears the prescribed traffic safety clothing and equipment.

4.8.5 Knowledge, Skills and Abilities:

Knowledge of the laws of the federal government, the State of New Jersey, and all ordinances of the Borough of Oceanport which may be related to the intelligent performance of police duties. Understanding of relevant laws of search and seizure; ability to deal effectively with juveniles and adults; maintenance of police equipment; use of handcuffs, O.C. spray and side handle baton; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers and the public; physically fit and is capable of successfully performing all of the essential functions required for the position of Special Officer Class I.

4.9 Duties of Records Clerk.

4.9.1 Summary

The Records Clerk shall be responsible for the accurate maintenance, filing and retrieval of all criminal, accident and other incident reports and records resulting from or relating to the operations of the Police Department and shall perform such other duties as may be assigned from time to time by the Chief of Police, Captain and/or Lieutenant.

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4.9.2 General duties and Responsibilities:

1. Collect, Maintain, and disseminate case files and reports within the Police Department.

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2. Prepare, organize, and answer to requests for discovery, and other reports.

3. Work with the courts and Officers to ensure proper paperwork is available for court case presentation.

4. Prepare monthly incident/status reports for the Chief of Police.

5. Notify Officers of subjects requesting police assistance when arriving at Headquarters.

6. Disseminate requests made under the Open Public Records Act and provide responses to the appropriate requester.

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7. Preparing completed firearms applications related to all types that fall within the scope of New Jersey Firearms laws.

8. Any and all other functions as related to the efficient and organized operations within the Records Bureau.

4.9.3

Although members of the Police Department, Dispatchers and Records Clerks are also included in the scope of the Borough of Oceanport's Personnel Policy Chapter 13, all rules and regulations which do not conflict with the above cited ordinance ???(what ordinance is cited above)????will apply to the records clerk as well.

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5.0 Rules of Conduct

5.1 General Conduct

5.1.1 Performance of duty. All employees shall promptly perform their duties as required or directed by law, Department rule, policy, directive, guideline, or by lawful order of a superior officer.

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5.1.2 Action off duty. While off duty, police officers shall take appropriate action as needed in any police matter that comes to their attention within their jurisdiction as authorized by New Jersey law and Department policy.

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5.1.3 Obedience to laws and rules. Employees shall report any information concerning suspected criminal activity of others.

5.1.4 Withholding Information. Employees shall report any information concerning suspected criminal activity of others.

5.1.5 Reporting violations of law or rules. Employees knowing of other employees violating laws, ordinances, or rules of the Department, shall report same in writing to the Chief of Police, Captain or Lieutenant through official channels. If the employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Chief of Police, Captain or Lieutenant through official channels may be bypassed.

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5.1.6 Insubordination. Employees shall not:

a. Fail or refuse to obey a lawful order given by a supervisor;
b. Use any disrespectful or abusive language or action toward a supervisor.

5.1.7 Conduct toward Other Department Employees. Employees shall treat other Department employees with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and in the presence of the public, officers should be referred to by rank.

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5.1.8 Compromising Criminal Cases. Employees shall not interfere with the proper administration of criminal justice.

5.1.9 Recommending attorney and bail bond brokers prohibited. Employees shall not suggest, recommend, or advise the retention of any attorney or bail bond broker to any person as a result of police business.

5.1.10 Use of force. Employees shall follow the Monmouth County Prosecutors Office, and Department policies and procedures on the use of force.

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5.1.11 Physical fitness. Police officers shall maintain good physical condition so that they can handle the strenuous physical activities often required of a law enforcement officer.

5.1.12 Driver's license. Employees operating Department motor vehicles shall possess a valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost, the employee shall immediately notify the appropriate Supervisor giving full particulars.

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5.1.13 Address and telephone numbers. Employees are required to have a telephone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within 24 hours of the change.

5.2 Orders

5.2.1 Issuing orders

a. Manner of issuing orders. Orders from a supervisor to a subordinate shall be in clear and understandable language.

b. Unlawful orders. No supervisor shall knowingly issue any order which is in violation of any law or ordinance.

c. Improper orders. No supervisor shall knowingly issue any order which is in violation of any Department rule, policy, or procedure.

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5.2.2 Receiving orders

a. Questions regarding orders. Employees in doubt as to the nature or detail of an order shall seek clarification from their supervisors by going through the chain of command.

b. Obedience to unlawful orders. Employees are not required to obey any order which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee, who will be required to justify the refusal to obey.

c. Obedience to improper orders. Employees who are given any order which is contrary to Department rule, policy, or procedure must first obey the order to the best of their ability and then report the improper order as provided.

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d. Conflicting orders. Upon receipt of an order conflicting with any previous order, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order rests with the individual issuing the second order. If so directed, the latter order shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued only when reasonably necessary for the good of the Department.

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e. Reports of unlawful or improper orders. An employee receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest ranking supervisor above the supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted by the Chief of Police

f. Criticism of official acts or orders. Employees shall not criticize the actions or orders of any Department employee in a manner which is defamatory, obscene, or which tends to impair the efficient operation of the Department.

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5.3 Police Records and Information

5.3.1 Release of information. Employees shall not release any information, nor reveal any confidential business of the Department to the public or the press except as provided in Department policy and guideline.

5.3.2 Department records. Contents of any record or report filed within the Department shall not be exhibited or divulged to any person other than a duly authorized police officer, except with the approval of the appropriate supervisor, or under due process of law, or as permitted under Department policy and guidelines.

5.3.3 Reports. No employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information on records of the Department.

5.4 Gifts, rewards, etc.

5.4.1 Soliciting or accepting benefits. Employees shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.

5.4.2 Rewards. Employees shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except that which may be authorized by law and Department policy.

5.4.3 Disposition of unauthorized gifts, gratuities. Any unauthorized gift, gratuity, loan, fee, reward, or other object coming into the possession of any employee shall be forwarded to the Chief of Police together with a special unnumbered report explaining the circumstances. A desk log entry shall also be made, noting the item received.

5.5 Alcoholic beverages and drugs

5.5.1 Consuming alcoholic beverages before duty. Employees shall not consume alcoholic beverages within eight hours prior to reporting for duty.

5.5.2 Being under the influence. Employees shall not report for duty under the influence of any alcoholic beverage.

5.5.3 Consuming alcoholic beverages on duty. Employees of the Department shall not consume any alcoholic beverage while on duty.

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5.5.4 Exception. Employees while assigned to duty in civilian clothes may consume alcoholic beverages only if such consumption:

a. is absolutely necessary in the performance of duty, and

b. has been approved by the appropriate supervisor, and

c. does not render the employee unfit for proper and efficient performance of duty.

5.5.5 Consuming alcoholic beverages off duty in uniform. Employees shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.

5.5.6 Alcoholic beverages in police headquarters. Alcoholic beverages shall not, at any time, be consumed in police buildings or facilities.

5.5.7 Supervisors' responsibility. Supervisors shall not assign to duty or allow to remain on duty, any employee whose fitness for duty is questionable due to the use of alcohol or medication.

5.5.8 Possession of alcoholic beverages. Employees shall not have alcoholic beverages on their person while on duty or in uniform, nor in any police Department building or vehicle, except for evidential or other authorized purpose.

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5.5.9 Entering licensed premises. Employees in uniform shall not enter any licensed premises where alcoholic beverages are sold or stored, except in the performance of duty and in compliance with Department policy. Employees may enter a licensed establishment for the purpose of picking up a purchased meal, provided that the meal is removed from the premises and consumed at an appropriate other location.

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5.5.10 Taking medication on duty. Employees of the Department shall not take any medication which may diminish their alertness or impair their senses prior to or after reporting for duty unless directed by a physician.

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5.5.11 Notification about medication. When employees are required to take any prescription medication or any non-prescription medication which may diminish their alertness or impair their senses, the employee shall notify their supervisor as to the medication required, its properties, the dosage and the period during which the employee is required to take the medication.

This notification shall be by the prescribing physician. If the medication is a non-prescription drug the employee shall make this notification. The required notification shall be made prior to the employee reporting for duty. This information so provided shall be confidential.

5.6 Drug Testing

5.6.1 The Oceanport Police Department shall ensure that its members are free from illegal drug use. The critical mission of law enforcement justifies the maintenance of a drug-free work environment through the use of a drug-testing program. It is the goal of these rules and regulations to prevent the hiring of those engaged in illegal drug use, deter illegal drug use by law enforcement officers, and to identify and remove those officers engaged in the illegal use of drugs.

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5.6.2 Procedure:

a. Trainees will be required to submit to one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will comply with the Rules and Regulations established by the Police Training Commission.

b. Individual trainees shall be required to submit a urine specimen for testing when there exists reasonable suspicion to believe that the trainee is illegally using drugs. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor, Chief of Police, or the Academy Director.

c. Urine specimens shall be ordered from a sworn Law Enforcement Officer or Class II Special Law Enforcement Officers when there exists reasonable suspicion to believe that the officer or employee is illegally using drugs. Urine specimens shall not be ordered without the approval of the County Prosecutor or the Chief of Police.

d. Urine specimens may be ordered from sworn Law Enforcement Officers or Class II Special Law Enforcement Officers who have been randomly selected to submit to a drug test. Random selection is defined as a method of selection in which each and every member of the Department, regardless of rank or assignment, has an equal

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chance to be selected each and every time a selection is conducted.

5.6.3 Notification of Drug Testing Procedures.

A. Trainees: Drug testing of trainees will be governed by the Police Academy the trainee is attending. Positive results on the drug test will result in:

(1) The trainee's termination from employment;

(2) Inclusion of the name in the Central Drug Registry maintained by the Division of State Police;

(3) The trainee being permanently barred from future law Enforcement in New Jersey.

B. Sworn Police officers/Class II special Officers Reasonable Suspicion Testing:

(1). Individual Police officers and Class II Special Law Enforcement officers are required to submit to a drug test when there is reasonable suspicion to believe that the officer/employee is illegally using drugs.

(2). Before an officer or employee is ordered to submit to a drug test, a written report shall be prepared which documents the basis for the reasonable suspicion. The report shall be reviewed by the County Prosecutor and/or the Chief of Police before a reasonable suspicion test may be ordered.

(3). A negative test result is a condition of employment and a positive result will result in termination from employment. A positive result for a sworn officer will result in:

(a) Termination of employment;

(b) Inclusion of the officer's name in the Central Drug Registry by the Division of State Police;

(c) Being permanently barred from future Law Enforcement employment in New Jersey.

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Any officer or employee who refuses to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so shall be subject to the same penalties as those who test positive for the illegal use of drugs.

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D. Sworn Law Enforcement Officers/Class II Special Law Enforcement Officers: Random Drug Testing.

1. All sworn officers and Class II officers of the Oceanport Police Department, regardless of rank or assignment, are eligible for random drug testing.

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2. Random drug testing shall be conducted semi-annually. The dates of the selections shall be determined by the Chief of Police. Each selection shall result in testing of one (1) officer(s).

3. The Oceanport Police Department shall use a computer program which randomly selects social security numbers from its database.

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4. All employees will have an equal chance to be selected for testing each and every time a selection takes place.

5. Members of the Employees Collective Bargaining Unit shall be permitted to witness the selection process.

6. Any member who discloses the identity of an officer selected for random testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to disciplinary action.

7. Officers selected who are on Sick leave, Vacation, or other authorized leave will appear as soon as they return from approved leave.

8. Any officer, who refuses to submit to a drug test when randomly selected, is subject to the same penalties as those who test positive for illegal use of drugs. An officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

5.6.4 Preliminary Requisition Procedures

1. The Internal Affairs Commander (Captain) shall serve as monitor of the specimen acquisition process. In the event the Internal Affairs Commander is selected for testing the Chief of Police shall serve as monitor. When the Chief of Police is selected the Captain shall serve as monitor. The Chief of Police may designate another officer to monitor applicant specimen collection.

2. The monitor shall always be of the same sex as the individual being tested. In the event there is no member of the same sex available from this Department to monitor the specimen collection, a member of the same sex will be requested from another law enforcement agency to serve as monitor of the process.

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3. Prior to specimen submission, all current employees shall complete a medical questionnaire which clearly describes all medications both prescription and over-the-counter which were ingested in the past fourteen (14) days.

5.6.5 Specimen collection:

1. Throughout the test process, the identity of individuals who have submitted specimens shall remain confidential. Individual specimens shall be identified throughout the process by the use of social security numbers. At no time shall an individual's name appear on any form or specimen container sent to the State Toxicology Laboratory.

2. Specimens will be collected utilizing equipment and supplies approved by the State Toxicology Laboratory. Under no circumstances may a specimen be collected and submitted for analysis in a specimen container that has not been approved by the State Toxicology Laboratory.

3. Urine specimens will be acquired and processed in accordance with procedures established by the Stale Toxicology Laboratory.

4. Individuals will provide the sample without the direct observation of the monitor unless there is reason to believe that the individual will adulterate the specimen or otherwise compromise the integrity of the test process. Under these circumstances, the production of a specimen may be directly observed by the monitor. Reasons for direct observation must be documented.

5. Individuals that initially are unable to produce a urine specimen shall remain under the supervision of the monitor until the monitor is satisfied that the individual cannot produce a sample. While the individual is under supervision, the monitor may allow the individual to drink fluids in an attempt to induce the production of a specimen. If the individual remains unable to produce a specimen after a reasonable amount of time the monitor shall have the individual examined by a Physician contracted by, or approved through the Governing Body, to determine whether the inability to produce a specimen was the result of a medical condition or constituted as a refusal to cooperate with the drug testing process.

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6. Sworn Law Enforcement Officers / Class II Special Law Enforcement Officers shall have the option to provide the monitor with a second urine specimen at the same time the first specimen is collected.

5.6.6 Submission of specimens for Analysis

1. The New Jersey State Toxicology laboratory within the Division of Criminal Justice will constitute the sole facility for the analysis of Law Enforcement drug tests. Law Enforcement agencies are not permitted to use any other facility or laboratory for purposes of analyzing urine specimens.

2. Urine specimens should be submitted to the State Toxicology Laboratory within one (1) working day of their collection. In the event a specimen cannot be submitted to the laboratory within one (1) working day of its collection, the Department shall store the specimen in a controlled access refrigerated storage area until submission to the laboratory.

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3. Submissions of the specimens to the laboratory shall be accomplished by personnel designated by the Chief of Police.

5.6.7 Analysis of Specimens

1. The State Toxicology Laboratory shall utilize test procedures as determined by their Standard Operating Procedures.

2. Following their test procedures, positive test results are reviewed by a Medical Review Officer. Results of the test are compared to the medical questionnaire submitted with the specimen to determine if any substance listed on the questionnaire would explain the test result. The Medical Review Officer may direct the Department to obtain additional information from the individual being tested in the event the questionnaire does not explain the test result indicating that the specimen tested positive.

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3. The State Toxicology Laboratory shall analyze each specimen for the following substances and their metabolites:

- Amphetamine/Meth Amphetamine Barbiturates
- Benzodiazepine
- Cannabinoids
- Cocaine
- Methadone
- Phencyclidine
- Opiates

4. The analysis of each specimen shall be done in accordance with procedures adopted by the State Toxicology Laboratory. These procedures shall include but not be limited to security of the test, specimens, chain of custody, metabolite cut-off levels and the issuance of test reports.

5. The Chief of Police may request that one or more specimens be analyzed for the presence of steroids.

5.6.8 Drug Test Results

1. The State Toxicology Laboratory shall notify the Department of any positive test results from the specimens submitted for analysis. All reports of positive test results shall be in writing and sent to the agency within fifteen (15) working days of the submission. The State Toxicology Laboratory will, upon request, provide the submitting agency with written documentation that one or more specimens submitted tested negative.

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2. The State Toxicology Laboratory shall not report a specimen as having tested positive for a controlled

substance until the specimen has undergone a confirmatory test and the Medical Review Officer has reviewed the results of that test.

3. The Department shall notify the individual of the results of a positive test result as soon as possible after receipt of the report from the State Toxicology Laboratory. Upon request, the individual may receive a copy of the laboratory report.

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4. Under no circumstances may a specimen be resubmitted for testing.

5.6.9 Consequences of a Positive Test Result:

When a trainee tests positive for illegal drug use:

1. The trainee shall be immediately dismissed from Basic Training and suspended from employment.

2. The trainee shall be terminated from the Department upon final disciplinary action.

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3. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police.

4. The trainee shall be permanently barred from Law Enforcement employment in New Jersey.

When a Sworn Officer / Class II Special Officer tests positive for illegal drug use:

1. The Officer / Class II Special Officer shall be immediately suspended from all duties.

2 The Officer / Class II Special Officer shall be terminated upon final disciplinary action.

3 The Officer shall be reported to the Central Drug Registry maintained by the Division of State Police.

4 The Officer shall be permanently barred from future Law Enforcement employment in New Jersey.

5.6.10 Consequences of Refusal to Submit to a Drug Test.

1. Trainees who refuse to submit to a drug test shall be immediately removed from the academy and, immediately suspended from employment. Upon a finding that the trainee did in fact refuse to submit to a drug test, the trainee shall be terminated arid permanently barred from Law Enforcement employment In New Jersey, The trainee's name shall be submitted to the Central Drug Registry.

2. Sworn officers who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended. Upon a finding that the officer did in fact refuse to submit a sample, the officer shall be terminated and permanently barred from Law Enforcement employment In New Jersey. The officer's name shall be forwarded to the Central Drug Registry.

5.6 Duty conduct

5.7.1 Reporting for duty. Employees shall report for duty at the time and place specified, properly uniformed and equipped.

5.7.2 Absence from duty. An employee who fails to appear for duty at the date, time, and place specified without the consent of competent authority is absent without leave. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave.

5.7.3 Prohibited activity on duty. Employees who are on duty are prohibited from engaging activities which are not directly related to the performance of their duty (e.g., sleeping, conducting private business, or gambling).

5.7.4 Smoking while on duty. Employees shall not smoke, chew tobacco or Vape except in authorized areas. Employees shall not smoke, chew tobacco or Vape on duty while in direct contact with the public. Employees shall not smoke, Vape or chew tobacco while in Department vehicles.

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5.7.5 Personal radios. The use of portable radios and any other form of entertainment other than equipment authorized by the Department is prohibited while on duty. An exception will be allowed for officers standing a Monmouth Park Race Track traffic post,

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provided the volume is kept reasonable. The use of headphones is prohibited. (Remove)

5.7.6 Relief. Employees are to remain at their assignments and on duty until properly relieved by other employees or until dismissed by competent authority.

5.7.7 Meals. All meals are to be consumed within authorized areas, subject to modification by the supervisor.

5.7.8 Training. Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment, unless the prevailing collective bargaining agreement provides otherwise.

5.8 Uniforms, appearance and identification.

5.8.1 Regulation uniform required. All police officers and uniformed civilians shall maintain uniforms prescribed in Department policy and guidelines. Uniforms shall be kept neat, clean and well-pressed at all times.

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5.8.2 Manner of dress on duty. Employees shall wear the uniform or civilian clothing on duty as prescribed by Department policy and guidelines for the employee's current assignment.

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5.8.3 Wearing jewelry on duty. Police officer on duty shall not wear loose fitting jewelry which may be grasped during a struggle or which can inflict injury or retard the mobility of the officer. This provision shall not prohibit non-uniform officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with Department policy.

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5.8.4 Personal appearance. Employees, while on duty, shall be neat and clean in person, with uniform or clothes clean and pressed. This provision shall not prohibit non-uniform officers on duty from dressing appropriately for the conditions of their current assignment in accordance with Department policy.

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5.8.5 Wearing or carrying identification. Employees shall wear or carry their Department identification at all times, provided that it is practical under the circumstances.

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5.8.6 Identification as police officer. Except when impractical or where the identity is obvious, police officers shall identify themselves by

displaying the official badge or identification card before taking police action.

5.9 Department equipment and property

5.9.1 All equipment and uniforms, firearms and ammunition, batons, shields and badges which may be supplied to the members of the Police Department shall be the property of the Borough of Oceanport. All equipment used in the Police Department shall be as prescribed by the Captain or Chief of Police.

5.9.2 Equipment on duty. Employees shall carry all equipment on duty as prescribed in Department policy and guideline based on their assignment.

5.9.3 Equipment off duty. Employees shall carry equipment off duty as prescribed in Department policy and guidelines based on their assignment.

5.9.4 Firearms. Employees shall follow Monmouth County Prosecutor's Office and Department policy and guidelines on the care and handling of firearms.

5.9.5 Department Property and Equipment. Employees are responsible for the proper care of Department property and equipment assigned to them.

5.9.6 Use of Department property and equipment. Employees shall not use any Department property or equipment for personal business or pleasure.

5.9.7 Damaged or Inoperative property or equipment. Employees shall immediately report to their supervisors any loss of or damage to Department property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any Department equipment or property.

5.9.8 Care of Department buildings. Employees shall not mark or deface any surface in headquarters. No material shall be affixed to any wall in headquarters without specific authorization from the appropriate supervisor.

5.9.9 Notices. Employees shall not mark, alter or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate

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supervisor, except those areas designated for use by the collective bargaining units.

5.9.10 Use of Department vehicles. Employees shall not use any Department vehicle without the permission of a supervisor. Department vehicles shall never be used for personal business or pleasure except as provided for in Department policy.

5.9.11 Operation of Department Vehicles. When operating Department vehicles, employees shall not violate traffic laws except in cases of emergency and then only in conformity with state law and Department policy and procedure regarding same.

5.9.12 Transporting citizens. Citizens will be transported in Department vehicles on in conformance with Department policy.

5.9.13 Reporting Accidents. Accidents involving Department personnel, property, equipment and vehicles must be reported in accordance with Department policy and guideline.

5.9.15 Inspection. Department property and equipment is and remains the property of the Department and is subject to entry and inspection without notice.

5.9.16 Liability. If Department property is damaged or lost as a result of misuse or negligence by an employee, that employee will be held liable to reimburse the Department for the damage or loss and is subject to disciplinary action.

5.9.17 Surrender of Department property.

a. Upon separation from the Department. Employees are required to surrender all Department property in their possession upon separation from the service. For failure to return a non-expendable item, the employee will be required to reimburse the Department for then fair market value of the article.

b. Under suspension. Any employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other Department property to the appropriate supervisor pending disposition of the case.

5.10 Communications, correspondence.

5.10.1 Restrictions. Employees shall:

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a. Not use Department letterheads for private correspondence.

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b. Only send correspondence out of the Department under the direction of the appropriate supervisor.

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5.10.2 Forwarding Communications. Any employee who receives a written communication for transmission to another employee shall forward same without delay.

5.10.3 Use of Department Address. Employees shall not use the Department as a mailing address for private purposes. The Department address shall not be used for any private vehicle registration or driver license.

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5.10.4 Telephones. Department telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor.

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5.10.5 Radio discipline. Employees operation the police radios shall strictly observe the procedures and restrictions for such operations as set forth in Department policy and procedure and by the Federal Communications Commission.

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5.10.6 Social Media: Employees shall follow the Department policy on the use and transmission of all social media.

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5.11 Conduct toward public.

5.11.1 Courtesy. Employees shall be courteous and orderly in their dealing with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of the provocation.

5.11.3 Request for Identification. Upon request, employees are required to supply their identification in a courteous manner.

5.11.4 Impartiality. Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence.

5.11.5 Use of Derogatory Terms. Employees shall not use language that is derogatory to anyone because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence.

5.11.6 Affiliation with Certain Organizations Prohibited. No employee shall knowingly become a member of any organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity, except when necessary in the performance of duty and at the direction of the Chief of Police.

5.11.7 Representing the Police Department. Employees shall not give public speeches or demonstrations on behalf of the Department, nor shall they endorse any product or service as a representative of the Department, without prior approval from the Chief of Police.

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5.12 Political Activities.

5.12.1 Employees shall not be candidates for or hold office in elective public positions or political organizations within or inclusive of the jurisdiction in which they are employed unless authorized to do so by the Monmouth County Prosecutor.

5.12.2 Employees may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.

5.12.3 Employees shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.

5.12.4 Employees shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.

5.12.5 Employees shall not engage in any polling duties except in the performance of their official duties.

5.12.6 Employees shall not display any political material on any government property or on their person while on duty or in uniform.

5.13 Judicial appearance and testimony

5.13.1 Duty of employees to appear and testify. Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, or the State Commission of Investigation.

5.13.2 Subpoena. Employees must attend court or quasi-judicial hearings as required by a subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case of other competent court officials.

5.13.3 Court Appearance. When appearing in court on Department business, employees shall wear either the Department uniform or appropriate business attire.

5.13.4 Testifying for the Defendant. Any employee subpoenaed to testify for the defense or against the municipality or Department in any hearing or trial shall notify the appropriate supervisor immediately upon receipt of the subpoena.

5.13.5 Department Investigations. Employees are required to answer questions, file reports, or render material and relevant statements, in a Departmental investigation which such questions and statements are directly related to job responsibilities. Employees shall be advised of, and permitted to invoke, all applicable constitutional and statutory rights, including consultation with their designated representative.

5.13.6 Truthfulness. Employees are required to be truthful at all times whether under oath or not.

5.13.7 Civil action, Subpoenas. Employees shall not volunteer to testify in civil actions arising our of Department employment and shall not testify unless subpoenaed. If the subpoena arises out of Department employment or if employees are informed that they are a party to a civil action arising out of Department employment, they shall immediately notify the appropriate supervisor.

5.13.8 Civil Depositions and Affidavits. Employees shall confer with the appropriate supervisor before giving a deposition of affidavit on a civil case relating to their police employment.

5.13.9 Civil action, Expert witness. Employees shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the Monmouth County Prosecutor.

5.13.10 Civil Process. Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate supervisor.

6.0 Personnel regulations.

6.1 Duty Hours

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6.1.1 Hours of Duty. Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees are subject to be recalled to duty as needed.

6.1.2 Scheduled Days Off. Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to be taken according to a schedule arranged by the appropriate supervisor.

6.2 Annual Vacation.

6.2.1 All full-time police officers are authorized an annual vacation allowance without loss of pay. For policemen, this vacation allowance or leave will accrue to the individual on calendar-year basis as listed in the employee's collective bargaining agreement.

6.2.2 All periods of vacation must be arranged for in advance in accordance to procedures established by the Chief of Police.

6.2.3 Unused vacation time cannot be accumulated from one year to another. Any unused allowance will be cancelled on January 1 of the following year unless it is established that the individual's duties, injury or illness have prevented him from using his leave in full. In such cases, and upon the recommendation of the Public Safety Committee, the Governing Body may approve the carrying over of such unused vacation allowance into the next calendar year, which must them be taken before June 1 of that year. Anyone allowed to carry vacation time into the next calendar year will not be allowed to take more then three consecutive weeks of vacation at any one time without prior approval of the Governing Body.

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6.2.4 Any member of the Police Department whose employment is terminated within six months of his hiring will not be entitled to annual vacation or pay in lieu thereof.

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6.2.5 The Chief of Police and/or the Captain will establish and maintain a register of annual vacation allowance earned and taken by all members of the Police Department and shall furnish a copy to the Borough Clerk

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6.3 Holidays

6.3.1 Holidays will be administered as outlined in the collective bargaining agreement.

6.4 Sick Leave. Definition: Sick leave is the absence from work of an employee because of illness, injury while off-duty or the employees need to care for a member of the immediate family who is seriously ill.

6.4.1 Employees are entitled to sick days off pursuant to appropriate collective bargaining agreements and Department policy and procedures.

6.4.2 Abuse of Sick Leave. .Employees who take sick leave in violation of Department policy shall be subject to disciplinary action.

6.4.3 Full time members of the Police Department are entitled to sick leave benefits, which accrue as follows:

a. New employees will accrue ½ day per month during the first calendar year of employment

b. After the first calendar year and through the fifth calendar year, 12 days of sick leave will be accrued each year.

c. The sixth calendar year, and thereafter, sick leave is accrued at 15 days per year. Unused sick leave can be accumulated from year to year.

6.4.4 Permanent part-time employees are not eligible for sick leave benefits.

6.4.5 The Chief of Police and/or Captain. will maintain a record of all sick leave earned, taken and accrued by all members of the Police Department. A copy will be furnished to the Borough Clerk. All members of the Police Department will be given an annual statement in writing as to the status of his sick leave earned, taken and accrued.

6.4.6 Disposition of accrued sick leave benefit at retirement, will be administered as outlined in the collective bargaining agreement.

6.5 Excused Absence.

6.5.1 Leave of absence, without pay, may be granted to full time members of the Police Department, at the discretion of the Governing Body.

6.5.2 Full-time members of the Police Department may be excused on workdays, without loss of pay, at the discretion of the Public Safety Committee. For guidance, excused absence includes, but is not

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limited to, time required for activities that cannot be handled during off-duty hours such as:

1. Deaths or grave illness in the immediate family.

2. Religious observance.

3. When representing the borough in an important event.

4. When required to appear for jury duty

6.5.3 In the event of a death in the employee's immediate family, and upon notification by the employee to the Chief of Police, the employee will be granted a leave of absence with pay not to exceed three days. Additional leave may be granted when necessary with the approval of the Governing Body.

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6.5.4 "Immediate Family" shall include employee's spouse, children, stepchildren, grandchildren, parents, stepparents, grandparents, brothers, sisters, mother-in-law, father-in-law, aunts, uncles, nephews, and nieces.

6.5.5 "Illness in the immediate family" is illness which is serious enough to require the presence at home of the employee. "Immediate family" in this case shall be limited to the employee's spouse or children or other members of the employee's household.

6.5.6 Employees receiving jury duty notification will immediately provide their Department head with a copy of the summons to report. If an employee is released early from jury duty, the employee shall contact the Department head to determine whether the employee's services are required for the remainder of the day.

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6.6 On-the-job injury leave.

6.6.1 When a full time employee shall be injured or disabled resulting from or arising due to his/her employment with the borough, said employee shall be entitled to receive full pay for up to thirty days from the date of injury of disability, less any money received from workman's Compensation. The injured employee shall:

1. Notify the Chief of Police or Supervisor of the injury immediately.

2. Any injury, no matter how minor, will be noted in the report on the incident and a separate report on the injury will be

filed by the officer injured, if possible, or by the other officer on the shift.

3. The Chief of Police will notify the appropriate Borough Representative of the injury and any pertinent information.

4. Notify the appropriate Borough contracted company for notification of the injury and any pertinent information.

5. File for workmen's compensation after the proscribed waiting period

6. Notify his employer of money received from compensation.

7. Submit to the employer, a physician's certificate stating the nature of the injury or disability that prevents the employee from returning to work.

6.6.2 If at the end of thirty days, the employee has not returned to work, full pay will continue to be paid to the employee provided that a physician's certificate states that the injury or disability continues to keep the employee from work. The physician should also stated the estimated length of the disability

6.7 Leave of Absence

6.7.1 Military leave, Maternity leave and any other absence without pay shall be granted as provided in United States and News Jersey Statutes.

A. Planned leave without pay for any other reason for periods exceeding two weeks will be extended to full time employees only after an administrative decision has been reached by the Governing Body, after hearing the recommendation of the Public Safety Committee Chairman

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B. All employees covered by this Agreement shall receive paid leave in accordance with N.J.S.A. 38:23-2 and N.J.S.A. 40A:14-177

6.8 Other Leaves

6.8.1 Other Leaves. Employees are entitled to other leave as provided for in collective bargaining agreement, by law and by Department policy and procedure subject to approval of the schedule by the appropriate supervisor.

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6.9 Suspension of Leave. Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonable could not have been foreseen is declared by appropriate Department authority, and which unavoidably requires utilization of additional employees who are not scheduled to work.

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6.10 Secondary Employment.

6.10.1 Secondary employment. Employees may engage in secondary employment consistent with Department policy.

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6.11 Resignation.

6.3.1 Resignation to be in Writing. All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide the Chief of Police with no less than two weeks written notice.

7.0 Discipline

7.1 Disciplinary Action

7.1.1 Disciplinary Action. Employees, regardless of rank, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for:

a. committing an offense/crime punishable under the laws or statutes of the United States, the State of New Jersey, or in any other State, including disorderly and petty disorderly persons offenses, or municipal ordinance;

b. failure, either willingly or through negligence, or incompetence, to perform the duties of their rank or assignment;

c. violation of any rule, policy, guideline or directive of the Department; or

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d. Failure to obey any lawful instruction, order, or command of a supervisor.

e. Excessive force: Complaint regarding the use or threatened use of excessive force against a person.

f. Improper arrest: Complaint that the restraint of a person's liberty was improper, unjust, or violated the person's civil rights.

g. Improper entry: Complaint that entry into a building or onto property was improper or that excessive force was used against property to gain entry.

h. Improper search: Complaint that the search of a person or property was improper, unjust, violated established agency procedures or violated the person's civil rights.

i. Differential treatment: Complaint that the taking of police action, the failure to take police action or method of police action was predicated upon irrelevant factors such as race, appearance, age or sex.

j. Demeanor: Complaint that a Department member's bearing, gestures, language or other actions were inappropriate.

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k. Serious rule infractions: Complaint for conduct such as insubordination, drunkenness on duty, sleeping on duty, neglect of duty, false statements or malingering.

l. Minor rule infractions: Complaint for conduct such as untidiness, tardiness, faulty driving, or failure to follow procedures.

7.1.2 Repeated Violations. Repeated violations of the rules of conduct shall be indicative of employees' disregard for their duty and may be cause for dismissal. This shall apply regardless of the type or severity of the offenses.

7.1.3 The Department shall use the disciplinary process of Progressive Discipline to achieve the basic goals of instruction and address inappropriate behavior before minor problems escalate into major problems. At the same time, the subject officer is made aware that repeated violations of the agency's rules will result in this progressive discipline. An internal affairs complaint that has a disposition of exonerated, unfounded or not sustained should not be used to effect progressive discipline.

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A system of progressive discipline shall include the following elements:

1. Oral reprimand or performance notice
2. Written reprimand
3. Monetary fine
4. Suspension without pay
5. Loss of a promotional opportunity
6. Demotion
7. Discharge from employment

7.2 Disciplinary Procedures.

7.2.1 **(In Borough Ordinance)** No member or officer of the Police Department shall be suspended, removed, fined, or reduced in rank for any cause other than for incapacity, misconduct, or disobedience as provided in the New Jersey Statutes and the Police Departments Rules and regulations.

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7.2.2 All complaints or charges against members of the Police Dept. will be handled in accordance with the Department Guidelines for Internal Affairs.

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7.2.3 The Department will utilize the following disciplinary process to achieve the basic goals of instruction and address inappropriate behavior before minor problems escalate into major problems. Employees will be made aware that repeated violations of the Department rules, regulations, policies, orders and guidelines, will result in progressive discipline.

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8.0 Grievance Procedures

8.1 Purpose

8.1.1 Whenever a member of the Police Department has a grievance, he shall notify the Chief of Police, in writing, within 10 calendar days of the event giving rise to the grievance. Failure to act within the 10 calendar days shall be deemed to constitute and abandonment of the grievance. The aforementioned ten calendar day limitations may be extended upon presentation to the Chief of a physician's certificate attesting to the incapacity of the aggrieved to file within the prescribed time.

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8.1.2 No Grievance shall be heard or considered unless the procedures set forth have been followed.

8.2 Procedures

8.2.1 The aggrieved shall institute action under the provisions hereof within ten calendar days after the event giving rise to the grievance has occurred and earnest effort shall be made to settle the differences between the aggrieved employee and his immediate supervisor for the purpose of resolving the matter informally. The Chief or his designee shall render a decision within ten days after receipt of the grievance.

8.2.2 If the grievance is not settled at the first step, the aggrieved may make written request for a second step meeting within ten calendar days after the answer at the first step.

8.2.3 The chief or his designee shall set a meeting within ten calendar days after the request, or for such other time as is mutually agreeable. Said second step meeting shall be between the Borough' Public Safety Committee and the Chief with the aggrieved, the P.B.A. Representative and the P.B.A. Attorney, if requested by the aggrieved. The Public Safety Committee's answer to the second step shall be delivered to the aggrieved within ten calendar days after the meeting.

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8.2.4 If the aggrieved is not satisfied with the handling or result of the grievance on the second level, he may within ten calendar days notify the Governing Body that he wishes to have them rule on the aggrieved matter. A meeting shall be set within thirty days after the Governing Body has received the request that it rule on the matter. At such meeting, the aggrieved may appear with a representative of the P.B.A. and the P.B.A. Attorney, if requested by the aggrieved. The Governing Body's answer to the third step shall be delivered to the aggrieved within seven calendar days after the said meeting.

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8.2.5 Should the aggrieved be dissatisfied with the decision of the Governing Body, such person may file where appropriate for review.

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OCEANPORT POLICE DEPARTMENT
RULES AND REGULATIONS

1.0 Establishment of police Department rules and regulations

1.1 Police Department authority

1.1.1 The Police Department of the Borough of Oceanport is established pursuant to N.J.S.A. 40A:14-118 and (Chapter 16 of the Municipal Ordinances of the Borough of Oceanport). The Oceanport Police Department shall after this be called the "Department."

1.2 Department Rules

1.2.1 Rules and Regulations Established. The Governing Body or its designee (a designated committee thereof or Borough Administrator) is designated as the appropriate authority as provided in the New Jersey statutes. The Appropriate Authority shall be responsible for the overall performance of the Police Department. The Governing Body or its designee shall adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of its members (N.J.S.A. 40A:14-118).

1.2.2 Right to Amend or Revoke. In accordance with N.J.S.A. 40A:14-118, the right is reserved by the appropriate authority to amend or to revoke any of the rules contained herein.

1.2.3 Previous Rules, Policies and Procedures. All rules previously issued, and policies, procedures and guidelines that are contrary to the rules contained herein, are hereby revoked. All other policies and guidelines shall remain in force.

1.2.4 Application. These rules are applicable to all police officers of the Department and to all civilian employees of the Department where appropriate.

1.2.5 Distribution. One copy of these rules shall be distributed to each employee of the Department. Copies will also be maintained on file in the Department Training database, by the records clerk and in the Squad room.

1.2.6 Responsibility for maintenance. Employees shall be responsible for maintaining a current copy of the rules, including all additions, revisions, and amendments as issued.

1.2.7 The Chief of Police will advise the Appropriate Authority of any necessary changes or additions to the rules.

1.2.8 Familiarization. Employees shall thoroughly familiarize themselves with the provisions of the rules. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these rules.

2.0 Definitions

2.1 Authority. The right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided for in the Department rules, policies, and guidelines. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered to be in violation of the rules.

2.2 Chain of command. Vertical lines of communication, authority and responsibility within the organizational structure of the Department.

2.3 Day Off. Those days determined by the appropriate supervisor on which a given employee is excused from duty.

2.4 Directive. A document detailing the performance of a specific activity or method of operation. "Directive" includes:

2.4.1 General Order: Broadly based directive dealing with policy and guidelines and affecting one or more organizational subdivisions of the Department.

2.4.2 Personnel order: A directive initiating and announcing a change n the assignment, rank or status of personnel.

2.4.3 Special order: A directive dealing with a specific circumstance or event that is usually self-canceling.

2.5 Employee. All employees of the Department, whether sworn regular or special police officers or civilian employees.

2.6 Governing Body. The Mayor and Borough Council of the Borough of Oceanport.

2.7 Guideline. A written statement providing specific direction for performing Department activities. Guidelines are implemented through policies and directives.

2.8 May/Should. As used herein words “may” and “should” mean that the action indicated is permitted.

2.9 Order. Any written or oral directive issued by a supervisor to any subordinate, or group of subordinates in the course of police duty.

2.10 Policy. A statement of Department principles that provides the basis for the development of guidelines and directives.

2.11 Shall/Will. The words “shall” and “will” as used herein, shall indicate that the action required is mandatory.

2.12 Supervisor. Employee assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

3.0 Rank and command

3.1 The order of Rank in the Police Department shall be:

A. Chief
B. Captain
C. Lieutenant
D. Sergeant-
E. Detective-
F. Patrolman-
G. Probationary Officer
H. Special Officer Class II
I. Special Officer Class I
J. Records Clerk-

3.2 Command in the Police Department shall be exercised by virtue of rank and in cases of equal rank by length of service in such rank, and where equal by length of service in the next preceding rank.

4.0 Powers and Duties of Officers

4.1 Authority and Duties of the Chief of Police

4.1.1 Summary

The Chief of Police is the Chief Administrative Officer of the Department and is directly responsible to the Public Safety Committee for

its efficiency and day-to-day operations. He is the final authority in all matters of policy, operations, and discipline. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of the Department.

Through the Chief of Police, the Department is responsible for the enforcement of all laws coming within its legal jurisdiction. The Chief of Police is responsible for planning, directing, coordinating, controlling and staffing all activities of the Department. He is also responsible for its continued and efficient operation, for the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be required by proper authority and for the Department's relations with local citizens, the local government and other related agencies.

The Chief is responsible for training of all members of the Department. The Chief shall have general charge of the station house and all property of the police Department.

4.1.2 General Duties and responsibilities:

1. Protect life and property.

2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

4. As necessary, recommends and makes recommendations for the adoption of new town ordinances or the amendment of existing ones.

5. Supervises the maintenance of police vehicles and any other equipment needed for the operation of the Department.

6. Prepares periodic and special reports and assures that adequate records are maintained of all Department activities. Forwards monthly activity reports to the Public Safety Committee.

7. Controls the expenditure of Department appropriations and prepares annual budget estimates of needs.

8. Plans and coordinates training of members in procedures, duties and proper use of equipment.

9. Cooperates with other laws enforcement agencies in the apprehension and detention of wanted persons and with other agencies as appropriate.

10. Receives and disposes of complaints; attends civic club and school meetings to explain the activities and functions of the Police Department, and to establish favorable public relations.

11. Formulates written administrative guidance in the form of policies, regulations, and other orders governing activities of the Police Department

12. Ensures compliance with all laws that the Department or its officers have the authority to enforce.

13. Organizes, directs, and controls all resources of the Department to preserve the peace, protect persons and property and enforce the law.

14. Establishes a routine of daily duties to be performed by officers.

15. Assigns, details or transfers any member or employee of the Department to or from any assignment wherever he shall deem such action necessary for the efficiency, discipline or morale of the Department

16. Ensures that all members have copies of the Department's Rules and Regulations and Guideline manuals.

17. Oversees Investigations of all cases of alleged or apparent misconduct by Department personnel, and makes determination of all disciplinary actions following Departmental Investigations.

18. Keeps himself informed of Departmental affairs, ensuring that the duties and responsibilities of members and employees are properly discharged.

19. Promulgates all general and special orders of the Department and issues on his own authority orders, written and oral, consistent with his powers, duties, and responsibilities.

20. Supervises the safekeeping of all evidence and any property recovered, found or confiscated.

21. Maintains a personnel record system in which shall be kept all pertinent information on all Departmental members and employees.

22. Notifies the Chairman of the Public Safety Committee and Borough Clerk any time that he intends to leave the borders of the State of New Jersey.

23. Reports immediately to the Chairman of the Public Safety Committee the death, resignation or suspension of any member and takes into custody all the equipment of the Department issued to that officer.

24. Reports promptly to the Chairman of the Public Safety Committee the name of any member who, by reason of age, disease, injury or other cause, does not or is unable to fully and efficiently perform his duties. In his discretion, he may order the member to be examined by a physician selected by the borough for the purpose of determining his ability to perform his duties.

25. Reports in writing to the Governing Body all instances of special faithfulness to duty, exceptional skill and bravery in the performance of duty, and any recommendation as to special award or commendation to be made.

26. Certifies the correctness of all bills and vouchers relating to the Department and maintains an accurate record of all supplies ordered by and delivered to police headquarters.

27. Investigates and reports to the Public Safety Committee all cases involving personal injury or damage to property whereby the borough may be held liable.

28. Reports in person, when possible, at all serious incidents.

29. Reviews, plans, implements safety protocols and measures for Special Events within the Borough.

30. Ensures that Department Payroll is completed in a timely manner, maintains the schedule and makes any necessary changes regarding overtime, sick time, vacation time, Kelly

time, Special Details, outside work assignments, meetings, Training, military time and/or any other leave of absence reflected on the Department work schedule.

31. Maintains an inventory of all property and belongings of the police Department.

32. Causes an investigation into the background of each applicant for appointment to the Police Department, and reports the results to the Public Safety Committee.

4.1.3 Knowledge, Skills, and Abilities

The Police Chief must maintain comprehensive knowledge of laws, rules, and court decisions relating the administration of criminal justice and law enforcement; comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communications; comprehensive knowledge of controlling laws and ordinances, thorough knowledge of the geography of the town; demonstrated ability to lead and direct the activities of police officers; ability to maintain cooperative relationships with other town officials and with the general public; ability to evaluate the effectiveness of the police operation and to institute improvements; ability to prepare and review reports; resourcefulness and sound judgement in emergencies; demonstrated integrity; tact, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.2 Authority and Duties of the Captain

4.2.1 Summary

The Captain is the second highest rank authorized in the police Department. The Captain possesses the authority in matters of policy, operations, and discipline delegated to him by the Chief of Police. He exercises all lawful powers of his office and issues such lawful orders as are necessary to assure the effective performance of Department personnel.

The Captain is responsible for the enforcement of all laws coming within the legal jurisdiction of the Department. He is responsible for planning, directing, coordinating, controlling and staffing all activities assigned to his command. The Captain shares responsibility with the Chief of Police for the continued and efficient operation of the Department, the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be required by proper authority and for the

Department's relations with local citizens, the local government, and other related agencies.

The Captain shares responsibility for the training of all members of the Department.

4.2.2 General Duties and Responsibilities

1. Protect life and property.

2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

4. As necessary, recommends and makes recommendations for the adoption of new policies and procedures or the amendment of existing ones.

5. Supervises the maintenance of police vehicles and any other equipment needed for the operation of his command.

6. Prepares periodic and special reports, and assures that adequate records are maintained of all command activities

7. Plans and coordinates training of members of his command in procedures, duties and proper use of equipment

5. Cooperates with other laws enforcement agencies in the apprehension and detention of wanted persons and with other agencies as appropriate.

6. Receives and disposes of complaints; attends civic club and school meetings to explain the activities and functions of the police Department, and to establish favorable public relations.

7. In consultation with the Chief of Police, formulates written administrative guidance in the form of policies, regulations, and other orders governing activities of the police Department

8. Ensures compliance with all laws that the Department or its officers have the authority to enforce.

9. Organizes, directs, and controls all resources of the Department to preserve the peace, protect persons and property and enforce the law.

10. Establishes a routine of daily duties to be performed by officers under his command.

11. Assigns, details or transfers any member or employee of the Department to or from any assignment wherever he shall deem such action necessary for the efficiency, discipline or morale of the Department with the prior approval of the Chief of Police.

12. Ensures that all members have copies of the Department's Rules and Regulations and Guidelines manuals

13. Investigates all cases of alleged or apparent misconduct by Department personnel and forwards that information to the Chief of Police for determination of all disciplinary actions.

14. Keeps himself informed of Departmental affairs, ensuring that the duties and responsibilities of members and employees are properly discharged.

15. Promulgates general and special orders for his command and issues on his own authority orders, written and oral, consistent with his powers, duties, and responsibilities conveyed to him by the Chief of Police.

16. Supervises the Field Training Officers and the Field Training program and its proper implementation to train new officers.

17. Is the Commander of the Department's Internal Affairs Function, in which capacity the Captain shall:

    a) Supervise internal affairs investigations.
    b) Maintain Internal Affairs Reports and Files
    c) Report to the County Prosecutor in regards to internal affairs reporting on a quarterly and annual basis.
    d) Recommend to the Chief of Police Internal Affairs discipline and disposition.

18. Reviews, plans, implements safety protocols and measures for Special Events within the Borough.

19. Ensures that Department Payroll is completed in a timely manner, maintains the schedule and makes any necessary changes regarding

overtime, sick time, vacation time, Kelly time, Special Details, outside work assignments, meetings, Training, military time and/or any other leave of absence reflected on the Department work schedule.

20. During the absence or disability of the Chief of Police, possesses temporarily all the powers, authority and responsibility and shall perform temporarily all of the duties of the Chief of Police.

4.2.3 Knowledge, Skills and Abilities;

The Captain must maintain comprehensive knowledge of laws, rules, and court decisions relating to the administration of criminal justice and law enforcement; comprehensive knowledge of scientific methods of crime detection, criminal identification, and radio communications; comprehensive knowledge of controlling laws and ordinances, thorough knowledge of the geography of the town; demonstrated ability to lead and direct the activities of police officers; ability to maintain cooperative relationships with other town officials and with the general public; ability to evaluate the effectiveness of the police operation and to institute improvements; ability to prepare and review reports; resourcefulness and sound judgement in emergencies; demonstrated integrity; tact, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.3 Authority and Duties of the Lieutenant.

4.3.1 Summary

The Lieutenant is the third highest rank authorized in the police Department. The Lieutenant supervises the patrol operations of the Department and supervises the detective bureau and possesses such authority in matters of policy, operations, and discipline as delegated to him by the Chief of Police. He exercises all lawful powers of his assignment and issues such lawful orders as are necessary to assure the effective performance of personnel assigned to the Patrol and the Detective Bureau. The Lieutenant also supervises the Records Bureau.

The Lieutenant is responsible for the enforcement of all laws coming with the legal jurisdiction of the Department. In consultation with the Chief and Captain, the Lieutenant is responsible for the planning, direction, coordination, control and supervision of the Detective Bureau. The Lieutenant shares responsibility with the command above for the continued efficient operation of the Department, the enforcement of rules and regulations within the Department, for the completion and forwarding of such reports as may be

required by proper authority and for the Departments relations with local citizens, the local government, and other related agencies.

The Lieutenant, in consultation with the Chief and Captain, bears responsibility for implementation of mandatory and in-service training of all members of the Department. The Lieutenant will work with and supervise the Sergeants of the Department and ensure that the Sergeants are properly following all supervisory functions within patrol, as well as all aspects assigned to them, and that they are knowledgeable on policy, procedures, and laws.

4.3.2 General Duties and Responsibilities:

1. Protect life and Property.

2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

4. Supervises the Patrol Sergeants and the Departments Patrol Functions.

5. Supervision of all investigations assigned to the Detective Bureau.

6. Informs the Chief and Captain about progress of all investigative responsibilities.

7. Prepares periodic and special reports and assures that adequate records are maintained of all command activities.

8. Ensures that Department Payroll is completed in a timely manner, maintains the schedule and makes any necessary changes regarding overtime, sick time, vacation time, Kelly time, Special Details, outside work assignments, meetings, Training, military time and/or any other leave of absence reflected on the Department work schedule.

9. Oversee and supervises the operations of the Records Bureau.

10. Plans and coordinates training of members of the Department in procedures, duties and proper use of equipment.

11. Cooperates with other laws enforcement agencies in the apprehension and detention of wanted persons and with other agencies as appropriate.

12. Investigates all cases of alleged or apparent misconduct by Department personnel and forwards that information to the Chief of Police for determination of all disciplinary actions.

13. Ensures compliance with all laws that the Department or its officers have the authority to enforce.

14. Organizes, directs, and controls all resources assigned to his command to preserve the peace, protect persons and property and enforce the law.

15. Establishes a routine of daily duties to be performed by officers under his command.

16. Reviews, plans, implements safety protocols and measures for Special Events within the Borough.

17. Keeps himself informed of Departmental affairs, ensuring that the duties and responsibilities of members and employees are properly discharged.

18. Supervises the safekeeping of all evidence and any property recovered, found or confiscated by members of the Department.

4..3.3 Knowledge, Skills and Abilities

The Lieutenant must maintain comprehensive knowledge of laws, rules, and court decisions relating the administration of criminal justice and law enforcement; comprehensive knowledge of controlling laws and ordinances, thorough knowledge of the geography of the town; demonstrated ability to lead and direct the activities of police officers; ability to maintain cooperative relationships with other town officials and with the general public; ability to evaluate the effectiveness of the police operation and to institute improvements; ability to prepare and review reports; resourcefulness and sound judgement in emergencies; demonstrated integrity; tact, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.4 Authority and Duties of the Sergeant

4.4.1 Summary

The Sergeant serves as the front-line level of supervision in the Department. His primary responsibility is exacting the proper performance of police duty from patrol officers.

The Sergeant is charged with enforcing Department rules and ensuring compliance with the Department's regulations. He handles all infractions and reports violations to the Captain or Lieutenant.

He shall thoroughly acquaint himself with the duties of patrol officers and shall assist and instruct the officers under his supervision in the proper performance of their duties.

He shall be responsible for the proficiency, discipline, conduct, appearance, and strict attention to duty of all officers.

A Sergeant with the Department may be assigned to specialized assignment, or supervise a specific assignment that is a required function within the Department, such as:

1. Supervisory Firearms Instructor
2. Supervisor of Traffic Safety
3. Internal Affairs Officer
4. Field Training Officer
5. TAC Officer
6. Other specialized assignments as determined by the Chief of Police, or Captain.
7. Training officer in any police related specialization or topic.

4.4.2 General duties and Responsibilities of Sergeants

1. Protect Life and Property.

2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

4. Instructs and trains new police officers and assists those concerning difficult police problems and cases.

5. Performs all work required of a police officer.

6. Prepares reports on a variety of police Department activities.

7. Supervises patrol officers assigned to him

8. Maintains active, working knowledge of Departmental rules, policies, procedures, and developments in the law that affect him and members under his supervision.

9. Continuously audits the performance of officers under his supervision to determine whether they are properly, effectively, and consistently carrying out their police duties. In particular, compares field practices with the standards established through written orders.

10. Ensures that when the performance of an officer under his command is unsatisfactory, measures are taken through encouragement, explanation, referral to his superior officer or other means consistent with Departmental policy to see that the officer's future conduct is up to standard.

11. Submits a written report to the Captain or Lieutenant regarding any member of the Department who commits a serious breach of the regulations of the Department, or where informal corrective measures prove inadequate. Includes in this report the complete details of the misconduct and of corrective measures attempted. Examples of types of misconduct which would ordinarily be considered "serious" include, but are not limited to, the following:

    a. Flagrant refusal to obey orders.

    b. The commission of any criminal offense.

    c. Oral or physical abuse of a member of the public.

    d. Excessive use of force with a prisoner or other person.

    e. Absence without leave.

    f. Excessive tardiness

    g. A Conflict of interest.

h. Failure amounting to negligence to discover or act upon a felony or upon the existence of conditions dangerous to the health or safety of the public.

i. Repeated failure to respond to orders, instructions or other admonitions to correctly execute duties.

12. Implements all orders received from the Chief or Captain and/or Lieutenant. To this end, thoroughly explains to Departmental personnel under his command the content and meaning of new orders that affect their responsibilities.

13. Accountable for the actions or omissions of the officers under his supervision which are contrary to Departmental regulations or policy.

14. Responds to emergencies, incidents, or dispatches as required. Takes command of the situation until relieved by an officer of superior rank.

15. Ensures that all patrol officers receive, serve, or deliver warrants, summonses, subpoenas or other official papers and performs relevant duties promptly and accurately.

16. Performs other duties as may be assigned by the Chief, Captain or Lieutenant.

4.4.3 Knowledge, Skills and Abilities

The Sergeant must maintain thorough knowledge of the rules and regulations of the Department; thorough knowledge of approved principles, practices and procedures of police work; thorough knowledge of pertinent state laws, municipal ordinances and court decisions; thorough knowledge of the geography of the municipality and location of important buildings; commands respect of the officers and assigns, directs and supervises their work; handles the public courteously and firmly and establishes and maintains satisfactory public relations; analyzes complex police problems and situations and adopts quick, effective, and reasonable courses of actions; skilled in the use of police equipment, physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.5 Authority and Duties of the Detective

4.5.1 Summary

Assignments received usually consist of specific cases to be followed to conclusion, normally closing with the preparation of a case for prosecution. This aspect of the work distinguishes the investigator from other police personnel who make preliminary investigations of cases at the scene of the crime.

4.5.2 General Duties and Responsibilities

1. Protect life and property.

2. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

3. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

4. Investigates all assigned cases to the best of one's ability.

5. Demonstrates skills in interviewing and interrogating, properly observing legal safeguards.

6. Testifies in various state and federal court proceedings; presenting a professional competent image of the Department.

7. Develops and maintains case files and other files or paperwork appropriate to investigative matters, Knowledgeable about relevant legal processes such as grand juries, obtaining warrants, understands and safe guards the constitutional rights of suspects under investigation.

8. Informs the Lieutenant about progress of all investigative responsibilities and completes bi-weekly reports that are forwarded to the Lieutenant of relevant cases, incidents being investigated.

9. Maintains liaison with investigators of the County Prosecutor's officer, State Police and other local and federal law enforcement agencies on matters of mutual concern.

10. Performs all duties required of police officers.

11. Timely completion of background investigations for firearms permits, solicitor permits, and volunteer organizations.

12. Collects, stores, inventories evidence, and maintains records for evidence submission, collection, and destruction.

13. Services as the Departments Juvenile officer, handling cases which involve juvenile involvement or cases where the schools are involved.

13. Performs other duties as assigned by the Lieutenant, Captain or Chief of police.

4.5.3 Knowledge, Skill and Abilities:

Possess substantial knowledge of police investigative techniques and techniques of identification; general knowledge of rules of evidence and laws of search and seizure; general knowledge of geography of the municipality and important buildings; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise reports; skill in the use of police equipment; physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.6 Authority and Duties of the Police Officer

4.6.1 Summary

A Police officer is responsible for the efficient performance of required duties conforming to the rules, regulations, and general orders contained herein. Duties shall consist of, but are not limited to, general police responsibilities necessary to the safe and good order of the community. A police officer shall:

1. Protect life and property

2. Identify criminal offenders and criminal activity and, where appropriate, apprehend offenders and participate in subsequent court proceedings.

3. Reduce the opportunity for the commission of crime through preventative patrol and other measures.

4. Aid people who are in danger of physical harm.

5. Facilitate the movement of vehicular and pedestrian traffic.

6. Identify potentially serious law enforcement or governmental problems.

7. Promote and preserve the peace.

8. Provide emergency service.

Although the police officer position is non-supervisory, he or she may be the senior officer working in absence of a Sergeant, Lieutenant, or the Captain. That senior officer, when working with a less experienced officer, shall be responsible for the supervision, proficiency, discipline, conduct, appearance, and strict attention to duty of all subordinate officers working with them. Police officer duties are performed on an assigned shift under the general guidance of the Police Chief, Captain, Lieutenant, and/or Sergeant.

4.6.2 General Duties and Responsibilities

1. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

2. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

3. Is accountable to superior officers. Promptly obeys legitimate orders.

4. Coordinates efforts with those of other members of the Department so that teamwork may ensure continuity of purpose and achievement of police objectives.

5. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.

6. Responds punctually to all assignments. Performs their duties promptly, faithfully and diligently.

7. Acquires and records information concerning events that have taken place since the last tour of duty.

8. Records activity during the tour of duty in the manner prescribed by proper authority.

9. Report to the proper borough officials, any violations of any of the borough codes which may come to his attention.

10. Strives to improve their skills and techniques through study and training

11. Maintains weapons and equipment in a functional, presentable condition.

12. Assists citizens requesting assistance or information. Courteously explains any instance where jurisdiction does not lie with the police Department and suggests other procedures to be followed.

13. Accountable for the securing, receipt, and proper transporting of all evidence and property coming into custody.

14. Answers questions asked by the general public, counsels juveniles and adults when necessary and refers them to persons or agencies where they can obtain further assistance.

15. Preserves the peace at public gatherings, neighborhood disputes, and family quarrels

16. Serves or delivers warrants, summonses, subpoenas, and other official papers promptly and accurately when so directed by a superior officer.

17. Confers with prosecutors and testifies in court.

18. Accomplishes other general duties as they are assigned or become necessary.

19. Performs other duties as may be assigned by the Chief, Captain, Lieutenant, and/or Sergeants.

20. Cooperates with the efforts of other law enforcement agencies.

21. Police officers may be assigned to specific tasks within the Department by the Chief of Police, Captain, and/or Lieutenant. These assignments include, but are not limited to:

    a. Backup Detective duties and rendering assistance in the Detective Bureau.

    b. Traffic Safety Officer.

    c. Field Training Officer.

d. Drug Awareness and Resistance Education, or School drug and alcohol education officer.

e. Firearms Instructor, Radar Instructor, Drug Recognition Expert, or any other Police related Instructor or assignment that is beneficial to the Department or the Community.

f. T.A.C. Officer

g. Any Multi-agency assistance entity, such as M.O.C.E.R.T (SWAT). County RDF (Rapid Deployment Force), Narcotics Task Force, S.C.A.R.T. (County Accident Response Team, etc.

4.6.3 Specific duties and responsibilities: Preventative Patrol.

1. Patrols an assigned area for general purposes of crime prevention and law enforcement. Patrol includes:

   a. Being thoroughly familiar with the assigned route of patrol. Such familiarity includes knowledge of residents, merchants, businesses, roads, alleyways, paths etc. Conditions that contribute to crime should be reported. The location of telephones and other emergency services should be noted.

   b. Apprehending persons violating the law or wanted by the police.

   c. Completing detailed reports on all crimes, vehicle accidents and other incidents requiring police attention. In cases where an arrest is made, an arrest report is submitted along with the required crime reports. When property is recovered or additional information is discovered pertaining to a previously reported offense, and completes any necessary follow-up reports.

   d. Preserving any serious crime scene until the sergeant or detective arrives.

   e. Public assembly checks.

   f. Building security checks.

   g. Observing and interrogating suspicious persons.

   h. Issuing traffic citations.

i. Being alert for and repressing fires.

j. Reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety

k. Checking schools, parks and playgrounds

l. Responding to any public emergency

2. Conducts a thorough investigation of all offenses and incidents within the area of assignment and scope of activity. Collects evidence and records data, which will aid in identification, apprehension, and prosecution of offenders, as well as the recovery of property.

3. Alert to the development of conditions tending to cause crime or indicative of criminal activity. Takes preventive action to correct such conditions and informs superiors as soon as the situation permits.

4. Responds to situations brought to the officer's attention while in the course of routine patrol or when assigned by radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing police services.

5. Remains on assigned route throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or senior police officer on duty has issued authorization for a temporary absence.

6. Patrols area giving particular attention to and frequently rechecking locations where the crime hazard is great. Insofar as possible, a patrol officer shall not patrol an area according to any fixed route or schedule, but shall alternate frequently and backtrack in order to be at the location least expected.

7. Be alert for all nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health or convenience of the public within the patrol area.

8. Concerning a patrol vehicle:

a. See that it is well maintained mechanically and that it is kept clean both inside and out.

b. Inspects the vehicle at the beginning of the tour of duty for any defects or missing equipment. Immediately reports all defects and damage sustained to the proper authority and completes all reports and forms required by current procedures.

c. Removes the keys whenever the patrol car is left unattended for any reason.

d. Uses only vehicles assigned by the Captain or senior police officer on duty

e. Operates the radio according to FCC regulations and current Departmental procedures.

f. Ensures that the assigned vehicle's gas tank is full before completion of each tour of duty.

9. Keeps radio equipment in operation at all times and remains thoroughly familiar with Departmental policy concerning its use.

10. Takes measures to direct the flow of traffic during periods of congestion.

11. Notifies the Sergeant or officer-in-charge on duty if more than a temporary absence from regular duties is required.

4.6.4 Specific duties and responsibilities: Traffic Patrol.

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.

2. Enforces the parking ordinances and motor vehicle laws in the patrol areas in specified areas, or where the need to conduct the necessary targeted enforcements actions are required. (Radar enforcement, traffic light enforcement,

3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports such conditions to the Sergeant or officer-in-charge.

4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant, or officer-in charge, at the earliest possible opportunity.

5. Wears the prescribed traffic safety clothing and equipment.

4.6.5 Knowledge, Skills and Abilities:

Knowledge of the laws of the federal government, the State of New Jersey, and all ordinances of the Borough of Oceanport which may be related to the intelligent performance of police duties. Some knowledge of the philosophy, objectives and practices of counseling, particularly as related to juveniles; some knowledge of the fundamental principles of adolescent psychology; knowledge of police investigative techniques and techniques of identification; general knowledge of rules of evidence and laws of search and seizure; ability to deal effectively with juveniles and adults; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise oral and written reports; skill in the use of firearms and police equipment; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers and the public; physically fit and is capable of successfully performing all of the essential functions required for the position of police officer.

4.7 Duties of the Special Officer Class II

4.7.1 Summary

A Special Officer Class II, who is appointed by the Governing Body on a yearly basis, is responsible for the efficient performance of required duties conforming to the rules, regulations, and general orders contained herein. Duties shall consist of, but are not limited to, general police responsibilities necessary to the safe and good order of the community. A Special Officer Class II police officer shall:

1. Protect life and property

2. Identify criminal offenders and criminal activity and, where appropriate, apprehend offenders and participate in subsequent court proceedings.

3. Reduce the opportunity for the commission of crime through preventative patrol and other measures.

4. Aid people who are in danger of physical harm.

5. Facilitate the movement of vehicular and pedestrian traffic.

6. Identify potentially serious law enforcement or governmental problems.

7. Promote and preserve the peace.

8. Provide emergency service.

4.7.2 General Duties and Responsibilities

1. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.

2. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.

3. Is accountable to superior officers. Promptly obeys legitimate orders.

4. Coordinates efforts with those of other members of the Department so that teamwork may ensure continuity of purpose and achievement of police objectives.

5. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.

6. Responds punctually to all assignments. Performs their duties promptly, faithfully and diligently.

7. Acquires and records information concerning events that have taken place since the last tour of duty.

8. Records activity during the tour of duty in the manner prescribed by proper authority.

9. Report to the Supervisor, who in turn will report to the proper borough officials, any violations of any of the borough codes which may come to his attention.

10. Strives to improve their skills and techniques through study and training

11. Maintains weapons and equipment in a functional, presentable condition.

12. Assists citizens requesting assistance or information. Courteously explains any instance where jurisdiction does not lie with the police Department and suggests other procedures to be followed.

13. Accountable for the securing, receipt, and proper transporting of all evidence and property coming into custody.

14. Answers questions asked by the general public, counsels juveniles and adults when necessary and refers them to persons or agencies where they can obtain further assistance.

15. Preserves the peace at public gatherings, neighborhood disputes, and family quarrels.

16. Serves or delivers warrants, summonses, subpoenas, and other official papers promptly and accurately when so directed by a superior officer.

17. Confers with prosecutors and testifies in court.

18. Accomplishes other general duties as they are assigned or become necessary.

19. Performs other duties as may be assigned by the Chief, Captain, Lieutenant, and/or Sergeants.

20. Cooperates with the efforts of other law enforcement agencies.

4.7.3 Specific duties and responsibilities: Preventative Patrol.

1. Patrols an assigned area for general purposes of crime prevention and law enforcement. Patrol includes:

   a. Being thoroughly familiar with the assigned route of patrol. Such familiarity includes knowledge of residents, merchants, businesses, roads, alleyways, paths etc. Conditions that contribute to crime should be reported. The location of telephones and other emergency services should be noted.

b. Apprehending persons violating the law or wanted by the police.

c. Completing detailed reports on all crimes, vehicle accidents and other incidents requiring police attention. In cases where an arrest is made, an arrest report is submitted along with the required crime reports. When property is recovered or additional information is discovered pertaining to a previously reported offense, the officer must produce any and all necessary follow-up reports.

d. Preserving any serious crime scene until the sergeant or detective arrives.

e. Public assembly checks.

f. Building security checks.

g. Observing and interrogating suspicious persons.

h. Issuing traffic citations.

i. Being alert for and repressing fires.

j. Reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety

k. Checking schools, parks and playgrounds

l. Responding to any public emergency

2. Conducts a thorough investigation of all offenses and incidents within the area of assignment and scope of activity. Collects evidence and records data, which will aid in identification, apprehension, and prosecution of offenders, as well as the recovery of property.

3. Alert to the development of conditions tending to cause crime or indicative of criminal activity. Takes preventive action to correct such conditions and informs superiors as soon as the situation permits.

4. Responds to situations brought to the officer's attention while in the course of routine patrol or when assigned by

radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing police services.

5. Remains on assigned route throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or officer-in-charge on duty has issued authorization for a temporary absence.

6. Patrols area giving particular attention to and frequently rechecking locations where the crime hazard is great. Insofar as possible, a patrol officer shall not patrol an area according to any fixed route or schedule, but shall alternate frequently and backtrack in order to be at the location least expected.

7. Be alert for all nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health or convenience of the public within the patrol area.

8. Concerning a patrol vehicle:

   a. See that it is well maintained mechanically and that it is kept clean both inside and out.

   b. Inspects the vehicle at the beginning of the tour of duty for any defects or missing equipment. Immediately reports all defects and damage sustained to the proper authority and completes all reports and forms required by current procedures.

   c. Removes the keys whenever the patrol car is left unattended for any reason.

   d. Uses only vehicles assigned by the Captain, Lieutenant, Sergeant or senior police officer on duty

   e. Operates the radio according to FCC regulations and current Departmental procedures.

   f. Ensures that the assigned vehicle's gas tank is full before completion of each tour of duty.

   g. Keeps radio equipment in operation at all times and remains thoroughly familiar with Departmental policy concerning its use.

h. Takes measures to direct the flow of traffic during periods of congestion.

i.. Notifies the sergeant or officer-in-charge on duty if more then a temporary absence from regular duties is required.

4.7.4 Specific duties and responsibilities: Traffic Patrol.

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.

2. Enforces the parking ordinances and motor vehicle laws in the patrol areas

3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports such conditions to the sergeant.

4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant or officer-in-charge at the earliest possible opportunity.

5. Wears the prescribed traffic safety clothing and equipment.

4.7.5 Knowledge, Skills and Abilities:

Knowledge of the laws of the federal government, the State of New Jersey, and all ordinances of the Borough of Oceanport which may be related to the intelligent performance of police duties. Some knowledge of the philosophy, objectives and practices of counseling, particularly as related to juveniles; some knowledge of the fundamental principles of adolescent psychology; knowledge of police investigative techniques and techniques of identification; general knowledge of rules of evidence and laws of search and seizure; ability to deal effectively with juveniles and adults; ability to analyze evidence; ability to question and interview skillfully; ability to organize and prepare clear and concise oral and written reports; skill in the use of firearms and police equipment; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers and the public; physically fit and is capable of

successfully performing all of the essential functions required for the position of police officer.

4.8 Duties of Class I special Officers

A Special Officer Class I, who is appointed by the Governing Body on a yearly basis, is responsible for the efficient performance of required duties conforming to the rules, regulations, and general orders contained herein. Duties shall consist of, but are not limited to, general assigned police responsibilities necessary to the safe and good order of the community. A Special Officer Class I officer is a part time employee who is assigned to special details, events, and/or outside details as scheduled by the Chief, Captain, Lieutenant, Sergeants, or other officers following Department policy. Special officer Class I shall:

1. Protect life and property
2. Identify criminal offenders and criminal activity and, where appropriate, notify a superior officer (Patrol Officer or Class II Special Officer) of such offense.
3. Aid people who are in danger of physical harm.
4. Facilitate the movement of vehicular and pedestrian traffic.
5. Identify potentially serious law enforcement or governmental problems.
6. Promote and preserve the peace.
7. Provide emergency service.

4.8.2 General Duties and Responsibilities

1. Exercises authority consistent with obligations imposed by the oath of office and in conformance with the policies of the Department.
2. Abides by all rules, regulations and Departmental guidelines and directives governing police officers.
3. Is accountable to superior officers. Promptly obeys legitimate orders.

4. Coordinates efforts with those of other members of the Department so that teamwork may ensure continuity of purpose and achievement of police objectives.

5. Communicates to superiors and to fellow officers all information obtained in the field, which is pertinent to the achievement of police objectives.

6. Responds punctually to all assignments. Performs their duties promptly, faithfully and diligently.

7. Acquires and records information concerning events that have taken place since the last tour of duty.

8. Records activity during the tour of duty in the manner prescribed by proper authority.

9. Report the Supervisor, who in turn will report to the proper borough officials, any violations of any of the borough codes which may come to his attention.

10. Strives to improve their skills and techniques through study and training

11. Assists citizens requesting assistance or information. Courteously explains any instance where jurisdiction does not lie with the police Department and suggests other procedures to be followed.

12. Answers questions asked by the general public, and when necessary and refers them to persons or agencies where they can obtain further assistance.

13. Preserves the peace at public gatherings, neighborhood disputes, and family quarrels

14. Performs other duties as may be assigned by the Chief, Captain, Lieutenant, and/or Sergeants

4.8.3 Specific duties and responsibilities: preventative patrol.

1. Patrols an assigned event or work area for general purposes of crime prevention and public safety. These may include:

a. Being thoroughly familiar with the assigned route of the event. Such familiarity includes knowledge of residents, merchants, businesses, roads, alleyways, paths etc. Conditions that contribute to hazards should be reported.

b. Observing persons violating the law or wanted by the police and making notification to Officers on duty.

c. Issuing traffic citations or parking citations.

d.. Being alert for and repressing fires.

e. Reporting street light and traffic signals out-of-order, street hazards and any conditions that endanger public safety

f. Checking the assigned areas for hazards, criminal activity, suspicious activity

2. Responding to any public emergency.

3. Alert to the development of conditions tending to cause crime or indicative of criminal activity. Takes preventive action to correct such conditions and informs superiors as soon as the situation permits.

4. Responds to situations brought to the officer's attention while in the course of the assigned event or detail and notify the supervisor or officer by radio. Renders First Aid, when qualified, to persons who are seriously ill or injured. Assists persons needing police services.

5. Remains on assigned route throughout the tour of duty except when a police emergency necessitates a temporary absence, or when the sergeant or senior police officer on duty has issued authorization for a temporary absence.

6. Be alert for all nuisances, impediments, obstructions, defects or other conditions that might endanger or hinder the safety, health or convenience of the public within the patrol area.

7. Concerning a patrol vehicle:

a. See that it is well maintained mechanically and that it is kept clean both inside and out.

b. Inspects the vehicle at the beginning of the tour of duty for any defects or missing equipment. Immediately reports all defects and damage sustained to the proper authority and completes all reports and forms required by current procedures.

c. Removes the keys/secure vehicle whenever the patrol car is left unattended for any reason.

d. Uses only vehicles assigned by the Captain, Lieutenant, Sergeant or senior police officer on duty

e. Operates the radio according to FCC regulations and current Departmental procedures.

f. Ensures that the assigned vehicle's gas tank is full before completion of each tour of duty.

8. Keeps radio equipment in operation at all times and remains thoroughly familiar with Departmental policy concerning its use.

9. Takes measures to direct the flow of traffic during periods of congestion.

10. Notifies the sergeant or senior officer on duty if more than a temporary absence from regular duties is required.

4.8.4 Specific duties and responsibilities: Traffic Patrol.

1. Directs and expedites the flow of traffic at assigned intersections, preventing accidents, protecting pedestrians, and ensuring the free flow of traffic.

2. Enforces the parking ordinances and motor vehicle laws in the patrol areas

3. Alert to traffic safety conditions which may endanger or inconvenience the public and reports such conditions to the sergeant.

4. Responds immediately when called from a traffic post to render emergency police service. Notifies the sergeant at the earliest possible opportunity.

5. Wears the prescribed traffic safety clothing and equipment.

4.8.5 Knowledge, Skills and Abilities:

Knowledge of the laws of the federal government, the State of New Jersey, and all ordinances of the Borough of Oceanport which may be related to the intelligent performance of police duties. Understanding of relevant laws of search and seizure; ability to deal effectively with juveniles and adults; maintenance of police equipment; use of handcuffs, O.C. spray and side handle baton; possession of physical ability and endurance; ability to establish effective working relationships with juveniles, parents, school officials, fellow workers and the public; physically fit and is capable of successfully performing all of the essential functions required for the position of Special Officer Class I.

4.9 Duties of Records Clerk.

4.9.1 Summary

The Records Clerk shall be responsible for the accurate maintenance, filing and retrieval of all criminal, accident and other incident reports and records resulting from or relating to the operations of the Police Department and shall perform such other duties as may be assigned from time to time by the Chief of Police, Captain and/or Lieutenant.

4.9.2 General duties and Responsibilities:

1. Collect, Maintain, and disseminate case files and reports within the Police Department.

2. Prepare, organize, and answer to requests for discovery, and other reports.

3. Work with the courts and Officers to ensure proper paperwork is available for court case presentation.

4. Prepare monthly incident/status reports for the Chief of Police.

5. Notify Officers of subjects requesting police assistance when arriving at Headquarters.

6. Disseminate requests made under the Open Public Records Act and provide responses to the appropriate requester.

7. Preparing completed firearms applications related to all types that fall within the scope of New Jersey Firearms laws.

8. Any and all other functions as related to the efficient and organized operations within the Records Bureau.

4.9.3

Although members of the Police Department, Dispatchers and Records Clerks are also included in the scope of the Borough of Oceanport's Personnel Policy Chapter 13, all rules and regulations which do not conflict with the above cited ordinance ???(what ordinance is cited above)????will apply to the records clerk as well.

5.0 Rules of Conduct

5.1 General Conduct

5.1.1 Performance of duty. All employees shall promptly perform their duties as required or directed by law, Department rule, policy, directive, guideline, or by lawful order of a superior officer.

5.1.2 Action off duty. While off duty, police officers shall take appropriate action as needed in any police matter that comes to their attention within their jurisdiction as authorized by New Jersey law and Department policy.

5.1.3 Obedience to laws and rules. Employees shall report any information concerning suspected criminal activity of others.

5.1.4 Withholding Information. Employees shall report any information concerning suspected criminal activity of others.

5.1.5 Reporting violations of law or rules. Employees knowing of other employees violating laws, ordinances, or rules of the Department, shall report same in writing to the Chief of Police, Captain or Lieutenant through official channels. If the employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Chief of Police, Captain or Lieutenant through official channels may be bypassed.

5.1.6 Insubordination. Employees shall not:

a. Fail or refuse to obey a lawful order given by a supervisor;
b. Use any disrespectful or abusive language or action toward a supervisor.

5.1.7 Conduct toward Other Department Employees. Employees shall treat other Department employees with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and in the presence of the public, officers should be referred to by rank.

5.1.8 Compromising Criminal Cases. Employees shall not interfere with the proper administration of criminal justice.

5.1.9 Recommending attorney and bail bond brokers prohibited. Employees shall not suggest, recommend, or advise the retention of any attorney or bail bond broker to any person as a result of police business.

5.1.10 Use of force. Employees shall follow the Monmouth County Prosecutors Office, and Department policies and procedures on the use of force.

5.1.11 Physical fitness. Police officers shall maintain good physical condition so that they can handle the strenuous physical activities often required of a law enforcement officer.

5.1.12 Driver's license. Employees operating Department motor vehicles shall possess a valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost, the employee shall immediately notify the appropriate Supervisor giving full particulars.

5.1.13 Address and telephone numbers. Employees are required to have a telephone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within 24 hours of the change.

5.2 Orders

5.2.1 Issuing orders

a. Manner of issuing orders. Orders from a supervisor to a subordinate shall be in clear and understandable language.

b. Unlawful orders. No supervisor shall knowingly issue any order which is in violation of any law or ordinance.

c. Improper orders. No supervisor shall knowingly issue any order which is in violation of any Department rule, policy, or procedure.

5.2.2 Receiving orders

a. Questions regarding orders. Employees in doubt as to the nature or detail of an order shall seek clarification from their supervisors by going through the chain of command.

b. Obedience to unlawful orders. Employees are not required to obey any order which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee, who will be required to justify the refusal to obey.

c. Obedience to improper orders. Employees who are given any order which is contrary to Department rule, policy, or procedure must first obey the order to the best of their ability and then report the improper order as provided.

d. Conflicting orders. Upon receipt of an order conflicting with any previous order, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanding the original order rests with the individual issuing the second order. If so directed, the latter order shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued only when reasonably necessary for the good of the Department.

e. Reports of unlawful or improper orders. An employee receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest ranking supervisor above the supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted by the Chief of Police

f. Criticism of official acts or orders. Employees shall not criticize the actions or orders of any Department employee in a manner which is defamatory, obscene, or which tends to impair the efficient operation of the Department.

5.3 Police Records and Information

5.3.1 Release of information. Employees shall not release any information, nor reveal any confidential business of the Department to the public or the press except as provided in Department policy and guideline.

5.3.2 Department records. Contents of any record or report filed within the Department shall not be exhibited or divulged to any person other than a duly authorized police officer, except with the approval of the appropriate supervisor, or under due process of law, or as permitted under Department policy and guidelines.

5.3.3 Reports. No employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information on records of the Department.

5.4 Gifts, rewards, etc.

5.4.1 Soliciting or accepting benefits. Employees shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.

5.4.2 Rewards. Employees shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except that which may be authorized by law and Department policy.

5.4.3 Disposition of unauthorized gifts, gratuities. Any unauthorized gift, gratuity, loan, fee, reward, or other object coming into the possession of any employee shall be forwarded to the Chief of Police together with a special unnumbered report explaining the circumstances. A desk log entry shall also be made, noting the item received.

5.5 Alcoholic beverages and drugs

5.5.1 Consuming alcoholic beverages before duty. Employees shall not consume alcoholic beverages within eight hours prior to reporting for duty.

5.5.2 Being under the influence. Employees shall not report for duty under the influence of any alcoholic beverage.

5.5.3 Consuming alcoholic beverages on duty. Employees of the Department shall not consume any alcoholic beverage while on duty.

5.5.4 Exception. Employees while assigned to duty in civilian clothes may consume alcoholic beverages only if such consumption:

a. is absolutely necessary in the performance of duty, and

b. has been approved by the appropriate supervisor, and

c. does not render the employee unfit for proper and efficient performance of duty.

5.5.5 Consuming alcoholic beverages off duty in uniform. Employees shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.

5.5.6 Alcoholic beverages in police headquarters. Alcoholic beverages shall not, at any time, be consumed in police buildings or facilities.

5.5.7 Supervisors' responsibility. Supervisors shall not assign to duty or allow to remain on duty, any employee whose fitness for duty is questionable due to the use of alcohol or medication.

5.5.8 Possession of alcoholic beverages. Employees shall not have alcoholic beverages on their person while on duty or in uniform, nor in any police Department building or vehicle, except for evidential or other authorized purpose.

5.5.9 Entering licensed premises. Employees in uniform shall not enter any licensed premises where alcoholic beverages are sold or stored, except in the performance of duty and in compliance with Department policy. Employees may enter a licensed establishment for the purpose of picking up a purchased meal, provided that the meal is removed from the premises and consumed at an appropriate other location.

5.5.10 Taking medication on duty. Employees of the Department shall not take any medication which may diminish their alertness or impair their senses prior to or after reporting for duty unless directed by a physician.

5.5.11 Notification about medication. When employees are required to take any prescription medication or any non-prescription medication which may diminish their alertness or impair their senses, the employee shall notify their supervisor as to the medication required, its properties, the dosage and the period during which the employee is required to take the medication.

This notification shall be by the prescribing physician. If the medication is a non-prescription drug the employee shall make this notification. The required notification shall be made prior to the employee reporting for duty. This information so provided shall be confidential.

5.6 Drug Testing

5.6.1 The Oceanport Police Department shall ensure that its members are free from illegal drug use. The critical mission of law enforcement justifies the maintenance of a drug-free work environment through the use of a drug-testing program. It is the goal of these rules and regulations to prevent the hiring of those engaged in illegal drug use, deter illegal drug use by law enforcement officers and to identify and remove those officers engaged in the illegal use of drugs.

5.6.2 Procedure:

a. Trainees will be required to submit to one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will comply with the Rules and Regulations established by the Police Training Commission.

b. Individual trainees shall be required to submit a urine specimen for testing when there exists reasonable suspicion to believe that the trainee is illegally using drugs. A trainee shall be ordered to submit to a drug test based on reasonable suspicion only with the approval of the County Prosecutor, Chief of Police, or the Academy Director.

c. Urine specimens shall be ordered from a sworn Law Enforcement Officer or Class II Special Law Enforcement Officers when there exists reasonable suspicion to believe that the officer or employee is illegally using drugs. Urine specimens shall not be ordered without the approval of the County Prosecutor or the Chief of Police.

d. Urine specimens may be ordered from sworn Law Enforcement Officers or Class II Special Law Enforcement Officers who have been randomly selected to submit to a drug test. Random selection is defined as a method of selection in which each and every member of the Department, regardless of rank or assignment, has an equal

chance to be selected each and every time a selection is conducted.

5.6.3 Notification of Drug Testing Procedures.

A. Trainees: Drug testing of trainees will be governed by the Police Academy the trainee is attending. Positive results on the drug test will result in:

(1) The trainee's termination from employment;

(2) Inclusion of the name in the Central Drug Registry maintained by the Division of State Police;

(3) The trainee being permanently barred from future law Enforcement in New Jersey.

B. Sworn Police officers/Class II special Officers Reasonable Suspicion Testing:

(1). Individual Police officers and Class II Special Law Enforcement officers are required to submit to a drug test when there is reasonable suspicion to believe that the officer/employee is illegally using drugs.

(2). Before an officer or employee is ordered to submit to a drug test, a written report shall be prepared which documents the basis for the reasonable suspicion. The report shall be reviewed by the County Prosecutor and/or the Chief of Police before a reasonable suspicion test may be ordered.

(3). A negative test result is a condition of employment and a positive result will result in termination from employment. A positive result for a sworn officer will result in:

(a) Termination of employment;

(b) Inclusion of the officer's name in the Central Drug Registry by the Division of State Police;

(c) Being permanently barred from future Law Enforcement employment in New Jersey.

Any officer or employee who refuses to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so shall be subject to the same penalties as those who test positive for the illegal use of drugs.

D. Sworn Law Enforcement Officers/Class II Special Law Enforcement Officers: Random Drug Testing.

1. All sworn officers and Class II officers of the Oceanport Police Department, regardless of rank or assignment, are eligible for random drug testing.

2. Random drug testing shall be conducted semi-annually. The dates of the selections shall be determined by the Chief of Police. Each selection shall result in testing of one (1) officer(s).

3. The Oceanport Police Department shall use a computer program which randomly selects social security numbers from its database.

4. All employees will have an equal chance to be selected for testing each and every time a selection takes place.

5. Members of the Employees Collective Bargaining Unit shall be permitted to witness the selection process.

6. Any member who discloses the identity of an officer selected for random testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to disciplinary action.

7. Officers selected who are on Sick leave, Vacation, or other authorized leave will appear as soon as they return from approved leave.

8. Any officer, who refuses to submit to a drug test when randomly selected, is subject to the same penalties as those who test positive for illegal use of drugs. An officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.

5.6.4 Preliminary Requisition Procedures

1. The Internal Affairs Commander (Captain) shall serve as monitor of the specimen acquisition process. In the event the Internal Affairs Commander is selected for testing the Chief of Police shall serve as monitor. When the Chief of Police is selected the Captain shall serve as monitor. The Chief of Police may designate another officer to monitor applicant specimen collection.

2. The monitor shall always be of the same sex as the individual being tested. In the event there is no member of the same sex available from this Department to monitor the specimen collection, a member of the same sex will be requested from another law enforcement agency to serve as monitor of the process.

3. Prior to specimen submission, all current employees shall complete a medical questionnaire which clearly describes all medications both prescription and over-the-counter which were ingested in the past fourteen (14) days.

5.6.5 Specimen collection:

1. Throughout the test process, the identity of individuals who have submitted specimens shall remain confidential. Individual specimens shall be identified throughout the process by the use of social security numbers. At no time shall an individual's name appear on any form or specimen container sent to the State Toxicology Laboratory.

2. Specimens will be collected utilizing equipment and supplies approved by the State Toxicology Laboratory. Under no circumstances may a specimen be collected and submitted for analysis in a specimen container that has not been approved by the State Toxicology Laboratory.

3. Urine specimens will be acquired and processed in accordance with procedures established by the Stale Toxicology Laboratory.

4. Individuals will provide the sample without the direct observation of the monitor unless there is reason to believe that the individual will adulterate the specimen or otherwise compromise the integrity of the test process. Under these circumstances, the production of a specimen may be directly observed by the monitor. Reasons for direct observation must be documented.

5. Individuals that initially are unable to produce a urine specimen shall remain under the supervision of the monitor until the monitor is satisfied that the individual cannot produce a sample. While the individual is under supervision, the monitor may allow the individual to drink fluids in an attempt to induce the production of a specimen. If the individual remains unable to produce a specimen after a reasonable amount of time the monitor shall have the individual examined by a Physician contracted by, or approved through the Governing Body, to determine whether the inability to produce a specimen was the result of a medical condition or constituted as a refusal to cooperate with the drug testing process.

6. Sworn Law Enforcement Officers / Class II Special Law Enforcement Officers shall have the option to provide the monitor with a second urine specimen at the same time the first specimen is collected.

5.6.6 Submission of specimens for Analysis

1. The New Jersey State Toxicology laboratory within the Division of Criminal Justice will constitute the sole facility for the analysis of Law Enforcement drug tests. Law Enforcement agencies are not permitted to use any other facility or laboratory for purposes of analyzing urine specimens.

2. Urine specimens should be submitted to the State Toxicology Laboratory within one (1) working day of their collection. In the event a specimen cannot be submitted to the laboratory within one (1) working day of its collection, the Department shall store the specimen in a controlled access refrigerated storage area until submission to the laboratory.

3. Submissions of the specimens to the laboratory shall be accomplished by personnel designated by the Chief of Police.

5.6.7 Analysis of Specimens

1. The State Toxicology Laboratory shall utilize test procedures as determined by their Standard Operating Procedures.

2. Following their test procedures, positive test results are reviewed by a Medical Review Officer. Results of the test are compared to the medical questionnaire submitted with the specimen to determine if any substance listed on the questionnaire would explain the test result. The Medical Review Officer may direct the Department to obtain additional information from the individual being tested in the event the questionnaire does not explain the test result indicating that the specimen tested positive.

3. The State Toxicology Laboratory shall analyze each specimen for the following substances and their metabolites:

- Amphetamine/Meth Amphetamine Barbiturates
- Benzodiazepine
- Cannabinoids
- Cocaine
- Methadone
- Phencyclidine
- Opiates

4. The analysis of each specimen shall be done in accordance with procedures adopted by the State Toxicology Laboratory. These procedures shall include but not be limited to security of the test, specimens, chain of custody, metabolite cut-off levels and the issuance of test reports.

5. The Chief of Police may request that one or more specimens be analyzed for the presence of steroids.

5.6.8 Drug Test Results

1. The State Toxicology Laboratory shall notify the Department of any positive test results from the specimens submitted for analysis. All reports of positive test results shall be in writing and sent to the agency within fifteen (15) working days of the submission. The State Toxicology Laboratory will, upon request, provide the submitting agency with written documentation that one or more specimens submitted tested negative.

2. The State Toxicology Laboratory shall not report a specimen as having tested positive for a controlled

substance until the specimen has undergone a confirmatory test and the Medical Review Officer has reviewed the results of that test.

3. The Department shall notify the individual of the results of a positive test result as soon as possible after receipt of the report from the State Toxicology Laboratory. Upon request, the individual may receive a copy of the laboratory report.

4. Under no circumstances may a specimen be resubmitted for testing.

5.6.9 Consequences of a Positive Test Result:

When a trainee tests positive for illegal drug use:

1. The trainee shall be immediately dismissed from Basic Training and suspended from employment.

2. The trainee shall be terminated from the Department upon final disciplinary action.

3. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police.

4. The trainee shall be permanently barred from Law Enforcement employment in New Jersey.

When a Sworn Officer / Class II Special Officer tests positive for illegal drug use:

1. The Officer / Class II Special Officer shall be immediately suspended from all duties.

2 The Officer / Class II Special Officer shall be terminated upon final disciplinary action.

3 The Officer shall be reported to the Central Drug Registry maintained by the Division of State Police.

4 The Officer shall be permanently barred from future Law Enforcement employment in New Jersey.

5.6.10 Consequences of Refusal to Submit to a Drug Test.

1. Trainees who refuse to submit to a drug test shall be immediately removed from the academy and, immediately suspended from employment. Upon a finding that the trainee did in fact refuse to submit to a drug test, the trainee shall be terminated arid permanently barred from Law Enforcement employment In New Jersey, The trainee's name shall be submitted to the Central Drug Registry.

2. Sworn officers who refuse to submit to a drug test ordered in response to reasonable suspicion or random selection shall be immediately suspended. Upon a finding that the officer did in fact refuse to submit a sample, the officer shall be terminated and permanently barred from Law Enforcement employment In New Jersey. The officer's name shall be forwarded to the Central Drug Registry.

5.6 Duty conduct

5.7.1 Reporting for duty. Employees shall report for duty at the time and place specified, properly uniformed and equipped.

5.7.2 Absence from duty. An employee who fails to appear for duty at the date, time, and place specified without the consent of competent authority is absent without leave. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave.

5.7.3 Prohibited activity on duty. Employees who are on duty are prohibited from engaging activities which are not directly related to the performance of their duty (e.g., sleeping, conducting private business, or gambling).

5.7.4 Smoking while on duty. Employees shall not smoke, chew tobacco or Vape except in authorized areas. Employees shall not smoke, chew tobacco or Vape on duty while in direct contact with the public. Employees shall not smoke, Vape or chew tobacco while in Department vehicles.

5.7.5 Personal radios. The use of portable radios and any other form of entertainment other than equipment authorized by the Department is prohibited while on duty. An exception will be allowed for officers standing a Monmouth Park Race Track traffic post,

provided the volume is kept reasonable. The use of headphones is prohibited. (Remove)

5.7.6 Relief. Employees are to remain at their assignments and on duty until properly relieved by other employees or until dismissed by competent authority.

5.7.7 Meals. All meals are to be consumed within authorized areas, subject to modification by the supervisor.

5.7.8 Training. Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment, unless the prevailing collective bargaining agreement provides otherwise.

5.8 Uniforms, appearance and identification.

5.8.1 Regulation uniform required. All police officers and uniformed civilians shall maintain uniforms prescribed in Department policy and guidelines. Uniforms shall be kept neat, clean and well-pressed at all times.

5.8.2 Manner of dress on duty. Employees shall wear the uniform or civilian clothing on duty as prescribed by Department policy and guidelines for the employee's current assignment.

5.8.3 Wearing jewelry on duty. Police officer on duty shall not wear loose fitting jewelry which may be grasped during a struggle or which can inflict injury or retard the mobility of the officer. This provision shall not prohibit non-uniform officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with Department policy.

5.8.4 Personal appearance. Employees, while on duty, shall be neat and clean in person, with uniform or clothes clean and pressed. This provision shall not prohibit non-uniform officers on duty from dressing appropriately for the conditions of their current assignment in accordance with Department policy.

5.8.5 Wearing or carrying identification. Employees shall wear or carry their Department identification at all times, provided that it is practical under the circumstances.

5.8.6 Identification as police officer. Except when impractical or where the identity is obvious, police officers shall identify themselves by

displaying the official badge or identification card before taking police action.

5.9 Department equipment and property

5.9.1 All equipment and uniforms, firearms and ammunition, batons, shields and badges which may be supplied to the members of the Police Department shall be the property of the Borough of Oceanport. All equipment used in the Police Department shall be as prescribed by the Captain or Chief of Police.

5.9.2 Equipment on duty. Employees shall carry all equipment on duty as prescribed in Department policy and guideline based on their assignment.

5.9.3 Equipment off duty. Employees shall carry equipment off duty as prescribed in Department policy and guidelines based on their assignment.

5.9.4 Firearms. Employees shall follow Monmouth County Prosecutor's Office and Department policy and guidelines on the care and handling of firearms.

5.9.5 Department Property and Equipment. Employees are responsible for the proper care of Department property and equipment assigned to them.

5.9.6 Use of Department property and equipment. Employees shall not use any Department property or equipment for personal business or pleasure.

5.9.7 Damaged or Inoperative property or equipment. Employees shall immediately report to their supervisors any loss of or damage to Department property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any Department equipment or property.

5.9.8 Care of Department buildings. Employees shall not mark or deface any surface in headquarters. No material shall be affixed to any wall in headquarters without specific authorization from the appropriate supervisor.

5.9.9 Notices. Employees shall not mark, alter or deface any posted notice of the Department. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate

supervisor, except those areas designated for use by the collective bargaining units.

5.9.10 Use of Department vehicles. Employees shall not use any Department vehicle without the permission of a supervisor. Department vehicles shall never be used for personal business or pleasure except as provided for in Department policy.

5.9.11 Operation of Department Vehicles. When operating Department vehicles, employees shall not violate traffic laws except in cases of emergency and then only in conformity with state law and Department policy and procedure regarding same.

5.9.12 Transporting citizens. Citizens will be transported in Department vehicles on in conformance with Department policy.

5.9.13 Reporting Accidents. Accidents involving Department personnel, property, equipment and vehicles must be reported in accordance with Department policy and guideline.

5.9.15 Inspection. Department property and equipment is and remains the property of the Department and is subject to entry and inspection without notice.

5.9.16 Liability. If Department property is damaged or lost as a result of misuse or negligence by an employee, that employee will be held liable to reimburse the Department for the damage or loss and is subject to disciplinary action.

5.9.17 Surrender of Department property.

a. Upon separation from the Department. Employees are required to surrender all Department property in their possession upon separation from the service. For failure to return a non-expendable item, the employee will be required to reimburse the Department for then fair market value of the article.

b. Under suspension. Any employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other Department property to the appropriate supervisor pending disposition of the case.

5.10 Communications, correspondence.

5.10.1 Restrictions. Employees shall:

a. Not use Department letterheads for private correspondence.

b. Only send correspondence out of the Department under the direction of the appropriate supervisor.

5.10.2 Forwarding Communications. Any employee who receives a written communication for transmission to another employee shall forward same without delay.

5.10.3 Use of Department Address. Employees shall not use the Department as a mailing address for private purposes. The Department address shall not be used for any private vehicle registration or driver license.

5.10.4 Telephones. Department telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor.

5.10.5 Radio discipline. Employees operation the police radios shall strictly observe the procedures and restrictions for such operations as set forth in Department policy and procedure and by the Federal Communications Commission.

5.10.6 Social Media: Employees shall follow the Department policy on the use and transmission of all social media.

5.11 Conduct toward public.

5.11.1 Courtesy. Employees shall be courteous and orderly in their dealing with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of the provocation.

5.11.3 Request for Identification. Upon request, employees are required to supply their identification in a courteous manner.

5.11.4 Impartiality. Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence.

5.11.5 Use of Derogatory Terms. Employees shall not use language that is derogatory to anyone because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence.

5.11.6 Affiliation with Certain Organizations Prohibited. No employee shall knowingly become a member of any organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity, except when necessary in the performance of duty and at the direction of the Chief of Police.

5.11.7 Representing the Police Department. Employees shall not give public speeches or demonstrations on behalf of the Department, nor shall they endorse any product or service as a representative of the Department, without prior approval from the Chief of Police.

5.12 Political Activities.

5.12.1 Employees shall not be candidates for or hold office in elective public positions or political organizations within or inclusive of the jurisdiction in which they are employed unless authorized to do so by the Monmouth County Prosecutor.

5.12.2 Employees may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.

5.12.3 Employees shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.

5.12.4 Employees shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.

5.12.5 Employees shall not engage in any polling duties except in the performance of their official duties.

5.12.6 Employees shall not display any political material on any government property or on their person while on duty or in uniform.

5.13 Judicial appearance and testimony

5.13.1 Duty of employees to appear and testify. Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, or the State Commission of Investigation.

5.13.2 Subpoena. Employees must attend court or quasi-judicial hearings as required by a subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case of other competent court officials.

5.13.3 Court Appearance. When appearing in court on Department business, employees shall wear either the Department uniform or appropriate business attire.

5.13.4 Testifying for the Defendant. Any employee subpoenaed to testify for the defense or against the municipality or Department in any hearing or trial shall notify the appropriate supervisor immediately upon receipt of the subpoena.

5.13.5 Department Investigations. Employees are required to answer questions, file reports, or render material and relevant statements, in a Departmental investigation which such questions and statements are directly related to job responsibilities. Employees shall be advised of, and permitted to invoke, all applicable constitutional and statutory rights, including consultation with their designated representative.

5.13.6 Truthfulness. Employees are required to be truthful at all times whether under oath or not.

5.13.7 Civil action, Subpoenas. Employees shall not volunteer to testify in civil actions arising our of Department employment and shall not testify unless subpoenaed. If the subpoena arises out of Department employment or if employees are informed that they are a party to a civil action arising out of Department employment, they shall immediately notify the appropriate supervisor.

5.13.8 Civil Depositions and Affidavits. Employees shall confer with the appropriate supervisor before giving a deposition of affidavit on a civil case relating to their police employment.

5.13.9 Civil action, Expert witness. Employees shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the Monmouth County Prosecutor.

5.13.10 Civil Process. Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate supervisor.

6.0 Personnel regulations.

6.1 Duty Hours

6.1.1 Hours of Duty. Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees are subject to be recalled to duty as needed.

6.1.2 Scheduled Days Off. Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to be taken according to a schedule arranged by the appropriate supervisor.

6.2 Annual Vacation.

6.2.1 All full-time police officers are authorized an annual vacation allowance without loss of pay. For policemen, this vacation allowance or leave will accrue to the individual on calendar-year basis as listed in the employee's collective bargaining agreement.

6.2.2 All periods of vacation must be arranged for in advance in accordance to procedures established by the Chief of Police.

6.2.3 Unused vacation time cannot be accumulated from one year to another. Any unused allowance will be cancelled on January 1 of the following year unless it is established that the individual's duties, injury or illness have prevented him from using his leave in full. In such cases, and upon the recommendation of the Public Safety Committee, the Governing Body may approve the carrying over of such unused vacation allowance into the next calendar year, which must them be taken before June 1 of that year. Anyone allowed to carry vacation time into the next calendar year will not be allowed to take more then three consecutive weeks of vacation at any one time without prior approval of the Governing Body.

6.2.4 Any member of the Police Department whose employment is terminated within six months of his hiring will not be entitled to annual vacation or pay in lieu thereof.

6.2.5 The Chief of Police and/or the Captain will establish and maintain a register of annual vacation allowance earned and taken by all members of the Police Department and shall furnish a copy to the Borough Clerk

6.3 Holidays

6.3.1 Holidays will be administered as outlined in the collective bargaining agreement.

6.4 Sick Leave. Definition: Sick leave is the absence from work of an employee because of illness, injury while off-duty or the employees need to care for a member of the immediate family who is seriously ill.

6.4.1 Employees are entitled to sick days off pursuant to appropriate collective bargaining agreements and Department policy and procedures.

6.4.2 Abuse of Sick Leave. .Employees who take sick leave in violation of Department policy shall be subject to disciplinary action.

6.4.3 Full time members of the Police Department are entitled to sick leave benefits, which accrue as follows:

a. New employees will accrue ½ day per month during the first calendar year of employment

b. After the first calendar year and through the fifth calendar year, 12 days of sick leave will be accrued each year.

c. The sixth calendar year, and thereafter, sick leave is accrued at 15 days per year. Unused sick leave can be accumulated from year to year.

6.4.4 Permanent part-time employees are not eligible for sick leave benefits.

6.4.5 The Chief of Police and/or Captain. will maintain a record of all sick leave earned, taken and accrued by all members of the Police Department. A copy will be furnished to the Borough Clerk. All members of the Police Department will be given an annual statement in writing as to the status of his sick leave earned, taken and accrued.

6.4.6 Disposition of accrued sick leave benefit at retirement, will be administered as outlined in the collective bargaining agreement.

6.5 Excused Absence.

6.5.1 Leave of absence, without pay, may be granted to full time members of the Police Department, at the discretion of the Governing Body.

6.5.2 Full-time members of the Police Department may be excused on workdays, without loss of pay, at the discretion of the Public Safety Committee. For guidance, excused absence includes, but is not

limited to, time required for activities that cannot be handled during off-duty hours such as:

1. Deaths or grave illness in the immediate family.

2. Religious observance.

3. When representing the borough in an important event.

4. When required to appear for jury duty

6.5.3 In the event of a death in the employee's immediate family, and upon notification by the employee to the Chief of Police, the employee will be granted a leave of absence with pay not to exceed three days. Additional leave may be granted when necessary with the approval of the Governing Body.

6.5.4 "Immediate Family" shall include employee's spouse, children, stepchildren, grandchildren, parents, stepparents, grandparents, brothers, sisters, mother-in-law, father-in-law, aunts, uncles, nephews, and nieces.

6.5.5 "Illness in the immediate family" is illness which is serious enough to require the presence at home of the employee. "Immediate family" in this case shall be limited to the employee's spouse or children or other members of the employee's household.

6.5.6 Employees receiving jury duty notification will immediately provide their Department head with a copy of the summons to report. If an employee is released early from jury duty, the employee shall contact the Department head to determine whether the employee's services are required for the remainder of the day.

6.6 On-the-job injury leave.

6.6.1 When a full time employee shall be injured or disabled resulting from or arising due to his/her employment with the borough, said employee shall be entitled to receive full pay for up to thirty days from the date of injury of disability, less any money received from workman's Compensation. The injured employee shall:

1. Notify the Chief of Police or Supervisor of the injury immediately.

2. Any injury, no matter how minor, will be noted in the report on the incident and a separate report on the injury will be

filed by the officer injured, if possible, or by the other officer on the shift.

3. The Chief of Police will notify the appropriate Borough Representative of the injury and any pertinent information.

4. Notify the appropriate Borough contracted company for notification of the injury and any pertinent information.

5. File for workmen's compensation after the proscribed waiting period

6. Notify his employer of money received from compensation.

7. Submit to the employer, a physician's certificate stating the nature of the injury or disability that prevents the employee from returning to work.

6.6.2 If at the end of thirty days, the employee has not returned to work, full pay will continue to be paid to the employee provided that a physician's certificate states that the injury or disability continues to keep the employee from work. The physician should also stated the estimated length of the disability

6.7 Leave of Absence

6.7.1 Military leave, Maternity leave and any other absence without pay shall be granted as provided in United States and News Jersey Statutes.

A. Planned leave without pay for any other reason for periods exceeding two weeks will be extended to full time employees only after an administrative decision has been reached by the Governing Body after hearing the recommendation of the Public Safety Committee Chairman

B. All employees covered by this Agreement shall receive paid leave in accordance with N.J.S.A. 38:23-2 and N.J.S.A. 40A:14-177

6.8 Other Leaves

6.8.1 Other Leaves. Employees are entitled to other leave as provided for in collective bargaining agreement, by law and by Department policy and procedure subject to approval of the schedule by the appropriate supervisor.

6.9 Suspension of Leave. Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonable could not have been foreseen is declared by appropriate Department authority, and which unavoidably requires utilization of additional employees who are not scheduled to work.

6.10 Secondary Employment.

6.10.1 Secondary employment. Employees may engage in secondary employment consistent with Department policy.

6.11 Resignation.

6.3.1 Resignation to be in Writing. All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide the Chief of Police with no less than two weeks written notice.

7.0 Discipline

7.1 Disciplinary Action

7.1.1 Disciplinary Action. Employees, regardless of rank, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for:

a. committing an offense/crime punishable under the laws or statutes of the United States, the State of New Jersey, or in any other State, including disorderly and petty disorderly persons offenses, or municipal ordinance;

b. failure, either willingly or through negligence, or incompetence, to perform the duties of their rank or assignment;

c. violation of any rule, policy, guideline or directive of the Department; or

d. Failure to obey any lawful instruction, order, or command of a supervisor.

e. Excessive force: Complaint regarding the use or threatened use of excessive force against a person.

f. Improper arrest: Complaint that the restraint of a person's liberty was improper, unjust, or violated the person's civil rights.

g. Improper entry: Complaint that entry into a building or onto property was improper or that excessive force was used against property to gain entry.

h. Improper search: Complaint that the search of a person or property was improper, unjust, violated established agency procedures or violated the person's civil rights.

i. Differential treatment: Complaint that the taking of police action, the failure to take police action or method of police action was predicated upon irrelevant factors such as race, appearance, age or sex.

j. Demeanor: Complaint that a Department member's bearing, gestures, language or other actions were inappropriate.

k. Serious rule infractions: Complaint for conduct such as insubordination, drunkenness on duty, sleeping on duty, neglect of duty, false statements or malingering.

l. Minor rule infractions: Complaint for conduct such as untidiness, tardiness, faulty driving, or failure to follow procedures.

7.1.2 Repeated Violations. Repeated violations of the rules of conduct shall be indicative of employees' disregard for their duty and may be cause for dismissal. This shall apply regardless of the type or severity of the offenses.

7.1.3 The Department shall use the disciplinary process of Progressive Discipline to achieve the basic goals of instruction and address inappropriate behavior before minor problems escalate into major problems. At the same time, the subject officer is made aware that repeated violations of the agency's rules will result in this progressive discipline. An internal affairs complaint that has a disposition of exonerated, unfounded or not sustained should not be used to effect progressive discipline.

A system of progressive discipline shall include the following elements:

1. Oral reprimand or performance notice
2. Written reprimand
3. Monetary fine
4. Suspension without pay
5. Loss of a promotional opportunity
6. Demotion
7. Discharge from employment

7.2 Disciplinary Procedures.

7.2.1 **(In Borough Ordinance)** No member or officer of the Police Department shall be suspended, removed, fined, or reduced in rank for any cause other than for incapacity, misconduct, or disobedience as provided in the New Jersey Statutes and the Police Departments Rules and regulations.

7.2.2 All complaints or charges against members of the Police Dept. will be handled in accordance with the Department Guidelines for Internal Affairs.

7.2.3 The Department will utilize the following disciplinary process to achieve the basic goals of instruction and address inappropriate behavior before minor problems escalate into major problems. Employees will be made aware that repeated violations of the Department rules, regulations, policies, orders and guidelines, will result in progressive discipline.

8.0 Grievance Procedures

8.1 Purpose

8.1.1 Whenever a member of the Police Department has a grievance, he shall notify the Chief of Police, in writing, within 10 calendar days of the event giving rise to the grievance. Failure to act within the 10 calendar days shall be deemed to constitute and abandonment of the grievance. The aforementioned ten calendar day limitations may be extended upon presentation to the Chief of a physician's certificate attesting to the incapacity of the aggrieved to file within the prescribed time.

8.1.2 No Grievance shall be heard or considered unless the procedures set forth have been followed.

8.2 Procedures

8.2.1 The aggrieved shall institute action under the provisions hereof within ten calendar days after the event giving rise to the grievance has occurred and earnest effort shall be made to settle the differences between the aggrieved employee and his immediate supervisor for the purpose of resolving the matter informally. The Chief or his designee shall render a decision within ten days after receipt of the grievance.

8.2.2 If the grievance is not settled at the first step, the aggrieved may make written request for a second step meeting within ten calendar days after the answer at the first step.

8.2.3 The chief or his designee shall set a meeting within ten calendar days after the request, or for such other time as is mutually agreeable. Said second step meeting shall be between the Borough' Public Safety Committee and the Chief with the aggrieved, the P.B.A. Representative and the P.B.A. Attorney, if requested by the aggrieved. The Public Safety Committee's answer to the second step shall be delivered to the aggrieved within ten calendar days after the meeting.

8.2.4 If the aggrieved is not satisfied with the handling or result of the grievance on the second level, he may within ten calendar days notify the Governing Body that he wishes to have them rule on the aggrieved matter. A meeting shall be set within thirty days after the Governing Body has received the request that it rule on the matter. At such meeting, the aggrieved may appear with a representative of the P.B.A. and the P.B.A. Attorney, if requested by the aggrieved. The Governing Body's answer to the third step shall be delivered to the aggrieved within seven calendar days after the said meeting.

8.2.5 Should the aggrieved be dissatisfied with the decision of the Governing Body, such person may file where appropriate for review.

RESOLUTION OF THE BOROUGH OF OCEANPORT
AUTHORIZING THE GOVERNING BODY TO ENTER EXECUTIVE SESSION

Resolution #2019-50
01/17/19

WHEREAS, the Open Public Meetings Act provides that the Borough Council may go into executive session to discuss matters that may be confidential or listed pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Borough Attorney that the Borough Council go into executive session to discuss matters set forth hereinafter which are permissible for discussion in executive session.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Oceanport that the Council shall go into executive session to discuss the following items:

Matters Relating to Collective Bargaining Agreements N.J.S.A. 10:4-12(b)(4)
Personnel Matters - N.J.S.A. 10:4-12(b)(8)
PBA Grievance - Contract Terms, Health Care

Litigation, Negotiations and Attorney Client Privilege - N.J.S.A. 10:4-12(b)(7)
Oceanport Gardens Renewal Project

BE IT FURTHER RESOLVED that formal action may be taken after the Executive Session.

I certify that the foregoing Resolution #2019-50 was adopted by the Oceanport Governing Body at the Regular Meeting held January 17, 2019

_____
JEANNE SMITH, RMC
BOROUGH CLERK

BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES ● NOVEMBER 8, 2018

Special Meeting **Maple Place School** **7:00 PM**

2 Maple Place, Oceanport, NJ 07757

I. Call to Order: Council President Irace called the meeting to order at 7:00 p.m.

II. Statement of Compliance with Open Public Meetings Act: Council President stated adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on November 5, 2018, and by the posting of same on the municipal bulletin board and Borough Web Site."

III. Flag Salute: Council President Irace led the audience and members of the Council in the flag salute.

IV. Invocation: Borough Chaplain Stacy Deerin gave the invocation.

V. Roll Call:

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Remote	
Patty Cooper	Councilwoman	Present	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Joseph A. Irace	Council President	Present	
Robert Proto	Councilman	Present	
Stephen Solan	Councilman	Present	
Donna Phelps	Acting Borough Administrator	Present	
Jeanne Smith	Borough Clerk	Present	
Scott Arnette	Board Attorney	Present	
Catherine D. LaPorta	Chief Financial Office	Present	

VI. Resolutions:

#2018-180 1. Resolution appointing John Johnson as Construction, Code Enforcement and Zoning Official

Council President Irace noted that the Finance Committee and Councilwoman Cooper interviewed Mr. Johnson. He is a resident of Oceanport and will take on the responsibilities of Construction Official, Code Enforcement and Zoning Official.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Stephen Solan, Councilman
AYES:	Cooper, Gallo, Irace, Proto, Solan
ABSENT:	Deerin

2. **#2018-181** Resolution appointing Donna Phelps as Borough Administrator

Council President Irace noted that Ms. Phelps previously handled all of the Borough's FEMA reimbursement, forgiveness of the CDL in the amount of $1.3 million and receipt of $6 million in grant money for the new Municipal Complex.

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Gallo, Irace, Proto, Solan
NAYS:	Cooper
ABSENT:	Deerin

3. **#2018-182** Resolution appointing Katie LaPorta as Finance Personnel Manager

Council President Irace noted that Ms. LaPorta began several years ago as an administrative assistant, worked her way up, received her CPA and has earned the responsibilities associated with running the Finance Department.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Cooper, Gallo, Irace, Proto, Solan
ABSENT:	Deerin

4. **#2018-183** Resolution amending the 2018 Salary Resolution

Ms. Smith advised that there was a typographical error in the original agenda posted on the Borough's website for Ms. LaPorta's salary, which has since been corrected. Council President Irace also noted that Ms. Smith will now head the Clerk's Office. He stated that Ms. Phelps, Ms. LaPorta and Ms. Smith are the three best individuals to run a town and thanked them for pitching in to keep the Borough running through a difficult time.

RESULT:	**ADOPTED [4 TO 1]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Gallo, Irace, Proto, Solan
NAYS:	Cooper
ABSENT:	Deerin

VII. Executive Session:

At 7:19 pm, the Council President asked for a motion to approve **Resolution #2018-184**, authorizing Council to enter Executive Session.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Stephen Solan, Councilman
AYES:	Cooper, Gallo, Irace, Proto, Solan
ABSENT:	Deerin

At 8:30 PM, Council returned from Executive Session and the regular meeting was re-opened on a motion by Councilman Proto, seconded by Councilman Gallo and approved by Council.

VIII. Petitions from the Public: Council President Irace opened the meeting for petitions from the public.

Stuart Briskey, 56 Werah Place, asked if there were job descriptions for the new positions and asked if they could be posted on the Borough website. Ms. Smith advised the job descriptions were

available through records request. Mr. Briskey reiterated his request for every job description and every contract to be included on the Internet. He asked if any of the new positions had contracts, and Council President Irace replied they did not. Mr. Briskey asked if the new Construction/Code/ Zoning Official was receiving a pension plan and health care, and Council President Irace replied he was. There was discussion regarding Mr. Briskey's activity while he was an active Councilman. Mr. Briskey's requested a flag to be installed at the Police Dept. and asked why the Borough no longer flies the POW/MIA flag. Council President Irace did not know why. Mr. Briskey asked what protocol the Borough follows for lowering the flag to half-mast. Council President Irace replied that it was based on the orders of the Governor. Mayor Coffey confirmed that the Borough follows the Governor's order.

Jeff Oakes, 60 Pemberton Ave, asked who was running this meeting and who ran the last meeting. Council President Irace replied that he ran both. Mr. Oakes expressed his concern that during the last meeting, a friend of his from Brick was stopped, interrupted and stopped by the Borough Attorney, which he believed to be unethical. Council President Irace disagreed. He believes that individual was being repetitive, disruptive and rude. Mr. Arnette replied that he didn't find it offensive, he is an advocate of free speech. The gentleman had repeated himself 3 or 4 times, and Mr. Arnette reminded him to move on. Mr. Oakes stated he was grateful that Oceanport did not have a time limit on public petitions, but stated that it becomes problematic when someone on the dais believes that someone's presentation should be shorter. Mr. Oakes reminded Council that his family continues to be threatened and does not feel safe. He has been harassed because of his use of medical cannabis.

Mark Patterson, 40 Itaska Place, congratulated Councilmen Deerin and O'Brien and thanked Councilwoman Cooper for her service to the Borough and wished her luck in her next endeavor. Mr. Patterson asked who was responsible for addressing problems reported on the Borough's "Report a Concern" feature. Council President Irace replied that the new Construction/Code/Zoning Officer, Mr. Johnson, will be responsible after coming on board. Currently, the concerns are being reported to Ms. Phelps and Ms. Smith, who are referring them to the appropriate department. Ms. Phelps spoke with Public Works regarding the tree concern that Mr. Patterson had reported. They confirmed the tree was on the Borough's property, and Ms. Phelps will get a quote for removal. Mr. Patterson asked about the termination of the former Borough Administrator and noted that Council President Irace had stated that resumes had been received for BA candidates. Ms. Smith provided clarification regarding the resolution/contract expiration. Council President Irace stated that the borough had, in fact, requested resumes before the contract expiration.

Jeff Oakes, 60 Pemberton Ave., asked if there were any plans for improving the safety around the community, particularly crosswalks by Borough Hall. He discussed photos he posted on his Facebook page regarding Drug Free School Zones and his discussions with Freeholder Tom Arnone regarding drug awareness grant money. He requested that Council renew conversations with the County to purse drug awareness grant money.

As no one else from the public wished to be heard, Council President Irace closed that portion of the meeting.

IX. Adjournment: As there was no further business, the meeting was adjourned at 8:52 p.m. on a motion by Councilman Proto which was seconded by Councilman Gallo and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES ● DECEMBER 13, 2018

Workshop **FMERA Offices** **7:00 PM**

502 Brewer Ave/Caren Franzini Way, Oceanport, NJ 07757

I. **Meeting Called to Order:** Mayor Coffey called the meeting to order at 7:01 p.m.

II. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 2, 2018, and notice of change in meeting location on December 7, 2018 and by the posting of same on the municipal bulletin board and Borough Web Site."

III. **Flag Salute:** Mayor Coffey led the audience and members of the Council in the flag salute.

IV. **Invocation:** Borough Chaplain Stacy Deerin gave the invocation.

V. Roll Call:

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
Patty Cooper	Councilwoman	Present	
William Deerin	Councilman	Present	
Richard Gallo	Councilman	Present	
Joseph A. Irace	Council President	Present	
Robert Proto	Councilman	Present	
Stephen Solan	Councilman	Present	
Jeanne Smith	Borough Clerk	Present	
Donna Phelps	Borough Administrator	Present	
Scott Arnette	Board Attorney	Present	

VI. Presentations:

1. 2018 Clean Communities Poster Contest Winners

   Mayor Coffey invited Councilwoman Cooper to introduce the winners of the 2018 Clean Communities Poster contest. Councilwoman Cooper introduced 1st Place winner Mateo Malino and 2nd Place winner Ryan Chamo, thanked them for their work, and presented each of them with $50 gift certificates.

2. Oceanport Welcome Wall in Old Wharf Park Renewal - Recognizing resident John Rodriquez and his assistant Steven Gironda

   Mayor Coffey read a proclamation into the record recognizing and thanking John Rodriguez and his assistant Steven Gironda for their work in renewing the Welcome Wall in Old Wharf Park.

VII. Executive Session:

At 7:07 PM, Council entered Executive Session on adoption of the following resolutions:

#2018-185 Resolution authorizing an Executive Session

Matters Involving Individual Privacy - N.J.S.A. 10:4-12(b)(3)
Personnel Matters - N.J.S.A. 10:4-12(b)(8)
Borough Administrator Position

Litigation, Negotiations and the Attorney Client Privilege N.J.S.A. 10:4-12(b)(7)
Oceanport Gardens, PILOT
Fort Monmouth parcels in Oceanport Update

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Cooper, Deerin, Gallo, Irace, Proto, Solan

At 8:03 PM, Council returned from Executive Session and the workshop meeting was re-opened on a motion by Councilman Proto, seconded by Council President Irace and approved by Council.

VIII. Administrator's Report:

1. Renewal of Shared Service Agreement with Sea Bright for Court Services
2. Renewal of Shared Services Agreement with BOE for grounds keeping and snow removal

Ms. Phelps reported that the agreement with the Oceanport BOE expired on June 30th, 2018. However, the Borough has been providing services, despite the expired contract. The DPW foreman, Max Lopez, worked with Ms. LaPorta, CFO, to prepare estimated costs for renewal and arrived at an amount of approximately $26,000. Councilman Gallo suggested completing this season and presenting a renewal for the spring. There is an issue with limited manpower. Ms. Phelps advised that Monmouth County provides shared services for schools, which could be an alternative for the BOE to investigate. There was discussion to complete the current contract through the end of June 2019.

Ms. Phelps also spoke with Shrewsbury's Borough Administrator, Tom Seaman regarding renewal of the shared services for Court. Mr. Seaman has proposed renewing the agreement at the current rate of $36,000 per year and is waiting for approval from Shrewsbury's Governing Body.

IX. Clerk's Report:

A. **Reorganization Meeting:** Ms. Smith advised that 2 members of the Governing Body will not be available for the annual Reorganization meeting on January 1st, 2019. Suggestions were made for January 3rd, 2019. Council President Irace mentioned that the volunteers traditionally are sworn in on the 1st. Mayor Coffey advised that he would be available for swear ins in the afternoon of the 1st. Councilman Gallo asked if Ms. Smith could swear in the new volunteers at the firehouse and then proceed with the traditional celebration afterward. Ms. Smith will advertise the revised date of January 3rd, 2019 for the Reorganization meeting.

B. **December 13, 2018 Regular Meeting Items:**

Consent Agenda:

1. Resolution authorizing payment of BILL LIST 12-13-2018
2. Resolution authorizing cancellation of grant balances
3. Resolution authorizing Refund for Overpayment, Block 130, Lot 4
4. Resolution authorizing Tax Sale Redemption #18-00011
5. Resolution authorizing Tax Sale Redemption #18-00003
6. Resolution authorizing Tax Sale Redemption #18-00008
7. Resolution awarding contract for Deal Ave Bulkhead Project
8. Resolution designating Entity Administrator for Federal System of Awards System
9. Resolution authorizing 2017 Road Program Change Order #1
10. Resolution to amend 2018 budget for Drunk Driving Enforcement Grant

11. Resolution renewing membership with the Central Jersey Health Insurance Fund
12. Resolution extending the Contract for Cleaning Services for 2019
13. Resolution approving Special Event Permit for 2019 NJ Marathon
14. Resolution authorizing Special Event permit for VNA House Tour
15. Resolution authorizing an Agreement with MCSPCA for Animal Control Services 2019
16. Resolution authorizing participation 2018-2019 Regional Fire Fighter's Assistance Grant

Ms. Smith advised there was a large consent agenda, with mostly routine items. One special item was the Deal Ave. bulkhead project. William White, Borough Engineer, provided his recommendation for award of the project. Ms. Smith also advised that the Federal System of Awards will be handled by Ms. LaPorta. The Borough will renew its membership with JIF for insurance benefits. While there were reports that the State Health Benefits program would be less, the Borough is waiting for reports from its consultant, Conner Strong, regarding potential savings.

Resolutions:

17. Resolution re-appointing Peggy Warren as Tax Collector
18. Resolution appointing Crossing Guard Gina Egidio
19. Resolution granting temporary permission for alcohol consumption Jan. 1, 2019

Ms. Smith reported that the resolutions were presented at the previous meeting and will be memorialized at the regular meeting which follows the Workshop.

Ms. Smith noted for the record that Councilwoman Cooper left the meeting at 8:18 PM.

Minutes:

20. Workshop Minutes, November 1, 2018
21. Regular Minutes, November 1, 2018
22. Executive Session Minutes, November 1, 2018

X. Discussion Items:

1. Fort Monmouth Plan Amendment #12

Mayor Coffey discussed decisions made at the FMERA meeting last night. The lodging and Alison Hall district swaps the housing plan to the lodging district and the boutique hotel going to Alison Hall.

2. Proposed amendments to the Nursing Home Transportation ordinance

Mr. Arnette stated that at the last meeting, there was discussion regarding the use of the Borough's emergency services, mostly First Aid, for medical transportation. The "ambulance ordinance" will require facilities that provide healthcare services to have an ambulance available for transportation, otherwise face a violation. He requested clarification. Council President Irace noted that the non-emergency transport calls are the problem. Municipal Court Judge John Patti would have discretion to determine what constitutes an emergency. First Aid Capt. Kathy Kenny advised that there were specifically 2 individuals who have repeatedly required transportation for non-emergencies and prevent the squad from responding to true emergencies. Mr. Arnette will prepare language for the Governing Body to review.

3. Resolution authorizing Joint Purchasing with Area Police Departments

Chief Michael Kelly reported that several Police Departments have an Active Shooter Consortium, which is a group of law enforcement agencies who train together to learn about each municipality's schools and officers. Smaller towns will benefit from the mutual aid. Training has been conducted at Ocean Township High School, Long Branch Middles School and

Eatontown Middle School. A joint purchasing agreement will pay for equipment, training equipment and ammunition. It will also allow the Consortium to receive federal grant funding. In 2019, Oceanport will host training at schools and Monmouth Park. The resolution will be added to the Regular Meeting Agenda for action.

4. Proposed Changes to Police Department Rules & Regulations
Chief Kelly also explained that he provided an updated, 62-page manual to the Governing Body. It removes outdated positions and adds positions that were not included. It encompasses every officer's tasks and duties. The resolution will be added to the agenda for January 13th, 2019 meeting.

5. Borough by-laws
Council President Irace advised that the revisions to the Borough By-laws is not completed. The Finance Committee will review suggestions submitted by Mayor Coffey.

XI. Mayor's Report: Mayor Coffey advised that he will provide his report during the Regular meeting.

XII. Petitions from the Public: Mayor Coffey then opened the meeting to petitions from the public.

Rosanne Letson, 37 Morris Pl., noted the Recycling Center is a mess. The cardboard bin is over the top, and garbage is blowing into the grass, trees and fences. Secondly, she reported that the Historical Committee has some suggestions for the Borough's Centennial Anniversary: Mayor's Ball Galas in 2019 and 2019, regatta at the Shrewsbury Yacht Club, flags/pennants on the light poles on Main St., a kitchen tour, fishing tournament, Oceanport Day at Monmouth Park. She stated these festivities will generate funding toward reprinting the Oceanport In Retrospect book. Other ideas included tree sales to replenish what was lost in Superstorm Sandy and a 2020 calendar featuring historical buildings. She told a story about President Grant saving a woman who fell into the Shrewsbury River from a train. The Historical Committee is finding a wealth of information about the Borough. There was a suggestion to expand the End of Summer Festival into more of a county fair type event, replenishing park benches, recognizing centennial houses, recognizing 100 year old residents and having school students interview long-term residents to gather history, essay and poster contests for school students. She related the story of Oskaleta (phonetic) Hall, the Red Men Association, and the cornerstone in the wall at Old Wharf Park.

Robin Kelly, 45 Cayuga Ave., asked about the procedure for approvals for these proposed events. Council President Irace suggested submitting a list to the Recreation Committee for review. Ms. Smith advised that any money raised through fundraising would have to come through the Borough's "coffers", special events have a procedure, ordinance and permit application. Ms. Smith advised that after discussions with Ms. Phelps and Ms. LaPorta, that the Historical Committee Chair or Vice Chair should submit ideas to the Borough Administrator, who will in turn determine the procedure required for each event.

XIII. Adjournment: As there was no further business, the meeting was adjourned at 9:32 p.m. on a motion by Council President Irace which was seconded by Councilman Proto and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

BOROUGH OF OCEANPORT

MAYOR & COUNCIL

MINUTES ● DECEMBER 13, 2018

Regular Meeting **FMERA Offices** **7:30 PM**

502 Brewer Ave/Caren Franzini Way, Oceanport, NJ 07757

1. **Call to Order:** Mayor Coffey called the meeting to order at 8:59 p.m.

2. **Statement of Compliance with Open Public Meetings Act:** Mayor Coffey gave the Statement of Compliance with the Open Public Meetings Act: "Adequate notice of this meeting has been provided by notice to the Asbury Park Press and The Link News on January 2, 2018, and notice of change in meeting location on December 10, 2018 and by the posting of same on the municipal bulletin board and Borough Web Site."

3. **Flag Salute:** Mayor Coffey led the audience and members of the Council in the flag salute.

4. **Invocation:** Borough Chaplain Stacy Deerin gave the invocation.

5. **Roll Call:**

Attendee Name	Title	Status	Arrived
Jay Coffey	Mayor	Present	
Patty Cooper	Councilwoman	Absent	
William Deerin	Councilman	Absent	
Richard Gallo	Councilman	Present	
Joseph A. Irace	Council President	Present	
Robert Proto	Councilman	Present	
Stephen Solan	Councilman	Present	
Jeanne Smith	Borough Clerk	Present	
Donna Phelps	Borough Administrator	Present	
Scott Arnette	Board Attorney	Present	

6. **Consent Agenda:**

#2018-186 1. Resolution authorizing payment of BILL LIST 12-13-2018
#2018-187 2. Resolution authorizing cancellation of grant balances
#2018-188 3. Resolution authorizing Refund for Overpayment, Block 130, Lot 4
#2018-189 4. Resolution authorizing Tax Sale Redemption #18-00011
#2018-190 5. Resolution authorizing Tax Sale Redemption #18-00003
#2018-191 6. Resolution authorizing Tax Sale Redemption #18-00008
#2018-192 7. Resolution awarding contract for Deal Ave Bulkhead Project
#2018-193 8. Resolution designating Entity Administrator for Federal System of Awards System
#2018-194 9. Resolution authorizing 2017 Road Program Change Order #1
#2018-195 10. Resolution to amend 2018 budget for Drunk Driving Enforcement Grant
#2018-196 11. Resolution renewing membership with the Central Jersey Health Insurance Fund
#2018-197 12. Resolution extending the Contract for Cleaning Services for 2019
#2018-198 13. Resolution approving Special Event Permit for 2019 NJ Marathon
#2018-199 14. Resolution authorizing Special Event permit for VNA House Tour
#2018-200 15. Resolution authorizing an Agreement with MCSPCA for Animal Control Services 2019
#2018-201 16. Resolution authorizing participation 2018-2019 Regional Fire Fighter's Assistance Grant
#2018-206 17. Resolution authorizing Joint Purchasing with Area Police Departments

The Clerk stated there were 16 items on the Consent Agenda and described an additional item added from Workshop which was moved by Councilman Solan and seconded by Council President Irace.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Stephen Solan, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

7. Resolutions:

#2018-202 Resolution re-appointing Peggy Warren as Tax Collector

Council President Irace noted that this resolution will grant tenure to Ms. Warren. He thanked her for being a great employee.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph A. Irace, Council President
SECONDER:	Stephen Solan, Councilman
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

#2018-203 Resolution appointing Crossing Guard Gina Egidio

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph A. Irace, Council President
SECONDER:	Stephen Solan, Councilman
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

#2018-204 Resolution granting temporary permission for alcohol consumption Jan. 1, 2019

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

#2018-205 Resolution appointing a Borough Administrator

The Clerk stated a resolution #2018-205 had been added from the Workshop meeting and read the resolution in full which was moved by Council President Irace and seconded by Councilman Solan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph A. Irace, Council President
SECONDER:	Stephen Solan, Councilman
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

#2018-207 Resolution authorizing a Letter of Support for the Oceanport Gardens Rehab Project

Mr. Arnette advised that a Resolution was added to direct Ms. Smith to send a letter to the purchaser of Oceanport Gardens forwarding the proposed PILOT amounts and providing those amounts to next year's Governing Body. Mayor Coffey provided an explanation of the PILOT, which

is an extension of a long term tax exemption. The purchaser will be investing approximately $3.5 million for improvements.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

#2018-208 Resolution authorizing an agreement with placement of fill at 222 Monmouth Blvd

Mr. Arnette advised that another Resolution had been added directing the Mayor to sign the agreement for the soil deposit at 222 Monmouth Blvd. (Old Borough Hall), after review and approval of language and an engineering review sees the plan as acceptable.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Robert Proto, Councilman
SECONDER:	Joseph A. Irace, Council President
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

8. Minutes:

1. Workshop Minutes, November 1, 2018

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph A. Irace, Council President
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

2. Regular Minutes, November 1, 2018

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph A. Irace, Council President
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

3. Executive Session Minutes, November 1, 2018

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Joseph A. Irace, Council President
SECONDER:	Richard Gallo, Councilman
AYES:	Gallo, Irace, Proto, Solan
ABSENT:	Cooper, Deerin

9. Committee Reports:

1. Councilman Proto, Planning and Development Liaison

Councilman Proto reported that development plans for 222 Monmouth Blvd. should be submitted to the Planning Board within the next 30 days for review. The Planning Committee met with the architect for the new Municipal Complex. The project has exceeded the projected budget, and adjustments to the plan have been made, including removing the senior citizen/recreation and

changes in site improvements to bring the estimated cost down. Councilman Proto noted that for the past six months, the Borough had been negotiating its COAH obligation, and Oceanport Gardens was a component of those discussions.

2. Council President Irace, Finance and Administration Liaison

Council President Irace reported that the Finance and Administration Committee has been working on the preliminary budget. He congratulated Ms. Phelps on her appointment as Borough Administrator and thanked her for hitting the ground running and taking over day to day operations and outstanding projects. Council President Irace reported that there are several plans in the works that were discussed at the last FMERA meeting, including the New Jersey City University, tech centers and restaurants. The 720 residential unit requirement remains a concern for the Borough. The Borough remains committed to opposing high density housing. Council President Irace also stated that a recently proposed bill would commit $100 million to horse racing in New Jersey, $10 million of which will go to Monmouth Park. The Borough is waiting for numbers from the new Sports Book at Monmouth Park. Council President Irace wished everyone Merry Christmas, Happy Hanukah and Happy New Year.

3. Councilman Gallo, Public Works and Engineering Liaison

Councilman Gallo noted that there were several complaints about leaf pickup. He reported that there were several contributing factors, but most of the town has been picked up. The Deal Ave. bulkhead project will be repaired. He thanked Councilwoman Cooper for her service on Council and congratulated Ms. Phelps on being named Borough Administrator. Councilman Gallo wished everyone a Merry Christmas and Happy Holidays.

4. Councilwoman Cooper, Health and Human Services Liaison

Absent.

5. Councilman Solan, Public Safety Liaison

Councilman Solan congratulated Ms. Phelps on her appointment as Borough Administrator. He reported that First Aid still had some Christmas tree sales for sale. He wished everyone Merry Christmas, Happy Hanukah and Happy New Year.

6. Councilman Deerin, Parks and Recreation Liaison

In Councilman Deerin's absence, Ms. Phelps reported on improvements at Community Center Park. Spruce trees which were compromising the fence and tennis courts have been removed, a large dead tree was removed and limbs were trimmed back. Work continues on fencing at the tennis courts at Community Park and re-surfacing of tennis and basketball at Evergreen Park. Also on his behalf, Ms. Phelps wished everyone a Merry Christmas, Happy Holidays and Happy New Year to everyone.

10. **Mayor Coffey's Report:** Mayor Coffey reported on topics including: the very successful First Aid Bazaar and the Senior Citizens' Annual Party. Regarding properties at the former Ft. Monmouth, Mayor Coffey reported that two parcels remain: the MacAfee Center and the 400 District. The MacAfee Center will require a land swap with Eatontown so that the entirety of the MacAfee Center will be located in Oceanport. Mayor Coffey noted that a large concern for the Borough is the increase in school students as a result of development at the former Fort. He expressed his support for the legislation that will provide subsidies to Monmouth Park and allow it to compete with neighboring states. Mayor Coffey watched an interview with Dennis Drazin of Darby Development, managers of Monmouth Park, where Mr. Drazin stated $80 million has been bet at Monmouth Park through the Sports Book and $10 million on line. Oceanport's percentage has yet to be determined. With regard to the new Municipal Complex, the initial estimate of $11 million has been exceeded. In order to bring the project as close to that $11 million, the Senior Citizen/Recreation Center has been removed from the project.

11. **Petitions from the public:** Mayor Coffey then opened the meeting to petitions from the public.

Mark Patterson, 40 Itaska Place, asked if a full time employee could be added to the DPW because of the problems with leaf collection. He expressed concern for future snow removal if leaf removal is any indication of the ability of the current staff to be able to meet the needs of the Borough. He believes the DPW is understaffed. Mr. Patterson asked if there was a time frame for completion of work at Evergreen and if there is any direction on what's next. Ms. Phelps replied that 3 quotes were received for fencing at Evergreen. She spoke with Councilman Deerin, and she will reach out for quotes on court re-surfacing. Mr. Patterson asked what will happen with the building that was supposed to be the Senior/Rec center, and Mayor Coffey stated it will be demolished. Mr. Patterson also congratulated Ms. Phelps on her appointment as Borough Administrator, asked if any other interviews were conducted and received confirmation that her salary is $80,000. He asked what the cost savings were after hiring a new construction official /code and zoning enforcement officer, and promotions for Ms. Smith and Ms. LaPorta. Council President Irace replied the savings was $85,000 on the Administrative side, but would be reduced after additional hours are added for part time positions such as the Deputy Borough Clerk. He explained that the Construction Official position is self-funded. Mr. Patterson stated his belief that the Borough should reconsider its shared services agreement with the Board of Education for grass mowing and snow removal. Council President Irace explained the history of the shared services and budget caps.

As no one else from the public wished to be heard, Mayor Coffey closed that portion of the meeting.

Mayor Coffey also congratulated Ms. Phelps on her appointment as Borough Administrator.

12. **Adjournment:** As there was no further business, the meeting was adjourned at 9:32 p.m. on a motion by Council President Irace which was seconded by Councilman Proto and approved by Council.

Respectfully submitted,

Jeanne Smith
BOROUGH CLERK

BOROUGH OF OCEANPORT

MAYOR & COUNCIL

REORGANIZATION MINUTES * JANUARY 3, 2019

Reorganization **Maple Place School** **7:00 PM**

2 Maple Place, Oceanport, NJ 07757

Mayor Coffey called to order the Reorganization Meeting of the Oceanport Governing on January 3, 2019 at 7:03 P.M.

PLEDGE OF ALLEGIANCE: Mayor Coffey led the audience and members of the Council in the flag salute.

INVOCATION: Borough Chaplain Stacy Deerin gave the invocation.

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT: Mayor Coffey stated for the record that the Reorganization Meeting complied with the Open Public Meetings Act *by notification of this location, date and time to the Asbury Park Press and the LINK News on December 26, 2018 and by the posting of same on the municipal bulletin board and Borough Web Site.*

CLERK'S CERTIFICATE OF ELECTION: Ms. Smith read the Certificate of Election from the Board of County Canvassers of Monmouth County, New Jersey certifying WILLIAM DEERIN and MICHAEL O'BRIEN were duly elected Councilpersons full term.

The Oaths of Office were administered by Mayor Coffey to:

William Deerin	COUNCILMAN	3-year term	Term Expiring 12/31/21
Michael O'Brien	COUNCILMAN	3-year term	Term Expiring 12/31/21

The Clerk called the Roll:

MEMBERS PRESENT: Councilpersons Deerin, Gallo, Irace, O'Brien, Solan, Mayor Coffey

MEMBERS ABSENT: Councilman Proto

OFFICIALS PRESENT: Borough Administrator Donna M. Phelps, Borough Clerk, Jeanne Smith, Borough Attorney Scott Arnette

Mayor Coffey called for a motion on Resolution #2019-001 nominating and electing the Borough Council President which was moved by Councilman Irace and seconded by Councilman Deerin.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman William Deerin
AYES:	Deerin, Gallo, Irace, O'Brien
ABSTAIN:	Solan
ABSENT:	Proto

Mayor Coffey called for a motion on Resolution #2019-002 Council Committee Appointments which was moved by Councilman Irace and seconded by Councilman Gallo.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman Richard Gallo
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

Mayor Coffey called for a motion on Resolution #2019-003 Appointment of Class III Planning Board Member which was moved by Councilman Irace and seconded by Councilman Gallo.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman Richard Gallo
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

Mayor Coffey asked the Clerk to read the Statement of Municipal Positions with Fixed Terms.

Statement of MUNICIPAL POSITIONS with FIXED TERMS		TERM EXPIRATION
Assessor	John E. Butow	Tenured
Borough Clerk	Jeanne Smith	Tenured
Chief Financial Officer	Catherine D. LaPorta	08-01-2020
Tax Collector	Peggy Warren	Tenured
Construction Official	John Johnson	02-03-2020
Building Inspector/Subcode Official	Django Wiegers	02-03-2020
Electrical Inspector/Subcode Official	James McCormick	01-20-2020
Fire Prevention Subcode Official	John Drucker	06-01-2021
Plumbing Subcode Official	John Palmer	Tenured

Mayor Coffey stated for the record that JOHN BONFORTE and MICHAEL MACSTUDY are serving as OCEANPORT'S REPRESENTATIVES to the TWO RIVERS WATER RECLAMATION AUTHORITY:

John Bonforte	5yr Term expiring 01/31/19
Michael MacStudy	5yr Term expiring 01/31/20

Mayor Coffey made the following appointments to the PLANNING BOARD:

Darren Davis	Class I	1yr Term
Thomas Tvrdik	Alternate I	2yr Term
Eric Motzenbecker	Alternate II	Unexpired 2yr Term

The PLANNING BOARD is now composed of the following members:

Darren Davis	Class I	1yr Term expiring 12/31/19
Joseph Foster	Class II	3yr Term expiring 12/31/19
Robert Proto	Class III	1yr Term expiring 12/31/19
Christopher Widdis	Class IV	4yr Term expiring 12/31/19
Robert Kleiberg	Class IV	4yr Term expiring 12/31/20
Daphne Halpern	Class IV	4yr Term expiring 12/31/20
John Kahle	Class IV	4yr Term expiring 12/31/20
James Whitson	Class IV	4yr Term expiring 12/31/21
Michael Savarese	Class IV	4yr Term expiring 12/31/21
Thomas Tvrdik	Alternate I	2yr Term expiring 12/31/20
Eric Motzenbecker	Alternate 2	2yr Term expiring 12/31/19

Mayor Coffey made the following appointments to the ENVIRONMENTAL COMMISSION:

Robert Broege	3yr Term
Richard Gruskos	3yr Term

Anthony Forlini	Unexpired 3yr Term
Patricia Cooper	Alternate 1yr Term
Jack L. Harris	Alternate 1yr Term

The ENVIRONMENTAL COMMISSION is now composed of the following members:

Joseph Foster	3yr Term expiring 12/31/19
Robert Kelly	3yr Term expiring 12/31/19
Anthony Forlini	3yr Term expiring 12/31/20
Richard Gruskos	3yr Term expiring 12/31/20
Robert Broege	3yr Term expiring 12/31/21
Bruce Lane	3yr Term expiring 12/31/21
Thomas Cox	3yr Term expiring 12/31/21
Patricia Cooper	Alter #1 Term expiring 12/31/19
Jack L. Harris	Alter #2 Term expiring 12/31/19

Mayor Coffey made the following appointments to the FLOOD HAZARD MITIGATION and FLOOD PLAIN MANAGEMENT COMMITTEE

OEM Director Baldanza	Chairperson
Kevin Kubik	One year term
Bob Kelly	One year term

The Clerk reported the results of the election of officers for the OCEANPORT FIRST AID SQUAD FOR 2019:

Kathy Kenny	CAPTAIN
John Connor	1st LIEUTENANT
Maggie Lippolis	2nd LIEUTENANT
Joseph Lombardo	SERGEANT

The Clerk reported the results of the election of officers for the OCEANPORT FIRE DEPARTMENT FOR 2019:

Richard Gallo III	2nd ASSISTANT CHIEF
Michael Lippolis	1st ASSISTANT CHIEF
Paul Van Brunt	CHIEF

Mayor Coffey advised that Oaths of Offices were administered on New Year's Day.

Mayor Coffey stated for the record that the following are currently serving in the OFFICE OF EMERGENCY MANAGEMENT:

Mauro Baldanza	Director	3yr Term expiring 02/21/19
Chris Baggot	1st Asst. Director	3yr Term expiring 12/31/19
Wes Sherman	2nd. Asst. Director	3yr Term expiring 12/31/20
Chief Michael Kelly	3rd Asst. Director	3yr Term expiring 02/21/20

Mayor Coffey called for a motion on Resolution #2019-004 FIRE POLICE Appointments which was moved by Council President Solan and seconded by Councilman Irace.

RESULT:	ADOPTED
MOVER:	Council President Steve Solan
SECONDER:	Councilman Joseph Irace
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

The Mayor called for a motion on the Consent Agenda's 31 items. Councilman Irace requested that #2019-035 be taken separately. The Clerk stated that #2019-015 would be taken separately for amendments. Mayor Coffey asked for a motion on the remaining items listed on the Consent Agenda which was made by Councilman Irace and seconded by Councilman Deerin. The Clerk called roll:

CONSENT AGENDA

#2019-005	Resolution appointing Municipal Prosecutor
#2019-006	Resolution appointing Borough Attorney
#2019-007	Resolution appointing Borough Auditor
#2019-008	Resolution appointing Borough Bond Counsel
#2019-009	Resolution appointing Borough Engineer
#2019-010	Resolution appointing Borough Planner
#2019-011	Resolution appointing Special Counsel for Redevelopment
#2019-012	Resolution appointing Special Counsel for Affordable Housing
#2019-013	Resolution appointing Special Project Engineer(s)
#2019-014	Resolution appointing Borough Positions
separate	Resolution appointing Board & Committee members
#2019-016	Resolution appointing Community Development Representatives
#2019-017	Resolution appointing Clean Communities Coordinator
#2019-018	Resolution of Police Department Appointments
#2019-019	Resolution appointing the Public Agency Compliance Officer
#2019-020	Resolution fixing date, time and place of the Borough Council meetings
#2019-021	Resolution permitting prepayment of certain items
#2019-022	Resolution authorizing a tax grace period and interest on delinquent taxes
#2019-023	Resolution authorizing the annual tax sale
#2019-024	Resolution authorizing the Tax Collector to cancel small balances
#2019-025	Resolution authorizing the signature of checks
#2019-026	Resolution approving the 2019 temporary budget
#2019-027	Resolution authorizing direct deposit
#2019-028	Resolution designating the official newspapers for Borough advertising
#2019-029	Resolution authorizing waiver of alcoholic beverage – Monmouth Park
#2019-030	Resolution authorizing a fee for photocopying of requested records
#2019-031	Resolution authorizing a returned check fee
#2019-032	Resolution authorizing participation in the 1033 DOD program for 2019
#2019-033	Resolution awarding contract for 2019 Towing Services
#2019-034	Resolution designating depositories
separate	Resolution approving the Borough Cash Management Plan

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman William Deerin
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

The Clerk stated that Resolution #2019-015 was amended to remove Paul Hester. He was not appointed to serve on the Recreation Committee and that the position was Vacant and asked for a motion with that amendment which was moved by Councilman Irace and seconded by Councilman Gallo.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman William Deerin
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

Mayor Coffey called for a motion on Resolution #2019-035 approving the Borough Cash Management Plan which was moved by Councilman Gallo and seconded by Councilman Deerin.

RESULT:	ADOPTED
MOVER:	Councilman Richard Gallo
SECONDER:	Councilman William Deerin
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSTAIN:	Irace
ABSENT:	Proto

Mayor Coffey called for a motion on Resolution #2019-036 Waiver for 51 Mohican Ave Right of Way Request which was moved by Councilman Irace and seconded by Councilman Gallo.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman Richard Gallo
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

Mayor Coffey called for a motion on Resolution #2019-037 Support for Oceanport Gardens Renewal Project which was moved by Councilman Irace and seconded by Councilman Gallo.

Councilman Irace asked for discussion on the motion and advised that the Borough received a proposal to make interior and exterior improvements. In exchange, the Borough will extend the current PILOT agreement. Payments will increase approximately 10% a year and the Borough will receive an upfront payment. The Borough remains in negotiations with Fair Share Housing on its Affordable Housing obligation to allow those 100 units toward the Borough's COAH credits.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Council President Steve Solan
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

Mayor Coffey called for a motion on Resolution #2019-038 Closure of Recycling Center at 222 Monmouth Blvd. which was moved by Councilman Irace and seconded by Councilman Gallo.

Councilman Irace asked Councilman Gallo to take the lead on the discussion. Councilman Gallo reported that the Borough has sold the property at 222 Monmouth Blvd, and the Recycling Center will be closed as of January 31st. Signs will be posted to alert residents. He suggested residents take advantage of curbside pickup for recycling and bringing electronics to the Monmouth County Recycling Center on Asbury Ave. in Tinton Falls. He stated that previously, the Borough had made a profit from recycling. However, in recent years, it has become an expense to recycle. Councilman Irace added that the Borough used to get a profit of up to $12,000 a year. Recently, the Borough has been paying approximately $18,000. He also stated that if there are funds available in the Recycling Trust Fund, that the Borough will investigate purchasing recycling containers for residents.

RESULT:	ADOPTED
MOVER:	Councilman Joseph Irace
SECONDER:	Councilman Richard Gallo
AYES:	Deerin, Gallo, Irace, O'Brien, Solan
ABSENT:	Proto

BOROUGH ADMINISTRATOR Remarks: Ms. Phelps wished everyone a Happy New Year and congratulated Councilmen Deerin and O'Brien on their elections, and Council President Solan on his appointment as Council President. She expressed her thanks to the Governing Body for their vote of confidence in selecting her as Borough Administrator. Ms. Phelps stated that Ms. Smith and Ms. LaPorta have been invaluable in helping her get up to speed. She stated that 2019 will be exciting and challenging for Oceanport, and she looks forward to facing those challenges.

BOROUGH COUNCIL Remarks:

COUNCILMAN DEERIN: Councilman Deerin thanked everyone for their support in the past election. He stated that the Borough's volunteers are what make the town better. Councilman Deerin expressed surprise at the passion surrounding the election, particularly on social media. He would like to see solutions in the coming year, rather than just complaints. He provided updates on tree removal and resurfacing work at Trinity and Community Center Parks.

COUNCILMAN GALLO: Councilman Gallo congratulated Councilman Deerin and Councilman O'Brien on their election. He looks forward to working with Ms. Phelps and the DPW in the coming year.

COUNCILMAN IRACE: Councilman Irace welcomed everyone and wished everyone a Happy New Year. He congratulated Councilmen Deerin and O'Brien on their election. He welcomed Ms. Phelps as Borough Administrator and noted positive changes since she began as BA. There has been an increase of information shared with elected officials and rapid responses to Council's and residents' concerns alike. He thanked Ms. Smith and Ms. LaPorta for their expanded leadership roles in the Borough. Councilman Irace noted that John Johnson has taken over responsibilities as Construction Official/Code Enforcement and has instituted changes which will benefit residents. He thanked all Borough volunteers, who are the backbone of the Borough. While there have been differences between FMERA, Monmouth Park and other elected officials, the Governing Body will continue to defend Oceanport's needs and concerns. Appropriate development of the former Fort Monmouth is important. Sports betting at Monmouth Park has greatly improved the finances there. Councilman Irace noted that legislation has been introduced to approve purse supplements of $100 million over 5 years for NJ horseracing, with $50 million going directly to Monmouth Park.

COUNCILMAN O'BRIEN: Councilman O'Brien thanked everyone for their support during the last electing, including Council. He looks forward to working with everyone in town, and noted that he volunteers in different ways in the Borough. Councilman O'Brien is looking forward to a positive, productive three years.

COUNCILMAN PROTO: Councilman Irace read a statement from Councilman Proto. He congratulated Council President Solan on his appointment as Council President. He thanked Councilman Irace for his past efforts as prior Council President. He expressed congratulations to Councilmen Deerin and O'Brien. Councilman Proto thanked all Borough employees, particularly Ms. Smith, Ms. Phelps and Ms. LaPorta. He thanked all volunteers and first responders.

COUNCIL PRESIDENT SOLAN: Council President Solan congratulated Councilmen Deerin and O'Brien. He noted the Borough continues to face challenges such as the new Municipal Complex, Monmouth Park and the former Ft. Monmouth. Council President Solan congratulated newly appointed officers for Fire, First Aid, OEM.

MAYOR COFFEY: Mayor Coffey stated the Borough is preparing for its 100th anniversary. The year 2018 was especially transformative: Monmouth Park was teetering on the edge of irrelevancy, but has rebounded with the institution of sports betting there and echoed Councilman Irace's report that new legislation will provide $50 million purse supplements over the next 5 years, which will allow Monmouth Park to compete with surrounding states on a level playing field. Redevelopment of the Oceanport section of the former Ft. Monmouth has also taken great strides, with only the McAfee building and the 400 area remaining for sale. He recapped the sales and uses of former Army properties. New legislation also permits 4 new liquor licenses to the Borough's portion of the former Fort, independent of the residential requirements, and will remain there until FMERA is dissolved. Afterward, the licenses will be transferrable to anywhere in Oceanport.

Looking forward to 2019, Mayor Coffey shared his hope that the site of the former municipal building will be under construction and his certainty that construction on the new Municipal Complex will begin. He noted the Borough will be undertaking projects to address flooding and preparing the 2019 budget. He thanked everyone for attending the Reorganization meeting.

PUBLIC: The Mayor then opened the meeting for anyone from the public who wished to be heard.

Jeff Oaks, 60 Pemberton Ave., recounted his efforts last year in support of legalized medical marijuana. He stated the election was run based on comparing safety issues with medical cannabis. He stated that Council failed to act on anything about medical marijuana and turned a blind eye to it. He discussed DEI and Steered Straight appearing at the school, opioide and heroin addiction. He called on Council President Solan for an explanation about his stance on school safety. Mr. Oaks questioned whether these programs were appropriate for presentation at schools. Mr. Oakes found it appalling that the Borough was adding 4 liquor licenses and stated it was hypocrisy at its finest. He complained about the lack of security, handicap parking, and inappropriate fire lanes at Monmouth Park.

Mark Patterson, 40 Itaska Place, congratulated new Council members and volunteers on their new positions. Mr. Patterson noted that the resolution regarding recycling included language that recycling cans "will" be purchased with the supplement of a $10,000 grant, as opposed to a previous statement that cans could be purchased and asked for clarification. Ms. Smith replied that cans will be purchased, it was the amount that was in question. He asked if it was a matching grant or the borough was trying to stretch the $10,000 throughout the Borough. Ms. Smith explained the history of the grant and supplementing the grant with the Recycling Trust. Councilman Irace advised that at this point, a recycling center is not planned for the new Municipal Complex. Mr. Patterson asked Council President Solan about the status of the Borough's Verizon PEG Channel 28. Council President Solan stated a piece of equipment in the boiler room was replaced and troubleshooting the de-coder is in progress. Mayor Coffey stated it's a technical issue, and it will get rectified. Also, Mayor Coffey stated a possibility is to establish a YouTube channel for the Borough since FiOS is not available to everyone in town. Finally, Mr. Patterson again expressed his displeasure with the decision to remove shared services for snow removal and lawn maintenance from the Board of Education. Councilman Irace explained an appropriations cap that the Borough will face this year, additional demands on the current DPW staff, and expense of adding to the DPW staff. He thanked Ms. Phelps for her assistance on a problem at his residence.

As no one else from the public wished to be heard, Mayor Coffey closed the public portion of the meeting. Mayor Coffey also congratulated Councilmen Deerin and O'Brien and stated he looks forward to working with them over the next year.

There being no further business moved to adjourn the meeting at 7:57 PM. Motion to adjourn was made by Councilman Irace and seconded by Council President Solan and approved by Council.

Respectfully submitted,

JEANNE SMITH
BOROUGH CLERK