

**MINUTES  
BOROUGH OF NEW MILFORD  
7:00 PM WORK SESSION MEETING  
Monday, May 11, 2020**



**WORK SESSION:**

Mayor Putrino called the meeting to order, asked for a moment of silent prayer and/or reflection and led the flag salute. Mayor Putrino read the Open Public Meeting Law and Mission Statements. The meeting was held by electronic means in accordance with law.

Councilwoman Thea Sirocchi-Hurley	Present
Councilman Matthew Seymour	Present
Councilwoman Randi Duffie	Present
Council President Ira Grotsky	Present
Councilwoman Lisa Sandhusen	Present
Councilwoman Hedy Grant	Present
Mayor Michael Putrino	Present

Also Present: K. Kelly – Borough Attorney; C. Demiris – Administrator/Borough Clerk

**APPOINTMENTS:                      JOHN POLBOS – FIRE CO. #1**

Councilwoman Duffie made a motion to approve the appointment. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

**PROCLAMATION:                      MENTAL HEALTH AWARENESS MONTH**

**UNFINISHED BUSINESS:**

Councilwoman Sandhusen made a motion to approve the minutes from the April 20, 2020 Public Session and the May 4, 2020 Special Session meetings. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

**ADOPT ORDINANCE 2020:06**

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$515,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Councilwoman Duffie made a motion to open to the public for comment on this ordinance. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

The record reflects that no member of the public wished to comment.

Councilwoman Duffie made a motion to close to the public. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

Council President Grotzky made a motion to adopt this ordinance on the second and final reading. Councilwoman Grant seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

**ADOPT ORDINANCE 2020:07**

CAPITAL ORDINANCE OF THE BOROUGH OF NEW MILFORD, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC ACQUISITIONS AND IMPROVEMENTS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$35,490 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

Councilman Seymour made a motion to open to the public for comment on this ordinance. Councilwoman Sandhusen seconded the motion. The motion carried. All present in favor, none opposed.

The record reflects that no member of the public wished to comment.

Councilwoman Grant made a motion to close to the public. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed.

Council President Grotzky made a motion to adopt this ordinance on the second and final reading. Councilwoman Grant seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

**ADOPT ORDINANCE 2020:08**

AN ORDINANCE TO AMEND CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED 'POLICE DEPARTMENT', THEREBY REMOVING SUBSECTION 2-19.7a.4, ENTITLED "DEPARTMENT RULES"; SUBSECTION 2-19.7b, ENTITLED "DEFINITIONS"; AND SUBSECTION 2-19.7d, ENTITLED "RULES OF CONDUCT"

Councilman Seymour made a motion to open to the public for comment on this ordinance. Councilwoman Sandhusen seconded the motion. The motion carried. All present in favor, none opposed.

The record reflects that no member of the public wished to comment.

Councilwoman Duffie made a motion to close to the public. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

Councilwoman Duffie made a motion to adopt this ordinance on the second and final reading. Councilman Seymour seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

**ADOPT ORDINANCE 2020:09**

AN ORDINANCE TO AMEND CHAPTER II OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD ENTITLED 'POLICE DEPARTMENT', THEREBY INCLUDING SUBSECTION 2-19.11 ENTITLED "NEW MILFORD POLICE AUXILIARY".

Councilman Seymour made a motion to open to the public for comment on this ordinance. Councilwoman Grant seconded the motion. The motion carried. All present in favor, none opposed.

The record reflects that no member of the public wished to comment.

Councilwoman Grant made a motion to close to the public. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed.

Council President Grotzky made a motion to adopt this ordinance on the second and final reading. Councilwoman Sandhusen seconded the motion. The motion carried on a roll call vote. All present in favor, none opposed.

**NEW BUSINESS:**

**1. Schedule Updates – Mayor Putrino**

Mayor Putrino reviewed the following list of event postponements and cancellations:

- Borough Hall Renovation Dedication: Postponed - future date TBD
- Memorial Day Parade: Cancelled - the Public Events Committee is discussing the possibility of a First Responder/Essential Workers themed parade in the fall
- Memorial Day Public Ceremony - Cancelled
- NMFD 5K: Cancelled
- Fishing Derby: Postponed - TBD
- National Night Out: Postponed Until Tuesday, 10/6
- Relay For Life: Postponed Until 10/2
- Borough Paper Shredding Event: Postponed to 9/12
- Mobile DMV: Cancelled
- Spring Recreation Programs: Cancelled
- Summer Recreation Program: Cancelled
- Other Summer Recreation Sports/Programs/Camps Events/Movies in the Part: Pending Further Review

The Mayor additionally noted that all events/programs that are cancelled will be fully refunded. He asked for patience and understanding throughout the refund process as it takes a few weeks to complete.

The Mayor asked for a motion to add resolution 2020:138 to the agenda. The resolution authorizes additional compensation to the Emergency Management Coordinator. Councilwoman Grant made a motion to add resolution 2020:138 to the agenda. Councilman Seymour seconded the motion. The motion carried. All present in favor, none opposed.

Councilwoman Duffie asked about the original authorization for \$5,000; specifically, how much time it had covered. The Administrator said it was slightly less than the amount necessary to cover the hours for March and April. Councilwoman Duffie asked if the expense would be eligible for reimbursement from FEMA. The Administrator said it should be reimbursed for 75%.

The Administrator referenced inquiries she had received from various councilmembers regarding the permissibility of remote meetings for boards, committees, and commissions. She said she had contacted Mr. Kelly for clarification. Mr. Kelly said he had responded, just prior to the meeting, with an email and then summarized its contents.

Mr. Kelly said there has been no easing of Executive Order 107 and in fact, it has been extended through June 6, 2020 via E.O. 138. He said under E.O. 107, in person meetings are not permitted and emergency legislation NJPL 2020, C.11 was enacted to permit remote public meetings. Mr. Kelly said the Department of Community Affairs (DCA) has promulgated Local Operational Guidance for the holding of public meetings remotely pursuant to NJPL 2020, C.11. He said under this authorization meetings held remotely are to be limited "to the extent practicable to matters necessary for the continuing operation of government which relate to the applicable emergency declaration."

Mr. Kelly said while permissible, remote meetings should be undertaken to address matters necessary to continue the operation of government during the State of Emergency. He said he does not interpret this to mean that all Boards, Commissions and Committees should be undertaking business as usual by meeting remotely. He said certain boards, such as Zoning and Planning, should meet as required by law but others should meet only for matters of an urgent or emergent nature. He further stated that any board, committee, or commission that does meet remotely will need to properly notice and run the meeting.

Councilwoman Sandhusen asked if the Environmental and Energy Commission meetings are required by law. Mr. Kelly said he did not know but would review and report back. Councilwoman Sandhusen asked if there are penalties for not following the guidance. She said both the EEC and the Municipal Alliance, for which she is the liaison are forward thinking and would like to be proactive. She asked how a committee would be deemed essential. Mr. Kelly said it is not a question of whether the committee is essential but rather if meeting is necessary for the continuation of government.

Mayor Putrino acknowledged the great group of volunteers that support the Borough and said we will be looking for additional guidance from the State on June 6<sup>th</sup>.

Councilwoman Duffie said we are all being asked to do things that we are not necessarily happy to do but as leaders in the community the governing body must demonstrate leadership by following the directives from the Federal, State and local officials.

#### **COUNCIL:**

Councilwoman Duffie said she has been in touch with the Human Services Director regarding information from Freeholder Zur on money that will be made available through the State and County that may benefit our local food pantry.

Councilwoman Grant said the Borough's census response rate is at 73.9%. She said information about the census will be included with all food distributed through the food pantry. She further reported that the Board of Education passed their budget, which will result in an additional \$105 in taxes on the average home in New Milford. Councilwoman Grant commended the efforts of the Library in engaging the community on their Facebook page and the OEM Coordinator for her efforts.

Mayor Putrino also thanked the Health Department and the Public Health Nurse for their efforts as well.

Councilwoman Sirocchi-Hurley said the Historic Commission has asked residents to chronicle their experiences during the pandemic. She thanked Mayor Putrino and Jason Levine for their efforts in creating the Mother's Day video that was posted to the Office of the Mayor Facebook page.

Councilman Seymour echoed the thanks to OEM and the Mayor and added thanks to all first responders.

Councilwoman Sandhusen asked about reopening the DPW yard to help facilitate a spring cleanup, since many residents are home working in their yards. Mayor Putrino said he will be meeting with the DPW Director to discuss reopening the yard.

#### **RESOLUTIONS:**

- 2020:132 Payment of Bills and Vouchers
- 2020:133 Memorialize Amended Emergency Declaration Dated April 4, 2020
- 2020:134 Memorialize Mayor's Approval of New Milford Police Department Rules and Regulations
- 2020:135 Authorize Participation in the New Jersey Agency for Surplus Property Program
- 2020:136 Ratify Amendment to Bergen County Municipal Joint Insurance Fund Bylaws
- 2020:137 Authorize Tax Collector to Prepare and Issue Estimated Tax Bills
- 2020:138 Authorize Additional Compensation to Emergency Management Coordinator

#### **COMMENTS FROM THE PUBLIC**

Councilwoman Grant made a motion to open the meeting for public comment. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

The record reflects that no member of the public wished to comment.

Councilwoman Grant made a motion to close to the public. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

#### **VOTE ON RESOLUTIONS**

Councilwoman Grant made a motion to approve resolutions 2020:132 through 2020:138. Councilwoman Sirocchi-Hurley seconded the motion. The motion carried. All present in favor, none opposed.

#### **ADJOURNMENT**

Councilwoman Grant made a motion to adjourn. Councilwoman Duffie seconded the motion. The motion carried. All present in favor, none opposed. Time 7:56 PM.

Respectfully submitted,



Christine Demiris, RMC, CMC  
Borough Clerk

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2020: 132

Offered by:..... Councilwoman Grant

Seconded by:..... Councilwoman Sirocchi-Hurley

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	/			
SEYMOUR	/			
DUFFIE	/			
GROTSKY	/			
SANDHUSEN	/			
GRANT	/			
MAYOR (tie)				

WHEREAS, the claims and accounts listed in the attached, have been authorized by the CFO, and found correct.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the payment of these claims, and that warrants be drawn therefore when funds are available in the aggregate amount of \$5,142,385.32.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

Christine Demers

SEAL

**BOROUGH OF NEW MILFORD****Bill list****APRIL 16 - APRIL 30, 2020 PAYROLL**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
PAYROLL	13902.89	APRIL 16 - APRIL 30, 2020	PAYROLL RECEIVABLE:	18925
PAYROLL	2760.42	APRIL 16 - APRIL 30, 2020	PAYROLL GENERAL	18925
PAYROLL	10968.44	APRIL 16 - APRIL 30, 2020	PAYROLL MUNICIPAL	18925
PAYROLL	1195.83	APRIL 16 - APRIL 30, 2020	PAYROLL FINANCE	18925
PAYROLL	7893.02	APRIL 16 - APRIL 30, 2020	PAYROLL COLLECTION	18925
PAYROLL	1765.40	APRIL 16 - APRIL 30, 2020	PAYROLL ASSESSMENT	18925
PAYROLL	942.84	APRIL 16 - APRIL 30, 2020	PAYROLL ASSESSMENT	18925
PAYROLL	6942.14	APRIL 16 - APRIL 30, 2020	PAYROLL CODE	18925
PAYROLL	145.83	APRIL 16 - APRIL 30, 2020	PAYROLL RENT	18925
PAYROLL	3961.72	APRIL 16 - APRIL 30, 2020	PAYROLL POLICE	18925
PAYROLL	1683.66	APRIL 16 - APRIL 30, 2020	PAYROLL POLICE	18925
PAYROLL	162573.03	APRIL 16 - APRIL 30, 2020	PAYROLL POLICE	18925
PAYROLL	723.00	APRIL 16 - APRIL 30, 2020	PAYROLL POLICE	18925
PAYROLL	175.00	APRIL 16 - APRIL 30, 2020	PAYROLL UNIFORM	18925
PAYROLL	560.13	APRIL 16 - APRIL 30, 2020	PAYROLL UNIFORM	18925
PAYROLL	1123.86	APRIL 16 - APRIL 30, 2020	PAYROLL PUBLIC	18925
PAYROLL	77175.20	APRIL 16 - APRIL 30, 2020	PAYROLL PUBLIC	18925
PAYROLL	800.00	APRIL 16 - APRIL 30, 2020	PAYROLL PUBLIC	18925
PAYROLL	1162.81	APRIL 16 - APRIL 30, 2020	PAYROLL RECYCLING	18925
PAYROLL	12771.34	APRIL 16 - APRIL 30, 2020	PAYROLL BOARD OF	18925
PAYROLL	2692.23	APRIL 16 - APRIL 30, 2020	PAYROLL RECREATION	18925
PAYROLL	1049.97	APRIL 16 - APRIL 30, 2020	PAYROLL RECREATION	18925
PAYROLL	1600.00	APRIL 16 - APRIL 30, 2020	PAYROLL RECREATION	18925
PAYROLL	2593.59	APRIL 16 - APRIL 30, 2020	PAYROLL SENIOR	18925
PAYROLL	0.00	APRIL 16 - APRIL 30, 2020	PAYROLL LIBRARY	18925
PAYROLL	22666.87	APRIL 16 - APRIL 30, 2020	PAYROLL LIBRARY	18925
PAYROLL	8849.15	APRIL 16 - APRIL 30, 2020	PAYROLL MUNICIPAL	18925
PAYROLL	842.88	APRIL 16 - APRIL 30, 2020	PAYROLL TITLE III -	18925
PAYROLL	4818.52	APRIL 16 - APRIL 30, 2020	SOCIAL	18926
PAYROLL	10093.18	APRIL 16 - APRIL 30, 2020	FICA SOCIAL	18927

**Total fund: 01 Current 364432.95**

**Total Bill List: 364432.95**



**BOROUGH OF NEW MILFORD****Bill list****MAY 11, 2020**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
JP MORGAN CHASE	445000.00	WIRE TRANSFER 5/1/20	PAYMENT	18928
JP MORGAN CHASE	0.00	WIRE TRANSFER 5/1/20	INTEREST ON	18928
JP MORGAN CHASE	16100.00	WIRE TRANSFER 5/1/20	INTEREST ON	18928
NEW MILFORD BOARD OF	2870146.00	MAY 2020 SCHOOL APPROPRIATION	SCHOOL	18929
NEW MILFORD BOROUGH OPEN	19795.25	2ND QTR 2020 MUNICIPAL OPEN SAPCE	MUNICIPAL	18930
COUNTY OPEN SPACE TRUST FUND	47758.00	2ND QTR 2020 COUNTY OPEN SPACE	COUNTY	18931
COUNTY OF BERGEN	1116225.00	2ND QTR 2020 COUNTY TAXES	COUNTY	18932
WIELKOTZ & COMPANY, LLC	600.00	2020 FAST SYSTEM INV.#22-122-00173	FINANCIAL	18933
MASER CONSULTING, P.A.	1562.50	INV.#569135 FEBRUARY, 2020 GENERAL	ENGINEERING	18934
MC CUSKER, ANSELM, ROSEN	687.50	INV.15533,15556 MARCH, 2020 LABOR	LEGAL	18935
CHRISTINE DEMIRIS	110.81	REIMB.COFFEE MACHINE FOR M&C	MUNICIPAL	18936
CHRISTINE DEMIRIS	62.87	REIMB. STANDARD PRO & CARTRIDGE	MUNICIPAL	18937
EDIE RYERSON	70.00	3/3/20 ENVIRONMENTAL MTG MINUTES	ENVIRONMENT	18938
TAMMI KAMINSKI	75.00	JAN. 2020 RENT LEVELING MINUTES	RENT	18939
NELSON-PATTERSON AGENCY,	872.11	LIFE INSTALLMENT MAY 2020	INSURANCE	18940
FLAGSHIP DENTAL PLANS	86.76	MAY, 2020 DENTAL PREMIUM	INSURANCE	18941
PAYROLL AGENCY ACCOUNT	2000.00	MAY/JUNE 2020 BORO SHARE DCRP	DCRP	18942
MEDICAL INSURANCE EMPLOYEE	50000.00	MEDICAL REIMBURSE REPLENISHMENT	INSURANCE	18943
PA CITY	1047.86	INV.106363075,106430187 APRIL 2020	MUNICIPAL	18944
ZOOM	534.91	INV.14943952 WEBINAR EXPENSES	MUNICIPAL	18945
WIELKOTZ & COMPANY, LLC	7750.00	2020 MUNICIPAL BUDGET & EST. TAX	FINANCIAL	18946
WIELKOTZ & COMPANY, LLC	22250.00	BILLING #2 AUDIT & PREPARATION	AUDIT	18947
RELIANCE STANDARD LIFE INS.	1472.57	STD 159044 MAY 2020 PREMIUM	INSURANCE	18948
NJ FIRE PREV. & PROTECTION	35.00	2020 ANNUAL DUES-ALAN SILVERMAN	UNIFORM	18949
VERIZON	144.99	4/26-6/24/2020 NWBCD	O/E	18950
VERIZON	89.99	APRIL, 2020 ACCT255924016000179	O/E	18951
SUEZ WATER NEW JERSEY	14839.82	APRIL 2020 HYDRANT CHARGES	O/E WATER	18952
SUEZ WATER NEW JERSEY	1607.52	APRIL, 2020 CURRENT WATER CHARGES	O/E WATER	18953
NEW JERSEY FIRE EQUIPMENT	51.62	INV.208697 REPAIR AIR PAK	FIRE O/E	18954
NEW MILFORD FIRE CO. #2	153.80	MAINTENANCE OF EQUIP.	FIRE O/E	18955
H & H WEB MANAGEMENT LLC	600.00	2ND QTR APRIL, MAY & JUNE WEB	MUNICIPAL	18956
JUSTIN PISANO	50.00	REIMB. HAND SANITIZER-COVID-19	POLICE	18957
P & A AUTO PARTS	73.96	INV.15041-164241,167231,167232	VEHICLE	18958
NORTH JERSEY MEDIA GROUP	987.75	ACCT.395749 FEB.2020 AD 3208452	MUNICIPAL	18959
MILLENNIUM STRATEGIES, LLC.	3000.00	INV. 9733 MARCH 2020 GRANT WRITER	MUNICIPAL	18960
MILLENNIUM STRATEGIES, LLC.	3000.00	APRIL 2020 GRANT WRITER INV.9831	MUNICIPAL	18961
OPTIMUM	109.51	APRIL, 2020 OPTIMUM CHARGES	MUNICIPAL	18962
OPTIMUM	125.18	APRIL, 2020 OPTIMUM CHARGES	PUBLIC	18962
OPTIMUM	139.10	APRIL, 2020 OPTIMUM CHARGES	RECREATION	18962
OPTIMUM	0.00	APRIL, 2020 OPTIMUM CHARGES	O/E	18962
OPTIMUM	104.85	APRIL, 2020 OPTIMUM CHARGES	O/E	18962
OPTIMUM	377.14	4/23-5/22/20	POLICE	18963
RICOH USA INC.	280.00	APRIL, 2020 LEASE ON COPIERS	MUNICIPAL	18964
RICOH USA INC.	63.00	APRIL, 2020 LEASE ON COPIERS	COLLECTION	18964
RICOH USA INC.	17.00	APRIL, 2020 LEASE ON COPIERS	ASSESSMENT	18964
RICOH USA INC.	96.00	APRIL, 2020 LEASE ON COPIERS	CODE	18964
RICOH USA INC.	273.00	APRIL, 2020 LEASE ON COPIERS	POLICE	18964

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
RICOH USA INC.	79.00	APRIL, 2020 LEASE ON COPIERS	PUBLIC	18964
RICOH USA INC.	0.00	APRIL, 2020 LEASE ON COPIERS	MUNICIPAL	18964
RICOH USA INC.	32.00	APRIL, 2020 LEASE ON COPIERS	MUNICIPAL	18964
VE ON	155.64	2/11-3/10/20	O/E	18965
WB MASON CO., INC.	171.03	INV.209805135 C2365727 OFFICE	BOARD OF	18966
CANTERBURY VILLAGE	867.60	JAN.FEB,MARCH, 2020 HYDRANT	O/E WATER	18967
KNOWBE4, INC.	896.27	INVOICE #88305 SECURITY AWARENESS	MUNICIPAL	18968
MUNICIPAL RECORD SERVICE	490.00	INV.190854 DWI PAPERS	MUNICIPAL	18969
DENIS FLOWERS, LLC	85.00	INV.012326 FUNERAL	MUNICIPAL	18970
50 STATES ENGINEERING CORP.	300.00	INVOICE#5482 680 PLYMPTON ST.	ENGINEERING	18971
AT & T MOBILITY	844.42	INV.287295364291X03282020	EMERGENCY	18972
ENGIE RESOURCES	4585.13	MAR. 13-APRIL 15, 2020 ENERGY	O/E STREET	18973
ATLANTIC TOMORROWS OFFICE	158.06	APRIL, 2020 LEASE ON COPIERS	MUNICIPAL	18974
ATLANTIC TOMORROWS OFFICE	36.82	APRIL, 2020 LEASE ON COPIERS	COLLECTION	18974
ATLANTIC TOMORROWS OFFICE	36.82	APRIL, 2020 LEASE ON COPIERS	ASSESSMENT	18974
ATLANTIC TOMORROWS OFFICE	36.82	APRIL, 2020 LEASE ON COPIERS	CODE	18974
ATLANTIC TOMORROWS OFFICE	271.71	APRIL, 2020 LEASE ON COPIERS	POLICE	18974
ATLANTIC TOMORROWS OFFICE	191.04	APRIL, 2020 LEASE ON COPIERS	PUBLIC	18974
ATLANTIC TOMORROWS OFFICE	0.00	APRIL, 2020 LEASE ON COPIERS	MUNICIPAL	18974
ATLANTIC TOMORROWS OFFICE	36.82	APRIL, 2020 LEASE ON COPIERS	MUNICIPAL	18974
ATLANTIC TOMORROWS OFFICE	55.79	INV.CNIN023508C COPY MACHINE MARCH SENIOR	SENIOR	18975
SHOP RITE OF NEW MILFORD	96.96	CUST.3563 MARCH SAT. WELLNESS	SENIOR	18976
TRUGREEN LIMITED PARTNERSHIP	1390.00	7 INVOICES-FERTILIZER AND WEED	RECREATION	18977
DIRECT SPORTS, INC.	861.76	INV.12052 SOFTBALL EQUIPMENT &	RECREATION	18978
OLYMPIC GLOVES & SAFETY CO.	470.00	INV.718021 CALIBRATION OF 2 GAS	FIRE O/E	18979
OLYMPIC GLOVES & SAFETY CO.	373.00	INV.718020 1 P/N 10106722 LEL	FIRE O/E	18980
P JRS ACE HARDWARE	48.32	INV.704453 HARDWARE SUPPLIES	FIRE O/E	18981
GANN LAW BOOKS	177.50	INV.S632398 2020 EDITION NJ POLICE	POLICE	18982
GANN LAW BOOKS	92.00	INV.D632945 SUBSCRIPTION RENEWAL	MUNICIPAL	18983
D. & E. UNIFORMS	62.00	INV.56411 DUBY CLOTHING	POLICE	18984
EDWARD TRINKLEBACK	119.60	MEAL/MILEAGE REIMB. 2/10-2/14/20	POLICE	18985
BERGEN COUNTY PROSECUTOR'S	6000.00	2020 MARS MAINT. FEE	POLICE	18986
G.T.B.M., INC.	2142.00	1ST QTR INV.23377 E-TICKETING FEE	POLICE	18987
FORD MOTOR CREDIT COMPANY	3740.70	INV.1749440 MAY LEASE ACCT5381020	POLICE	18988
GOODYEAR TIRE & RUBBER	1080.00	INV.22474 VEHICLE PARTS	VEHICLE	18989
DART COMPUTER SERVICES	198.00	INV.6301 SSL CERTIFICATE FOR EMAIL	POLICE	18990
ALL POINTS AUTOMOTIVE &	200.00	3/3/20 TOWING EXPENSE D/B	VEHICLE	18991
NICHOLAS DI GENIO	56.26	REIMB. CLOTHING	POLICE	18992
ATLANTIC TACTICAL OF NJ,	65.92	INV. SI-90245249 PISTOL RANGE	POLICE	18993
INTERSTATE BATTERIES OF NJ	115.16	INV.710040582 BATTERIES	VEHICLE	18994
INTERSTATE BATTERIES OF NJ	454.47	INV.710039510,710040583,710040584	VEHICLE	18995
NORTHEAST TALENT SOLUTIONS	1037.61	INV.1483 WEEK ENDING 4/5/20	RECYCLING	18996
RACHLES/MICHELE'S OIL	13161.50	9 INVOICES GAS/DIESEL	O/E GAS &	18997
P & G AUTO, INC.	713.57	INV.166655, 166996	VEHICLE	18998
DELUXE INTERNATIONAL TRUCKS	1284.31	INV.X102033832 REPAIR TRUCK 77	VEHICLE	18999
RAPID PUMP & METER	325.00	INV.138091 MARCH JACKSON AVE PUMP	PUBLIC	19000
RUGGED OUTFITTERS	340.00	INV. BG040720 SAFETY VESTS	PUBLIC	19001
SNAP ON TOOLS	271.00	INV.2072068364 UPDATE FOR SCAN	VEHICLE	19002
MAIN LOCK SHOP	40.00	INV.172108 LOCKS/KEYS	PUBLIC	19003
HEAST GAS SERVICES	90.00	INV.33143 WELDING SUPPLIES	VEHICLE	19004
AMERICAN PAPER & SUPPLY CO.	435.15	J1238332 CLEANING SUPPLIES	PUBLIC	19005
DAVID WEBER OIL COMPANY	877.05	INV.479384 OIL FOR VEHICLES	VEHICLE	19006
PALISADES SALES CORPORATION	200.00	INV.956204 COMPUTER MONITOR	PUBLIC	19007
CIRCLE D LIGHTS	128.00	INV.156441 FLASH LIGHT FOR SEWER	VEHICLE	19008
ATLANTIC COAST FIBERS LLC	2975.74	INV.112802 MARCH 2020 RECYCLING	GARBAGE &	19009

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
BERGEN COUNTY UTILITIES	20400.32	INV.109 FEB. TIPPING FEES	GARBAGE &	19010
SNAP ON TOOLS	376.00	INV.4202070174 REPAIR SHOP SCANNER	VEHICLE	19011
BROOKCHESTER APARTMENTS	15117.99	1ST QTR 2020 GARBAGE REIMB.	GARBAGE &	19012
BERGEN COUNTY PUBLIC WORKS	150.00	2020 DUES-VINCENT CAHILL & SYL	PUBLIC	19013
BOOSETOWN COMMUNICATIONS	8895.00	INV.129162 2ND QTR RADIO LEASE	PUBLIC	19014
CLEAN MAT SERVICES LLC	264.80	INV.234386 APRIL 2020 MAT SERVICE	PUBLIC	19015
CLEAN MAT SERVICES LLC	415.00	INV.234053 APRIL MAT	PUBLIC	19016
FIMMERMAN EQUIPMENT COMPANY	167.36	INV.220670 SWEEPER PARTS	VEHICLE	19017
EXCEL TERMITE & PEST CONTROL	120.00	INV.744078, 743519 PEST CONTROL	PUBLIC	19018
NELSON-PATTERSON AGENCY,	872.11	LIFE INSTALLMENT JUNE 2020	INSURANCE	19019
WAKEFERN FOOD CORP.	3000.00	GIFT CARDS	MUNICIPAL	19020
BULLSEYE TELECOM INC.	2139.60	INV.36004465 4/26-5/24/20	O/E	19021

**Total fund: 01 CURRENT**

**4731297.10**

**Total Bill List: 4731297.10**

**BOROUGH OF NEW MILFORD**

**Bill list**

**MAY 11, 2020**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
BOSWELL MCCLAVE ENGINEERING	1580.00	INV.140173 4/9/20 NM744A 2019 ROAD	2018	2213
MUNICIPAL EMERGENCIES	9213.87	INV.1445230 4/7/20 HFRP TAIL	2019	2214
MSA OVERHEAD DOORS	9823.37	INV.1042 OVERHEAD DOOR FIRE CO.#2	2013	2215
MSA OVERHEAD DOORS	0.00	INV.1042 OVERHEAD DOOR FIRE CO.#2	2017	2215
MSA OVERHEAD DOORS	2312.63	INV.1042 OVERHEAD DOOR FIRE CO.#2	2017	2215

**Total fund: 04 CAPITAL 22929.87**

**Total Bill List: 22929.87**

**BOROUGH OF NEW MILFORD**

**Bill list**

**MAY 11, 2020**

**Combined TRUST FUND 12**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
HILLIPS PREISS GRYGIEL	300.00	INV.30514 J15076G COAH -FEB.2020	AFFORDABLE	1022
otal fund: 2809 AFFORDABLE HSG DEV TRUST				300.00
<b>Total Bill List:</b>		300.00		

**BOROUGH OF NEW MILFORD**

**Bill list**

**MAY 11, 2020**

Combined ANIMAL CONTROL 13

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
J STATE DEPT. OF HEALTH	11.40	APRIL 2020 DOG LICENSE FEES 2020	RES'V FOR	1151
otal fund: 2930 RES'V FOR ANIMAL CTRL EXPENSE				11.40
Total Bill List:		11.40		

**BOROUGH OF NEW MILFORD**

**Bill list**

**MAY 11, 2020**

Combined TRUST FUND 12

<u>Vendor</u>	<u>Amount</u>	<u>Description</u>	<u>Account</u>	<u>Check #</u>
AMMI KAMINSKI	1000.00	2ND QUARTER COORD FEE, 3RD QUARTER RESERVE FOR		1095
otal fund: 2802 RESERVE FOR DRUG & ALCOLHOL AL				1000.00
<b>Total Bill List:</b>	1000.00			

**BOROUGH OF NEW MILFORD**

**Bill list**

**MAY 11, 2020**

Combined RECREATION COMM TRUST 18

**Vendor**

IRECT SPORTS, INC.

**Amount Description**

1749.94 INV.12053 SOFTBALL EQUIPMENT &

**Account**

RES'V FOR

**Check #**

1769

otal fund: 2930 RES'V RECREATION COMM EXPENSES

1749.94

**Total Bill List:**

1749.94



**BOROUGH OF NEW MILFORD****Bill list****MAY 11, 2020****Combined TRUST OTHER 12**

<b><u>Vendor</u></b>	<b><u>Amount</u></b>	<b><u>Description</u></b>	<b><u>Account</u></b>	<b><u>Check #</u></b>
AUREEN OPPELAAR	286.79	COVID-REIMB.PRINTER/SCANNER	RESERVE	1091
YLEMAN BRESA	83.40	COVID-REIMB. HARBOR FREIGHT	RESERVE	1092
YLEMAN BRESA	102.82	COVID-REIMB. PREMIER HYDRO	RESERVE	1093
YLEMAN BRESA	95.33	REIMB. COVID-19 RELATED SUPPLIES	RESERVE	1094
& H FOTO & ELECTRONICS	1298.88	INV.169759484 COMPUTER TOWER	RESERVE	1095
RAFFIC SAFETY	80.00	INV.212849 COVID RELATED SIGN	RESERVE	1096
EM INDUSTRIAL SERVICES	1394.81	INV.15-2703 COVID CLEANING	RESERVE	1097
ALISADES SALES	861.75	COVID INV.956237 LENOVO	RESERVE	1098
-M CLEANING, INC.	1106.74	INV.7921 COVID CLEANING SUPPLIES	RESERVE	1099
-M CLEANING, INC.	675.00	INV.7911 COVID-CLEAN DPW BUILDING	RESERVE	1100
-M CLEANING, INC.	2500.00	INV.7906 COVID -CLEAN LIBRARY & SR	RESERVE	1101
OROUGH OF NEW MILFORD	553.41	COVID19 JOAN LEPAGE 3/18-4/6/20	RESERVE	1102
OROUGH OF NEW MILFORD	1598.60	COVID19 JESSICA BRUNNER	RESERVE	1103
OROUGH OF NEW MILFORD	5296.15	COVID-L. PALMA 4/1-4/12/20	RESERVE	1104
OROUGH OF NEW MILFORD	4730.38	COVID-L. PALMA 4/13-4/26/20	RESERVE	1105

**total fund: 2705 RESERVE STORM EMERGENCY****20664.06****Total Bill List: 20664.06**

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2020:133

Offered by: Councilwoman Grant

Seconded by: Councilwoman Sirocchi-Hurley

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
SEYMOUR	✓			
DUFFIE	✓			
GROTSKY	✓			
SANDHUSEN	✓			
GRANT	✓			
MAYOR (lie)				

**WHEREAS**, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern; and

**WHEREAS**, on January 31, 2020, the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to the Coronavirus (COVID-19); and

**WHEREAS**, the spread of COVID-19 within New Jersey constitutes an imminent public health hazard that threatens and presently endangers the health, safety, and welfare of residents of one or more municipalities or counties of the State; and

**WHEREAS**, on March 16, 2020, Mayor Michael Putrino declared a State of Emergency in the Borough of New Milford, County of Bergen, which was memorialized by the governing body on March 23, 2020; and

**WHEREAS**, Mayor Putrino amended the Emergency Declaration as of sunrise on May 2, 2020 to open the walking paths at Kennedy Field and Hardcastle Pond and to permit fishing at Hardcastle Pond as long as social distancing is observed in accordance with all CDC recommendations and guidelines.

**NOW, THEREFORE, BE IT RESOLVED** the governing body of the Borough of New Milford hereby memorializes the amended Emergency Declaration dated May 2, 2020 and signed by Mayor Michael Putrino and the Emergency Management Coordinator.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

Christina Demura

SEAL

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2020:134

Councilwoman Grant

Councilwoman Sirocchi-Hurley

Offered by:.....

Seconded by:.....

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
SEYMOUR	✓			
DUFFIE	✓			
GROTSKY	✓			
SANDHUSEN	✓			
GRANT	✓			
MAYOR (lie)				

**WHEREAS**, as per New Milford Borough Ordinance 2-19.3, the Mayor of the Borough of New Milford is designated as the appropriate authority as provided in the New Jersey Statutes; and

**WHEREAS**, the appropriate authority is responsible for the overall performance of the Police Department; and

**WHEREAS**, the appropriate authority shall adopt and promulgate rules and regulations for the government of the Police Department and for the discipline of its members.

**WHEREAS**, the New Milford Police Department is currently pursuing accreditation and has completed a comprehensive review of the department's rules and regulations; and


**WHEREAS**, Mayor Putrino, as the appropriate authority, has reviewed and approved the New Milford Police Department Rules and Regulations as attached.

**NOW, THEREFORE, BE IT RESOLVED** the governing body of the Borough of New Milford hereby memorializes the Mayor's approval of the New Milford Police Department Rules and Regulations.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

SEAL

Christine Demura

<b>NEW MILFORD POLICE DEPARTMENT</b>		
SUBJECT: RULES AND REGULATIONS		
EFFECTIVE DATE:	NUMBER OF PAGES: 35	
ACCREDITATION STANDARDS: 1.1.1d, 1.4.1, 1.4.3, 1.5.2a	BY THE ORDER OF: Chief of Police Brian T. Clancy	
	APPROPRIATE AUTHORITY: Mayor Michael J. Putrino	

Your municipal code is redundant to the Rules and Regulations and may conflict in areas. My suggestion is to remove the following from your municipal code:

2-19.7a.4;  
2-19.7b; and  
2-19.7d.

Additionally, 2-19.8 – I don't believe you have dispatchers.

Thanks, Sam

# TABLE OF CONTENTS

## Page

### **Chapter 1 - INTRODUCTION**

**3**

- 1:1 - Establishment
- 1:2 - Numbering System
- 1:3 - Rules and Regulations Manual
- 1:4 - Definition of Terms
- 1:5 - Code of Ethics
- 1:6 - Mission Statement and Core Values

3  
3-4  
4  
4-8  
9  
10

### **Chapter 2 - ORGANIZATION**

**11**

- 2:1 - General Duties and Responsibilities

11-12

### **Chapter 3 - RULES OF CONDUCT**

**13**

- 3:1 - Professional and General Conduct
- 3:2 - Issuing Orders
- 3:3 - Receiving Orders
- 3:4 - Police Records and Information
- 3:5 - Gifts, Rewards, Etc.
- 3:6 - Alcoholic Beverages and Drugs
- 3:7 - Duty Conduct
- 3:8 - Uniform Appearance and Identification
- 3:9 - Department Equipment and Property
- 3:10 - Communication, Correspondence
- 3:11 - Public Activities
- 3:12 - Political Activities
- 3:13 - Judicial Appearance and Testimony

13-14  
14  
14-15  
15  
15-17  
17-18  
19-21  
22-24  
24-26  
26-27  
27-28  
28-29  
29-30

### **Chapter 4 – PERSONNEL REGULATIONS**

**31**

- 4:1 - Hours and Leave
- 4:2 - Secondary Employment
- 4:3 - Resignation

31  
31  
32

### **Chapter 5 - DISCIPLINARY REGULATIONS**

**33**

- 5:1 - Disciplinary Action
- 5:2 - Department Authority for Corrective Action/Discipline

33  
33-35

## CHAPTER 1

### INTRODUCTION

#### 1:1. ESTABLISHMENT OF THE NEW MILFORD POLICE DEPARTMENT

##### 1:1.1 Legal Authorization

The Police Department of the Borough of New Milford is established pursuant to N.J.S.A. 40A:14-118 and the Borough of New Milford Municipal Code §2-19 and shall hereafter be referred to as the "New Milford Police Department."

##### 1:1.2 Rules and Regulations Established

The "Appropriate Authority" of the Borough of New Milford hereby adopts and promulgates the Department Rules and Regulations, in accordance with the Borough of New Milford Municipal Code §2-19.3 and shall be known as the "New Milford Police Department Rules and Regulations."

##### 1:1.3 Right to Amend or Revoke

In accordance with N.J.S.A. 40A:14-118, the right is reserved by the appropriate authority, as the representative of the governing body, to amend or revoke any of the rules and regulations contained herein.

##### 1:1.4 Previous Rules, Policies and Procedures

All rules and regulations previously issued, and written directives that conflict with the rules and regulations contained herein, are hereby revoked to the extent of any such inconsistency. All other rules and regulations, and written directives not in conflict with those contained herein shall remain in full force unless expressly revoked by competent authority.

#### 1:2 THE NUMBERING SYSTEM

##### 1:2.1 Chapter, Section and Subsection Designation

Title and number shall designate each chapter, section and subsection. All numbering breakdowns shall be arranged according to a decimal sequence.

##### 1:2.2 Chapter and Section Sequence

The number preceding the colon shall enumerate the chapter, while the number placed immediately to the right of the colon shall indicate the section.

##### 1:2.3 Subsection Sequence

The number placed to the right of the decimal point shall designate the subsection.

##### 1:2.4 Series Lettering

Letters listed in series under sections and subsections shall be enclosed within parentheses.

### **1:2.5 Flexibility of System**

This system shall provide a simple and quick method of referral to material contained herein. This format has been designed to make specific reference to particular sections or subsections possible and to facilitate expansion and revision of the contents.

## **1:3 RULES AND REGULATIONS MANUAL**

### **1:3.1 Application**

These rules and regulations are applicable to all sworn employees, including special law enforcement officers, auxiliary officers, and to all civilian employees of the department, where appropriate.

### **1:3.2 Distribution**

One copy of these rules and regulations shall be electronically distributed to each employee of the department through the PowerDMS software, similar software and/or manual distribution.

### **1:3.3 Responsibility for Maintenance**

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

### **1:3.4 Familiarization**

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

### **1:3.5 Severability**

If for any reason any section of these Rules and Regulations shall be questioned in any court and shall be held unconstitutional or invalid, the same shall not be held to affect any other sections or provisions of this document. No section of these Rules and Regulations shall supersede any current collective bargaining agreements.

## **1:4 DEFINITION OF TERMS**

### **1:4.1 Acting**

Serving temporarily in a position to which the employee is not ordinarily assigned, usually in a position of higher rank. All the authority, responsibilities and duties of the employee in the higher position devolve upon the acting employee.

### **1:4.2 Administrative Leave**

Paid leave from regular duty that is authorized by the Chief of Police.

### **1:4.3 Appropriate Authority**

In accordance with the provisions of N.J.S.A. 40A:14-118, and the Borough of New Milford Municipal Code §2-19.3, the Mayor shall be the Appropriate Authority to whom the Chief of Police

will be directly responsible.

#### **1:4.4 Authority**

Authority is the statutory or written directive vested right to give commands, enforce obedience, initiate action and make necessary decisions. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered in violation of the rules and regulations, and those persons in violation shall be subject to disciplinary action.

#### **1:4.5 Chain of Command**

The unbroken line of authority extending from the Chief of Police through one or more subordinates at each level of command down to the level of execution and vice versa.

#### **1:4.6 Chief of Police**

The Chief of Police of the New Milford Police Department shall be the highest-ranking officer of the department.

#### **1:4.7 Commanding Officer**

Any rank of Lieutenant and above.

#### **1:4.8 Days Off**

Those days on which a given employee is excused from duty by the Chief of Police or designee or is not required to report to duty.

#### **1:4.9 Detail**

A temporary assignment of personnel for a specialized activity.

#### **1:4.10 Employee**

All employees of the department, whether sworn officers or civilian employees.

#### **1:4.11 Gender**

The use of the masculine gender in any written directive or rules and regulations includes the female gender, when applicable.

#### **1:4.12 Incompetence**

Incapable of satisfactory performance of police duties.

#### **1:4.13 Insubordination**

Failure or deliberate refusal of any employee to obey a lawful order given by a superior officer. Ridiculing a superior officer or his order, whether in or out of his presence, is also insubordination. Disrespectful, mutinous, insolent, or abusive language towards a superior officer is insubordination.



#### **1:4.14 Lawful Order**

Any written or verbal directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not in violation of any law, ordinance, or any department rule or regulation.

#### **1:4.15 May/Should**

As used herein, the words "may" and "should" mean that the action indicated is permitted, expected or encouraged.

#### **1:4.16 Member**

Any duly sworn police officer of the department.

#### **1:4.17 Military Leave**

The period of time during which an employee is excused from duty for service with the active or reserve armed forces of the United States or of the State of New Jersey, as provided by law, ordinance or collective bargaining agreement.

#### **1:4.18 Neglect of Duty**

Neglect of duty is the failure to give suitable attention to the performance of duty. Examples include, but are not limited to, failure to take appropriate action on the occasion of a crime, disorder, or other act or condition deserving police attention; absence without leave; failure to report for duty at the time and place designated; unnecessary absence from the zone/post during the tour of duty; failure to perform duties or comply with provisions prescribed in the rules and regulations and written directives, and failure to conform to the department operating procedures.

#### **1:4.19 Off-Duty**

The status of an employee during the period he is free from the performance of specified duties. Members are subject to recall at all times.

#### **1:4.20 On-Duty**

The status of an employee during the period of day when he is actively engaged in the performance of his duties.

#### **1:4.21 Order**

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

#### **1:4.22 Plurality of Words**

The singular includes the plural and the plural includes the singular.

#### **1:4.23 Shall/Will**

As used herein, the words "shall" and "will," mean the action required is mandatory.

#### **1:4.24 Shift**

Any assigned tour of duty in accordance with existing collective bargaining agreements.

#### **1:4.25 Special Law Enforcement Officer**

Persons vested with special police authority pursuant to N.J.S.A. 40A:14-146.8 et seq. and the Borough of New Milford Municipal Code §2-19.10.

#### **1:4.26 Staff Supervision**

Staff supervision is an advisory relationship, outside the regular hierarchy of command and responsibility in which a supervisor may review the work of another employee who is responsible to another superior officer.

#### **1:4.27 Subordinate**

A member lower in rank than his superior officer.

#### **1:4.28 Superior Officer**

A member holding the rank of Sergeant or any rank above Sergeant.

#### **1:4.29 Supervisor**

An employee, usually holding the appropriate rank, assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

#### **1:4.30 Tense of Words**

The words used in the present tense include the future.

#### **1:4.31 Unpaid Leave of Absence**

The period of time during which an employee is excused from duty and during which time no pay is received.

#### **1:4.32 Zone/Post**

A geographical area administratively designated for purposes of investigation, supervision or patrol.

## 1:5 CODE OF ETHICS

1:5.1 All employees shall read and abide by the Law Enforcement Code of Ethics.

1:5.2 **AS A LAW ENFORCEMENT EMPLOYEE**, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

**I WILL** keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

**I WILL** never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

**I RECOGNIZE** the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...**LAW ENFORCEMENT.**

1:5.3 All employees of the Police Department shall read and abide by The New Jersey Ethics Law. (N.J.S.A. 40A:9-22.1 et. seq.)

## 1:6 MISSION STATEMENT AND CORE VALUES

### 1:6.1 Mission Statement

The mission of the New Milford Police Department is to protect life, property, and the rights of all residents and visitors within the Borough. We will enforce all laws and ordinances in an impartial, compassionate, and ethical manner. We strive for open communication with the community in an effort to build trust through relationships and are committed to continually enhancing the quality of life by performing our job with the highest level of professionalism, integrity, and dedication.

### 1:6.2 Core Values

The New Milford Police Department's core values are ***Professionalism***, ***Integrity***, and ***Dedication***.

## CHAPTER 2

### ORGANIZATION

#### 2:1 GENERAL DUTIES AND RESPONSIBILITIES

##### 2:1.1 Chief of Police

1. Pursuant to N.J.S.A. 40A:14-118 and Borough of New Milford Municipal Code §2-19.7, the Chief of Police shall be the head of the Police Department, and shall be directly responsible to the Appropriate Authority for the efficiency and routine day-to-day operation of the New Milford Police Department.

##### 2:1.2 Commanders and Supervisors

Commanders and supervisors shall be able to perform all of the general duties of a police officer. Commanders and supervisors shall:

1. Enforce department rules and insure compliance with department policies and procedures.
2. Exercise proper use of their command, within the limits of their authority, to assure efficient performance by their subordinates.
3. Exercise necessary control over their subordinates to accomplish the objectives for the department.
4. Guide and train subordinates to gain effectiveness in performing their duties.
5. Use department disciplinary procedures when necessary.
6. When using discipline, comply strictly with the provisions of the department disciplinary process.
7. Conduct themselves in accordance with high ethical standards, on and off-duty.

##### 2:1.3 Police Officers

Police officers shall:

1. Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the department.
2. Abide by all rules, regulations and department procedures and directives governing police officer employees.
3. Be accountable and responsible to their supervisor for obeying all lawful orders.
4. Coordinate their efforts with other employees of the department to achieve department objectives.
5. Conduct themselves in accordance with high ethical standards, on and off-duty.
6. Strive to improve their skills and techniques through study and training.

7. Familiarize themselves with the area of authority and responsibility for their current assignment.
8. Perform their duties promptly, faithfully and diligently.
9. Perform all related work as required in a timely fashion.
10. Take appropriate action to:
  - a. Protect life and property;
  - b. Preserve the peace;
  - c. Detect and arrest violators of the law;
  - d. Enforce all federal, state, and local laws and ordinances coming within department jurisdiction;
  - e. Safeguard the rights of individuals as provided by the United States Constitution and Constitution of the State of New Jersey;
  - f. Safely and expeditiously regulate traffic;
  - g. Aid citizens in matters within police jurisdiction;
  - h. Take appropriate police action in aiding fellow officers as needed;
  - i. Provide miscellaneous services.

#### **2:1.4 Civilian Employees**

Civilian employees shall:

1. Take appropriate action to perform the duties of their positions promptly, faithfully and diligently.
2. Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the department.
3. Be accountable and responsible to their supervisors for obeying all lawful orders.
4. Coordinate their efforts with other employees of the department to achieve department objectives.
5. Conduct themselves in accordance with high ethical standards, on and off-duty.
6. Strive to improve their skills and techniques through study and training.
7. Familiarize themselves with the area of authority and responsibility for the current assignment.
8. Abide by all rules, regulations and department procedures and directives governing civilian employees.
9. Perform all related work as required.

## CHAPTER 3

### RULES OF CONDUCT

#### 3:1 PROFESSIONAL AND GENERAL CONDUCT

##### 3:1.1 Standards of Conduct

Employees shall conduct their private and professional lives in such a manner as to avoid bringing the department into disrepute.

##### 3:1.2 Loyalty

Loyalty to the department and to associates is an important factor in department morale and efficiency. Employees shall maintain loyalty to the department, their associates, and the Borough of New Milford as is consistent with the law and personal ethics.

##### 3:1.3 Cooperation

Cooperation between the ranks and units of the department is essential to effective law enforcement. Therefore, all employees are strictly charged with establishing and maintaining a high spirit of cooperation within the department.

##### 3:1.4 Assistance

All members are required to take appropriate action toward aiding a fellow employee exposed to danger or in a situation where danger might be impending.

##### 3:1.5 Performance of Duty

All employees shall promptly perform their duties as required or directed by law, rules and regulations or written directive, or by lawful order of a superior officer.

##### 3:1.6 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 written directive.

While off-duty, police officers who take any police related action or any other action which may touch upon or reflect upon their position with the New Milford Police Department shall notify the highest ranking officer on duty as soon as possible and shall submit a written report to the Chief of Police as soon as practical.

##### 3:1.7 Obedience to Laws, Ordinances, Rules, and Written Directives

Employees shall obey all laws, ordinances, rules, and written directives of the department.

##### 3:1.8 Withholding Information

Employees shall report any and all information concerning suspected criminal activity of others.

### **3:1.9 Reporting Violations of Laws, Ordinances, Rules, and Written Directives**

Employees knowing of other employees violating laws, ordinances, rules and written directives of the department, shall report same to the Chief of Police through the chain of command. 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, the chain of command may be bypassed.

Employees charged with violating laws or ordinances shall report same immediately to the Chief of Police through the chain of command.

### **3:1.10 Neglect of Duty**

Members and employees shall not commit any act nor shall they be guilty of any omission that constitutes neglect of duty.

### **3:1.11 Insubordination**

Employees shall not:

1. Fail or refuse to obey a lawful order given by a supervisor;
2. Use any disrespectful or abusive language/action towards a supervisor.

### **3:1.12 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, an officer shall be referred to by rank.

### **3:1.13 Compromising Criminal or Traffic Cases/Investigations**

Employees shall not interfere with the proper administration of justice.

### **3:1.14 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.

### **3:1.15 Posting Bail**

Employees shall not post bail for any person in custody, except relatives.

### **3:1.16 Use of Force**

Members shall follow New Jersey State Law and department written directive on the use of force.

### **3:1.17 Physical and Mental Fitness for Duty**

Police officers are required to be capable of performing the essential functions of their assigned positions without posing a direct threat to their own health and safety, or that of others. Officers, who are aware of any reason why they are incapable of performing the essential functions of their assigned positions without posing a direct threat to their own health and safety, or that of others, shall notify their supervisors. The department reserves the right to take appropriate action in such circumstances, which may include deeming the member unfit for duty, placing the employee on



sick leave status, or other action. The department reserves the right in appropriate cases to require medical clearance before allowing the member to return to regular duties. Nothing contained herein shall supersede any current collective bargaining agreements.

### **3:1.18 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.

### **3:1.19 Address and Telephone Numbers**

Employees are required to have a telephone or cellular phone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within twenty four (24) hours of the change. Upon receipt of this information, the supervisor will immediately forward the change to the Office of the Chief of Police.

## **3:2 ISSUING ORDERS**

### **3:2.1 Manner of Issuing Orders**

Orders from a supervisor to a subordinate shall be in clear and understandable language.

### **3:2.2 Unlawful Orders**

No supervisor shall knowingly issue an order, which is in violation of any law or ordinance.

### **3:2.3 Improper Orders**

No supervisor shall knowingly issue an order, which is in violation of any department rules and regulations or written directive.

## **3:3 RECEIVING ORDERS**

### **3:3.1 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.

### **3:3.2 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.

### **3:3.3 Obedience to Improper Orders**

Employees, who are given any order which is contrary to department rules and regulations or written directive, must first obey the order to the best of their ability, and then report the improper order as provided in 3:3.5.

### **3:3.4 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.

### **3:3.5 Reports of Unlawful or Improper Orders**

An employee receiving an unlawful or improper order shall advise the issuing supervisor of his/her belief that the order in question is unlawful or improper. If the matter is not resolved, the officer 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 at the direction of the Chief of Police.

### **3:3.6 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.

## **3:4 POLICE RECORDS AND INFORMATION**

### **3:4.1 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 written directives.

### **3:4.2 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 written directives.

### **3:4.3 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.

## **3:5 GIFTS, REWARDS, ETC.**

### **3:5.1 Soliciting Gifts, Gratuities, Fees, Rewards, Loans, Etc.**

Except as stated herein, employees shall not under any circumstances solicit any gift, gratuity, fees, rewards, loans, etc. where there is any direct or indirect connection between solicitations and their department membership or employment. All solicitations must stay within the parameters of Federal and State law, directives from the Office of the New Jersey Attorney General and Bergen County Prosecutor's Office. Employees shall not solicit for any organization that in anyway references their employment as an employee of the Borough of New Milford without the knowledge of the Chief of Police pursuant to the standards set forth above. Nothing herein is meant to prevent action authorized by N.J.S.A. 45:17A-18 et seq.

### **3:5.2 Acceptance of Gifts, Gratuities, Fees, Rewards, Loans, Etc.**

Employees shall not accept either directly or indirectly any gift, gratuity, fees, rewards, loans, etc. or any other thing of value arising from or offered because of his police employment or any activity connected with said employment or employment with the Borough or which might tend to influence directly or indirectly the actions of said employee or any other employee in any matter of police business; or which might tend to cast an adverse reflection on the department or any employee thereof. No employee of the department shall receive any gift, gratuity, fees, rewards, loans, etc. from other employees without the express prior written permission of the Chief of Police. Employees shall not accept any gift, gratuity or reward in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency except lawful salary and that which may be authorized by the law and the Chief of Police.

### **3:5.3 Other Transactions**

Every employee is prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to his attention or which arose out of his department employment, except as may be specifically authorized by the Chief of Police.

### **3:5.4 Disposition of Unauthorized Gifts and/or 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 written report explaining the circumstances.

### **3:5.5 Debts - Incurring and Payment**

1. No employee shall borrow any money or otherwise become indebted to any other employee.
2. Employees shall not solicit other members or employees to co-sign or endorse any promissory note or other loan.
3. No employee shall offer to act as a co-signer or endorser of any promissory note or other loan for another employee.
4. Paragraphs 1-3 do not apply to transactions among employees related to each other.
5. Employees shall promptly pay all just debts and legal liabilities incurred by them.

### **3:5.6 Intercession – Soliciting**

Employees shall not attempt to circumvent, undermine or improperly influence department procedures for determining promotions, assignments, disposition of disciplinary charges, appeals from department hearings, or related matters. Examples of circumventing, undermining or improperly influencing such procedures include, but are not limited to, soliciting unauthorized persons to intercede in such procedures, communicating or supplying information in a manner not authorized or permitted under such procedures, refusing to participate and/or cooperate in any investigation into alleged improper behavior. Members and employees may utilize the review, appeal and grievance procedures provided by statute, department rules and procedures, Borough ordinance or policy, and collective bargaining agreements. Nothing in this section shall prohibit employees from lawful consultation with attorneys and union representatives. Any lawyer or union

representative consulted shall not be permitted to speak on behalf of the employee and shall not interfere in any investigatory process, including a prohibition against delaying the process.

### **3:6 ALCOHOLIC BEVERAGES AND DRUGS**

#### **3:6.1 Alcoholic Beverages and Drugs**

1. No employee of the department will appear for, or be on duty, under the influence of an alcoholic beverage (any beverage containing alcohol) (hereinafter "alcohol") or illegal drugs (including the illegal use of prescription drugs) (hereinafter "drugs"), or be unfit for duty because of use of drugs or an alcoholic beverage. The reasonable opinion of a supervising officer that the employee is under the influence of, or has alcohol or drugs in the employee's system shall be sufficient to establish a violation of this provision. In addition, the presence of detectable level of alcohol or drugs as tested by blood, urine or other medical test shall constitute a violation of this provision. Superior officers shall not assign to duty any employee in an unfit condition due to the use of alcohol or drugs and shall immediately relieve of duty and service weapon any employee found on duty in such condition. Supervisors shall not allow to remain on duty, any employee whose fitness for duty is questionable due to the use of alcohol or drugs. The superior officer shall submit a written report of the incident to the Chief of Police. (See Procedures for Employees Using Prescription Drugs in a Legal Manner Under Section 3 below)
2. Employees of the department, shall not drink alcohol while on duty, or take any drug as defined herein, except on special assignment authorized by the Chief of Police. Sworn employees shall not drink alcohol or take drugs while in uniform or during any activity where the employee is acting as a representative or has identified himself as an employee of the Department. An employee, while assigned to duty in civilian clothes, may use alcohol or drugs only when absolutely necessary in the performance of duty, provided such use does not render them unfit for proper and efficient performance of duty. Employees should not, to the extent possible, engage in any behavior that could put him/herself in danger or the public in danger after consuming alcohol or drugs, for example, driving. All use of alcohol or drugs used in the performance of an employee's duty must be documented in writing, detailing the reasons therefore and the amounts consumed as soon as possible after such consumption. An employee may be subject to testing to confirm the level of alcohol/drugs in their system.
3. Taking Prescription or other Medication While on Duty/Notification about Medication – Pursuant to the Americans with Disabilities Act, 42 U.S.C. §12112, ("ADA") employees of the department shall disclose to the Chief of Police or his/her designee that they are taking medication (prescription or non-prescription) that may affect their ability to perform their duties, including but not limited to using a firearm, operating a radio, or operating a motor vehicle. Such employee shall also disclose the expected duration of their use of such medication. Medical information may be disclosed to supervisors where they need such information to provide a reasonable accommodation or to meet an employees work restrictions. The department reserves the right in appropriate cases to require medical clearance before allowing the employee to return to regular duties. The department reserves the right to take appropriate action in the case of any employee who is impaired on duty for any reason, including the use of prescription or non-prescription medication who has failed to give proper advance notification.
4. Alcohol may not be consumed at or in the police station or ancillary facilities.
5. No uniformed employee shall, at any time when in uniform, or any part thereof, except in the performance of duty, enter any place in which alcohol is served or sold, unless authorized by

a supervisor. This provision does not include establishments with a separate dining area where the serving of alcohol is not the primary function (e.g. certain diners and restaurants which have a liquor license). If an employee is unclear whether an establishment would violate this section, he should contact his supervisor.

6. Employees shall not bring into or keep any alcohol or drugs on department premises except when necessary in the performance of a police related task. Alcohol or drugs brought into department premises in the furtherance of a police related task shall be properly identified and stored according to department written directives.
7. Any employee reporting for duty with the odor of alcohol on his breath or appearing to be under the influence may be subject to testing as set forth in Section 3:6.1.
8. No liquor license shall be held by any police officer, or by any profit corporation or association in which any police officer is interested, directly or indirectly.
9. Pursuant to law, members of the New Milford Police Department may not be employed by a business located in the Borough, which is licensed to sell alcoholic beverages in New Jersey. Members of the New Milford Police Department may be employed by such licensed businesses, which are located outside the Borough of New Milford with prior notice to the Chief of Police and under the following legal conditions:
  - a. Police officers so employed shall not, while engaged in the selling, serving, possessing or delivering of any alcoholic beverages: (1) have in his possession any firearm, or; (2) wear or display any uniform, badge or insignia which would identify them as a police officer.
  - b. No police officer so employed shall be permitted to work in excess of twenty-four (24) hours per week in any such establishment.

When a licensee has circumstances that require the use of trained police officers to provide crowd or traffic control or security for money, the municipality may assign regular police officers to the licensed premises for these purposes. The municipality may either bill the licensee for such cost or may require the licensee to prepay for the services. In no event, however, may the licensee directly hire or pay these police officers. (See N.J.A.C. 13:2-23.31; N.J.S.A. 33:1-26.1).

The Chief of Police retains the right to advise any police officer that for the good of the department or for other operational reasons (including but not limited to the ability to work overtime), the officer cannot obtain or retain such employment.

### **3:6.2 Substance Testing**

1. Members will be ordered to submit to drug testing when there is a reasonable suspicion to believe that the member is using drugs illegally, in accordance with the Office of the New Jersey Attorney General's Guidelines on Drug Testing and any policy mandated by the Bergen County Prosecutor.
2. Random drug screening shall be ordered by the Chief of Police from time to time. If the Chief of Police orders random drug screening it shall be in accordance with the Office of the New Jersey Attorney General's Guidelines on Drug Testing and any policy mandated by the Bergen County Prosecutor.

### **3:7 DUTY CONDUCT**

#### **3:7.1 Reporting for Duty**

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

#### **3:7.2 Absence from Duty**

Every member who fails to appear for duty at the date, time and place specified without the consent of competent authority, is "absent without leave". Such absence must be reported in writing to the supervisor immediately. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave. Absences without leave in excess of one day must be reported in writing to the Chief of Police. Except as otherwise provided by law, any member who is absent from duty without just cause or leave of absence, for a continuous period of 5 days shall cease to be a member of the Department, pursuant to N.J.S.A. 40A:14-122.

#### **3:7.3 Harassment in the Workplace**

All employees of the department shall adhere to the written directive established by the Chief of Police and the Borough of New Milford regarding Harassment in the Workplace.

#### **3:7.4 Civil Rights**

All employees shall observe and respect the civil rights of all persons.

#### **3:7.5 Work Expectation**

Employees are expected to perform their duties to the best of their abilities at all times.

#### **3:7.6 Retaliation**

No employee shall take any official action or initiate or engage in any conduct with the intention to retaliate against any person for criticizing or complaining about any employee. This shall not apply to situations where employees are disciplined for engaging in actions, which constitute insubordination.

#### **3:7.7 Personal Relationships**

If a supervisor and subordinate enter into a dating relationship, marital relationship or civil union during the course of employment, and the department reasonably believes the relationship may create a conflict of interest, one of the employees may be transferred to another shift or assignment. A supervisor or subordinate involved in a relationship as described within shall report the relationship to the Chief of Police. Failure to report such a relationship may subject the involved employees to discipline.

#### **3:7.8 Smoking**

P.L. 2009, C.182 "NJ Smoke-Free Air Act" approved July 20, 2010, provides for an employer's obligation to establish a policy protecting the health, welfare and comfort of employees from those employees who smoke tobacco, to include electronic smoking devices. That written directive must establish designated non-smoking areas. It is the policy of this department not to allow smoking in any office or vehicle assigned to the New Milford Police Department. Employees desiring to smoke may do so outside or in an area designated for smoking. It is the rule of this department not to allow smoking in any designated crime scene area.

### **3:7.9 Distracters**

The use of any item or object that distracts an employee from the performance of duty other than equipment authorized by the department is prohibited while on duty.

### **3:7.10 Relief**

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

### **3:7.11 Meals/Breaks**

All meals/breaks are to be consumed within authorized areas, or if properly signed out and acknowledged on police radio at a known location subject to modification by the supervisor.

### **3:7.12 Training**

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

### **3:7.13 Military Courtesy**

When meeting in public, officers shall conform to normal courtesy standards and refer to each other by rank.

### **3:7.14 National Colors and Anthem**

Uniformed members will render full military honors to the National Colors and Anthem at appropriate times. Members and employees in civilian dress shall render proper civilian honors to the National Colors and Anthem at appropriate times.

### **3:7.15 Inspections**

Employees directed to attend full dress inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection shall be considered absence without leave.

### **3:7.16 Prohibited Activity On-Duty**

Employees who are on-duty are prohibited from engaging in activities, which are not directly related to the performance of their duty with exceptions as noted:

1. Meeting with other officers (except in performance of their police duties) without permission of supervisor, sleeping, loafing, idling;
2. Reading material other than department required materials (except at meals);
3. Conducting private business while on duty;
4. Unlawful gambling, unless to further a police purpose such as conducting an investigation of suspected criminal activity as authorized through the chain of command;

5. Smoking in public view;
6. Sexual activity of any kind;
7. Pursuing personal relationships with or without coercion created by an officer's official authority;
8. Leaving the Borough without supervisory approval;
9. Soliciting or otherwise enhancing secondary employment interests while on duty or as a result of an official duty;
10. Conducting secondary employment activities while on duty;
11. Taking any photographs, pictures, digital images that are not related to the job, including but not limited to pictures of any crime scenes, traffic crashes, people, or job related incidents or occurrence with any personal analog or digital device, camera or cellular telephone, except as may be necessary for the furtherance of official duties, and only in accordance with established department procedures pertaining to preservation of evidence and chain of custody;
12. Releasing any personal or department photographs, pictures, digital images of any crime scenes, traffic crashes, people, or job related incident or occurrence taken with a personal or department analog or digital device, camera or cellular phone to any person, entity, business, or media/Internet outlet without the express written permission of the Chief of Police;
13. Video or audio recording, which is not connected with an official investigation or duties, is prohibited;
14. Employees are forbidden to video or audio record conversations with other employees unless related to the job and approved in advance by the Chief of Police. This prohibition does not apply to video recorded interviews of witnesses or suspects where two or more employees may be present, the routine recording of telephone calls over or through the department telephone system via any recording system approved by the Chief of Police, or to the use of mobile video recorders as authorized by the Chief of Police. The exception to this is for an Internal Affairs investigation as authorized by the Chief of Police or representatives of the involved prosecutorial authorities.
15. Any other activity deemed inappropriate by the Chief of Police.

### **3:7.17 All Other Conduct**

Misconduct by a police officer need not be predicated on the violation of any particular department rule or regulation. Police officers are called upon to exercise tact, restraint and good judgment in their relationship with the public and must present an image of personal integrity and dependability in order to have the respect of the public. The department will take appropriate disciplinary action against any officer whose actions violate this standard of good behavior.



### **3:8 UNIFORMS, APPEARANCE, AND IDENTIFICATION**

#### **3:8.1 Regulation Uniforms Required**

All uniformed personnel of the department shall maintain in good order a regulation uniform. All uniformed personnel shall be neat appearing, and well groomed while in uniform. All articles of uniform shall conform to the department uniform regulations. Uniforms shall be made of the material and the style prescribed in police orders, and such style shall not be altered or changed in any manner, whatsoever, unless authorized by the Chief of Police.

#### **3:8.2 Manner of Wearing the Uniform**

All uniformed personnel of the department shall wear the uniform on duty as prescribed by department written directive for the employee's current assignment. However, commanding officers may prescribe other clothing as required by the nature of the duty to which a particular employee is assigned.

#### **3:8.3 Manner of Wearing Civilian Attire**

Members and employees permitted to wear civilian clothing while on duty shall wear clothing that is suitable for a business environment and neat in appearance. Commanding officers may prescribe other types of clothing when necessary to meet a particular police objective.

#### **3:8.4 Wearing or Carrying Identification**

Members shall wear or carry their department identification at all times, provided that it is practical for the circumstances.

#### **3:8.5 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.

#### **3:8.6 Personal Appearance**

Every employee of the department, while on duty, must at all times be neat and clean in person, their clothes cleaned and pressed, and their uniform in conformity with the rules and regulations of this department. Commanding officer may prescribe other clothing as required by the nature of the duty, which a particular member is assigned. Non-uniformed civilian employees may be permitted deviations from this section as directed by the Chief of Police or designee and in keeping with a professional appearance.

##### **1. Male Employees**

- a. Hair shall be neatly trimmed and groomed. Hair shall be cut to present a tapered appearance on the side and back and when combed, shall not fall over the ears or eyebrows, or extend over the shirt or coat collar when standing with the head in a normal position. There shall be no designs cut into the head hair. Designs such as numbers, insignias, or other inscriptions are strictly forbidden. Hair coloring, if used, must appear natural.

- b. Sideburns shall not extend below the bottom of the earlobe. The width shall not exceed one and one-half (1½) inches at the broadest point. The growth shall not be more than a quarter inch in depth.
- c. Mustaches shall be neatly trimmed and the extent of the growth shall be limited to one-half (½) inch below the corner of the mouth. Length of the hair shall be no more than one-half (½) inch, nor appear bushy. The ends may not be waxed or twisted.
- d. Beards shall not be permitted. Personnel with a medical condition, which precludes shaving, shall be required to present a written statement, signed by a medical doctor, verifying such condition. Beards may be permitted for religious reasons upon approval of the Chief of Police. Non-uniformed employees may deviate from the above beard standard as authorized by the Chief of Police or designee. This regulation does not prevent the Chief of Police from authorizing deviation for fund raising purposes, such as (No Shave November).
- e. Fingernails shall be clean and trimmed. Nails shall not extend beyond the tips of the fingers.

**2. Female Employees**

- a. In the interest of safety, female members assigned to a division or unit where the regulation police uniform is worn shall wear their hair short and neatly trimmed near the collar line (hair growth shall not extend over the shirt or coat collar) or wear their hair rolled in a bun style when on duty so that it conforms to the above. Hair coloring, if used, must appear natural.
- b. Cosmetics may be worn provided they are subdued and blended to match the natural skin color of the individual. False eyelashes are not permitted.
- c. Fingernails shall be clean and trimmed. Nails shall not extend beyond the tips of the fingers. Fingernail polish, if worn, shall be clear.

**3. Jewelry and Apparel (All)**

- a. Police Officers 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 employees on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with department written directive.
- b. No visible body piercing jewelry shall be worn while on duty. This shall include but not limit to nose, eyebrow and tongue piercing.

**4. Tattoos or Similar Markings (All)**

**Definitions:**

- a. Tattoo - the act or practice of marking the skin with designs, forms, figures, art, etc.
- b. Scarification - the act of intentional cutting of the skin for the purpose of creating a design, form, figure or art.

- c. Branding - the act of intentional burning of the skin for the purpose of creating a design, form, figure or art.

The following tattoos, scarifications and brands are prohibited:

- a. Any tattoo, scarification or brand located on the hand, head, face or neck. The Chief of Police reserves the right to require an officer to cover up a tattoo(s) while the officer is in uniform.
- b. Depictions of nudity or violence; sexually explicit or vulgar art, words, phrases or profane language; symbols likely to offend other members, employees, or members of the public, i.e., swastikas, pentagrams or similar symbols; initials, acronyms or numbers that represent criminal or historically oppressive organizations, (i.e., AB, KKK, SS, MM, BGF, HA, 666) or any street gang names, numbers and/or symbols; or, any language or depiction that may impair or disrupt the operations of the department, or is inconsistent with the mission of the department.

### **3:9 DEPARTMENT EQUIPMENT AND PROPERTY**

#### **3:9.1 Equipment On-Duty**

Employees shall carry all equipment on-duty as prescribed by department written directive based on their assignment.

#### **3:9.2 Equipment Off-Duty**

Employees shall carry equipment off-duty as prescribed by department written directive.

#### **3:9.3 Firearms**

Employees shall follow department written directive on the care and handling of firearms.

#### **3:9.4 Department Property and Equipment**

All law enforcement related equipment will be maintained in an operational state and that responsibility of the maintenance of the equipment is vested with the person or position responsible for the equipment.

#### **3:9.5 Use of Department Property and Equipment**

Employees are prohibited from using any department property, equipment, consumable supplies and other resources for personal business or pleasure.

#### **3:9.6 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.

### **3:9.7 Care of Department Buildings**

Employees shall not mark or deface any surface in any department building. No material shall be affixed to any wall in department buildings without specific authorization from the appropriate supervisor.

### **3:9.8 Notices**

Employees shall not mark, alter, or deface any posted notice of the department. No notices or announcements shall be posted on bulletin boards without permission of the appropriate supervisor, except those areas designated for use by the collective bargaining unit(s). No other form of communication of notices or announcements, including electronic communication of non-official police business shall be made unless authorized by the appropriate supervisor. No notices, pictures or other written communications may be posted that are degrading, obscene, or considered detrimental to the good order of the Police Department.

### **3:9.9 Use of Department Vehicles**

Employees shall not use any department vehicle without the permission of the Chief of Police or his/her designee. The Chief of Police and command personnel may use their provided vehicles in accordance with written directives and/or current collective bargaining agreements.

### **3:9.10 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 written directive regarding same.

### **3:9.11 Transporting Non-Borough Employees**

Non-Borough employees shall not be transported in department vehicles, except as necessary in the performance of official police duties. Such transportation will be done in conformance with department written directive or at the direction of the commanding officer, immediate supervisor or communications center. The Chief of Police and command personnel may transport individuals in accordance with any current collective bargaining agreements.

### **3:9.12 Reporting Accidents**

Accidents involving department personnel, property, equipment and vehicles must be reported in accordance with department written directive.

### **3:9.13 Inspection**

Department property and equipment is subject to entry and inspection without notice. This includes, but is not limited to any vehicle, desk, filing cabinet, and/or locker, the use of which is provided to the employee by the department.

### **3:9.14 Computers**

The department may assign to its members and employee's departmentally owned computers for business purposes. Such computer equipment and its contents are and remain the property of the department. Personnel are prohibited from installing, downloading, and accessing unauthorized software/programs and from storing personal information in the computer, regardless of any

password protection or encryption. The computers, their contents, and any e-mail or electronic correspondence originating from or arriving at the department computer are the property of the department and are subject to entry and inspection without notice.

### **3:9.15 Liability**

If any department property is damaged or lost as 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.

### **3:9.16 Presumption of Responsibility**

In the event that Borough of New Milford property is found bearing evidence of damage which has not been reported, it shall be prima-facie evidence that the last person using the property or vehicle was responsible.

### **3:9.17 Surrender of Department Property**

1. 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 the fair market value of the article.
2. 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.

## **3:10 COMMUNICATIONS, CORRESPONDENCE**

### **3:10.1 Restrictions**

1. Employees shall not use department letterheads for private correspondence.
2. Employees shall only send official correspondence out of the department under the direction of the Chief of Police or his/her designee. This includes, but is not limited to, letters, subpoenas, e-mails, memorandums, and any other type of paper or electronic written communication.

### **3:10.2 Forwarding Communications**

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

### **3:10.3 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's license.

### **3:10.4 Telephones**

Department telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor. Department telephone numbers may not be given out as numbers for police officer's personal use or contact.

### **3:10.5 Radio Discipline**

Employees operating the police radios shall strictly observe the procedures and restriction for such operations as set forth in department written directive and by the Federal Communications Commission.

## **3:11 PUBLIC ACTIVITIES**

### **3:11.1 Publicity**

Employees may identify themselves as employees of the New Milford Police Department. However, members and employees shall not use or refer to their affiliation with the New Milford Police Department for purposes of furthering or gaining advantage in personal pursuits or for any other reason that has or reasonably may have an adverse impact on the department or of the Borough of New Milford. The Chief of Police shall determine whether an employee's conduct has violated this standard. Nothing herein is meant to prevent action authorized by N.J.S.A. 45:17A-18 et seq. or the New Jersey State Constitution.

### **3:11.2 Commercial Testimonials**

Employees shall not permit their names or photographs to be used to endorse any product or service without the permission of the Chief of Police. They shall not, without the permission of the Chief of Police, allow their names or photographs to be used in any commercial testimonial, which alludes to their position or employment with this department or their position as a police officer or employee of a police department.

### **3:11.3 Public Appearance Requests**

All requests for public speeches, demonstrations, etc., will be forwarded to the Chief of Police for approval and processing. Employees directly approached for this purpose shall suggest that the party submit his request to the Chief of Police.

### **3:11.4 Courtesy**

Employees shall be courteous and orderly in all dealings with the public. They shall perform their duties professionally, avoiding harsh, violent, profane or insolent language, and always remain calm regardless of provocation to do otherwise. Upon request, employees are required to supply their name and identification in a courteous manner. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other parts of the department.

### **3:11.5 Impartial Attitude**

All employees must remain completely impartial toward all persons coming to the attention of the department. Violations of the law are against the people of the state and not against the individual officer. All citizens are guaranteed equal protection under law. Exhibiting partiality for or against a person because of race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, domestic partner or civil union status, familial status, liability for service in the Armed Forces of the United States, disability, atypical hereditary cellular or blood trait, genetic information, nationality, pregnancy or other protected class (N.J.S.A. 10:5-1 et seq.) is conduct unbecoming a public employee. Similarly, unwarranted interference in the private business of others when not in the interests of justice is conduct unbecoming a public employee.

### **3:11.6 Disparaging Comments Regarding Protected Personal Characteristics**

Courtesy and civility toward the public is required of all employees of the department. Employees shall not use words which humiliate, disparage, demean, degrade, ridicule, or insult a person because of their race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, domestic partner or civil union status, familial status, liability for service in the Armed Forces of the United States, disability, atypical hereditary cellular or blood trait, genetic information, nationality, pregnancy or other protected class (N.J.S.A. 10:5-1 et seq.).

### **3:11.7 Public Statements**

Employees of the department shall not make public statements concerning the work, plans, policies, or affairs of the department which may impair or disrupt the operation of the department or which are obscene, unlawful, or defamatory. While employees have a right to maintain personal webpages, websites, and blogs, their status as employees of the police department requires that the content of those webpages and websites not be in violation of existing department written directives. The right of the collective bargaining unit(s) representative to make public statements regarding the improvement of working conditions or the betterment of the department shall be upheld.

### **3:11.8 Subversive Organizations**

No employee shall knowingly become a member of or connected with a subversive organization, except when necessary in the performance of duty, and then only under the direction of the Chief of Police.

### **3:11.9 Affiliation with Certain Organizations Prohibited**

Police officers shall not join or affiliate with any organization, or enter into any business relationships that would interfere with the officer's ability to fulfill his or her obligations to the department, that may impair or disrupt the operations of the department, or that is inconsistent with the mission of the department. This section shall not apply to active or reserve service in the armed forces of the United States or the State of New Jersey.

### **3:11.10 Affiliation with Radical Groups**

No employee, except in the discharge of police duties, shall knowingly associate with or have any dealings with any person or organization which advocates or which is instrumental in fostering hatred, prejudice, or oppression against any group set forth in Section 3:11.7 or any political entity.

## **3:12 POLITICAL ACTIVITIES**

### **3:12.1 Political Activities Prohibited**

Employees should not be permitted to engage in political activity while on duty, and no employee shall be permitted to use his official position to influence another person's partisan or non-partisan political activity.

### **3:12.2 Election to Public Office**

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 county prosecutor subject to provisions of the law governing the holding of such public office.

### **3:12.3 Soliciting Prohibited**

Employees of the department shall not solicit contributions for political purposes while on duty or when such activity prevents the employee from performing his job with the department, nor shall any employee interfere with or use the influence of his office for political reasons.

### **3:12.4 Contributions**

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

### **3:12.5 Polling Duties**

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

### **3:12.6 Displaying of Political Material**

Employees shall not display any political material on any government property or on their person while on duty or in uniform or while representing the department or the Borough.

## **3:13 JUDICIAL APPEARANCE AND TESTIMONY**

### **3:13.1 Court Appearances**

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 or other competent court official. When appearing in court, either the official uniform or appropriate business attire shall be worn. Weapons will not be displayed unless wearing the uniform. Members shall present a neat and clean appearance, avoiding any mannerism, which might imply disrespect to the court.

### **3:13.2 Testifying for the Defendant**

Any employee subpoenaed to testify for the defense in any trial or hearing, or against the Borough of New Milford in any hearing or trial shall notify the Chief of Police through the chain of command upon receipt of the subpoena. He shall also notify the appropriate prosecutorial authority handling the case.

### **3:13.3 Duty of Employees to Appear and Testify**

It shall be the duty of every employee to appear and testify upon matters directly related to the conduct of his office, position or employment before any court, grand jury, or the State Commission of Investigation, provided such testimony does not infringe on the employee's constitutional due process protection.



### **3:13.4 Department Investigations – Testifying**

Employees shall be required to respond to questioning, provide reports, and render materials during department investigations in accordance with the provisions of the New Jersey Attorney General's Internal Affairs Policy & Procedures currently in effect.

### **3:13.5 Truthfulness**

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

### **3:13.6 Civil Action, Court Appearances – Subpoenas**

An employee shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed. Employees will accept all subpoenas legally served. If the subpoena arises out of department employment or if the employee is informed that he is a party to a civil action arising out of department employment, he shall immediately notify the Chief of Police, who in turn shall notify the proper authorities. Employees shall not enter into any financial understanding for appearances as witnesses prior to any trial, except in accordance with department directives.

### **3:13.7 Civil Depositions and Affidavits**

Employees shall notify their supervisor before giving a deposition or affidavit on a civil case. If the supervisor determines that the case is of importance to the Borough of New Milford, he shall inform the Chief of Police before the deposition or affidavit is given.

### **3:13.8 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 Bergen County Prosecutor and the Chief of Police.

### **3:13.9 Civil Process**

Members shall not serve civil process or assist in civil cases unless the specific consent of the Chief of Police is obtained. They shall avoid entering into civil disputes, particularly while performing their police duties, but shall prevent or abate a breach of the peace or crime in such cases.

### **3:13.10 Internal Affairs Investigations**

The New Milford Police Department hereby adopts and incorporates the "Internal Affairs Policy & Procedures" of the Police Management Manual promulgated by the Police Bureau of the Division of Criminal Justice in the Department of Law and Public Safety to govern the conduct of internal affairs investigations.

**CHAPTER 4**  
**PERSONNEL REGULATIONS**

**4:1    HOURS AND LEAVE**

**4:1.1    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.

**4:1.2    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.

**4:1.3    Vacation Leave**

Employees are entitled to vacation days off pursuant to appropriate collective bargaining agreements, Department policy and procedure, and approval of the vacation schedule by the appropriate supervisor.

**4:1.4    Other Leaves**

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

**4:1.5    Sick Leave**

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

**4:1.6    Abuse of Sick Leave**

Employees who take sick leave in violation of Department policy, collective bargaining agreements or Statute shall be subject to disciplinary action.

**4:1.7    Suspension of Leave**

Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonably 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.

**4:2    SECONDARY EMPLOYMENT**

**4:2.1    Secondary Employment**

Employees may engage in secondary employment consistent with Department policy.

#### 4:3 RESIGNATION

##### 4:3.1 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.

## CHAPTER 5

### DISCIPLINARY REGULATIONS

#### 5:1 DISCIPLINARY ACTION

##### 5:1.1 Disciplinary Action

Department employees regardless of rank or assignment, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for violating their oath and trust by committing an offense, incapacity, misconduct or disobedience of established department Rules and Regulations punishable under the laws or statutes of the United States, the State of New Jersey, municipal ordinances, or failure, either willfully or through negligence or incompetence to perform the duties of their rank or assignment; or for violation of any written directive or rule or regulations of the department; or for failure to obey any lawful instruction, order, or command of a superior or supervisor. Disciplinary action in all cases will be decided on the merits of each case.

The disciplinary system established herein shall reflect the overarching emphasis for improving the quality of service being delivered by employees of this department. Discipline should not engender a strictly negative connotation. The disciplinary process is meant to correct employee actions and conduct that tend to impede the efficient and effective operation of the department. The proper use of discipline can achieve this objective without realizing a reduction in morale. Training and counseling shall be a function of the department's overall disciplinary system. In lieu of discipline, training and counseling shall be corrective actions used to modify an employee's performance.

##### 5:1.2 Establishing Elements of Violation

Existence of facts establishing a violation of the law, ordinance, or rule is all that is necessary to support any allegation of such as a basis for disciplinary action. Nothing in these rules and regulations prohibits disciplining or charging employees merely because the alleged act or omission does not appear herein, in the department, or in laws and ordinances within the cognizance of the department.

#### 5:2 DEPARTMENT AUTHORITY FOR CORRECTIVE ACTION/DISCIPLINE

All disciplinary procedures shall be in accordance with the laws of the State of New Jersey, Attorney General Guidelines, applicable case law, employee handbook and the Municipal Codes of the Borough of New Milford. Except as otherwise provided by applicable law, the department disciplinary authority and responsibility rests with the Chief of Police or designee. Basic guidelines include:

##### 5:2.1 Corrective Action

1. In certain situations, formal discipline is not required in order to correct employee performance in various areas. Performance based issues may be corrected by using training and counseling outlined below:

Training - Training is encouraged as a means of improving employee effectiveness and performance through positive and constructive methods. Training and discipline are not mutually exclusive. Certain minor offenses may be handled through targeted training. Supervisors have an affirmative obligation to observe the conduct and appearance of

employees and detect those instances wherein corrective action (training) may be necessary. Training includes:

- Verbal Instruction - The supervisor may, depending on the circumstances, provide individual on the spot training where such is indicated.
- Peer Training - The supervisor may assign the employee to another employee with experience in the area where training is indicated.
- In-Service Training - The supervisor may refer the employee to an in-service training program.

Counseling - Counseling is indicated where personal actions or job performance are in conflict with basic police practice and agency written directives. Certain first offenses are sufficiently minor in nature and may be handled by supervisors by documenting the counseling session on a performance notice. Facts to be considered in making these decisions will include, but are not limited to the person's intent, receptivity of the supervisory consulting and their desire to correct the problem. More serious infractions may indicate the need for a stronger response in place of, or in addition to, counseling. There is no right to a hearing for counseling notices except as may exist under applicable collective bargaining agreements. The final disposition notice regarding the corrective action shall be filed in the employee's personnel file.

2. All training and counseling resulting from a performance issue shall be documented and forwarded through the appropriate chain of command to the Chief of Police or designee.

#### **5:2.2 Discipline**

1. Repeat performance based issues or minor misconduct issues may be corrected through formal discipline by using the following actions:

Oral Reprimand - They are intended to be the least intrusive form of discipline. To be effective, however, written oral reprimands must be timely. Otherwise, the employee may believe future infractions will be tolerated. In some cases, a minor infraction may warrant more than counseling, but less than a written reprimand. In those instances, a report of the offense shall be documented and issued to the employee as a written verbal reprimand. There is no right to a hearing for a written oral reprimand, unless provided for in the current collective bargaining agreement. The disciplinary document shall be filed in the employee's personnel file.

Written Reprimand - In some cases, the misconduct may warrant more stringent measures. In these instances, a report of the offense shall be documented and issued to the employee as a written reprimand. There is no right to a hearing for written reprimands except as may exist under applicable collective bargaining agreements. The final disposition notice regarding the discipline shall be filed in the employee's personnel file.

2. Serious violations and those committed as one in a series of repeated violations require swift and certain punitive measures in order to maintain proper discipline within the department. The final disciplinary action notice shall be filed in the employee's personnel file pursuant to department policy. The following disciplinary actions may be taken in accordance with the laws of the State of New Jersey:

- Voluntary surrender of time off in lieu of other action;

- Suspension or Fine;
  - Demotion in rank;
  - Dismissal.
3. Such actions are taken when an employee's performance deficiency is repeated despite prior corrective action, or when a violation is serious and significant enough to require punitive action. Depending upon the seriousness of the violation, punitive disciplinary action may not always be based upon the progressive disciplinary process. It may be necessary to utilize punitive disciplinary action with the first occurrence of an act or behavior.
  4. All punitive actions applied as a result of discipline shall be documented and forwarded through the appropriate chain of command to the Chief of Police or designee. The disciplinary document shall be filed in the employee's personnel file.

### **5:2.3 Appeals Procedure**

The appeal of discipline or corrective action imposed against an employee may be taken consistent with laws of the State of New Jersey and/or the grievance procedures of the current collective bargaining agreements, ordinances and/or employee handbook.

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2020: 135

Offered by:..... Councilwoman Grant

Seconded by:..... Councilwoman Sirocchi-Hurley

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
SEYMOUR	✓			
DUFFIE	✓			
GROTSKY	✓			
SANDHUSEN	✓			
GRANT	✓			
MAYOR (tie)				

**AUTHORIZING PARTICIPATION IN THE NEW JERSEY AGENCY FOR SURPLUS  
PROPERTY PROGRAM**

**WHEREAS**, the Federal Surplus Personal Property Donation Program enables certain nonfederal organizations to obtain personal property that the federal government no longer needs; and

**WHEREAS**, the General Services Administration (GSA) Order FSS P 4025.5 provides procedures for the donation of federal surplus personal property, consistent with the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377 as amended and other applicable laws; and

**WHEREAS**, eligibility may be granted to any State Department, Division, Bureau or Agency; any City or Town government; or any other governmental entity or public agency established by or pursuant to State Law; except that eligibility may not be granted to individual subordinate programs or divisions of a governmental entity where the parent entity has established eligibility; and

**WHEREAS**, an application for eligibility by a public agency shall be approved by a resolution adopted by a majority of the full membership of the governing body of a local unit prior to the transmittal of any such application of any such program.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey does hereby authorize and approve submittal of an application the Federal Surplus Personal Property Donation Program established by the United States General Services Administration.

**BE IT FURTHER RESOLVED** that the Administrator/Borough Clerk is hereby authorized to make application for the enrollment on behalf of the Borough of New Milford.

**BE IT FURTHER RESOLVED** that the Administrator/Borough Clerk is here by authorized to approve the acquisition of any property deemed appropriate under this agreement.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

SEAL

Christine Demarco

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2020:136

Offered by:.....  
Councilwoman Grant

Seconded by:.....  
Councilwoman Sirocchi-Hurley

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
SEYMOUR	✓			
DUFFIE	✓			
GROTSKY	✓			
SANDHUSEN	✓			
GRANT	✓			
MAYOR (lie)				

**WHEREAS**, the Borough of New Milford is a member of the Bergen County Municipal Joint Insurance Fund, hereinafter the "FUND"; and

**WHEREAS**, recent changes were made to the FUND's bylaws; and

**WHEREAS**, after a public hearing conducted March 19, 2020 the Executive Committee of the FUND distributed the proposed bylaw amendment to the membership for their consideration; and

**WHEREAS**, these revised bylaws must be ratified by at least three fourths of the member towns before they can become effective.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of New Milford that the revised bylaws are hereby ratified.

I hereby certify that the above is a true copy of a resolution adopted by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

Christine Demers

SEAL



BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

**RESOLUTION**

No. 2020:137

Offered by: Councilwoman Grant

Seconded by: Councilwoman Sirocchi-Hurley

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
SEYMOUR	✓			
DUFFIE	✓			
GROTSKY	✓			
SANDHUSEN	✓			
GRANT	✓			
MAYOR (tie)				

**WHEREAS**, the Borough of New Milford had a public hearing regarding its scheduled budget adoption on April 20, 2020 and the Bergen County Board of Taxation is unable to certify New Milford's tax rate at this time and the Borough of New Milford's Tax Collector will be unable to mail the Borough's 2020 tax bills on a timely basis; and

**WHEREAS**, the Borough of New Milford's Tax Collector and Chief Financial Officer have computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Governing Body of the Borough of New Milford requests the Director of the Division of Local Government Services to approve the estimated tax levy conforming with the 105% listed below. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of New Milford, in the County of Bergen, State of New Jersey on this 11<sup>th</sup> day of May, 2020, as follows:

1. The Borough of New Milford's Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2020 taxes. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by P.L. 1993, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2020 is hereby set at \$57,276,413.34.
3. In accordance with law, the third installment of 2020 taxes shall not be subject to interest until the later of August 10<sup>th</sup> or the twenty-fifth day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

Christine Demusis

SEAL

# BOROUGH OF NEW MILFORD

## CALCULATION OF PROPOSED 2020 ESTIMATED TAX RATE

### BASIS OF PROPOSED TAX LEVY AND TAX RATE

2020 MUNICIPAL BUDGET - ADOPTED  
 2020 LOCAL SCHOOL BUDGET - ADOPTED  
 2020 BERGEN COUNTY BUDGET - ESTIMATE  
 2020 BERGEN COUNTY OPEN SPACE BUDGET - ESTIMATE

### ACTUAL 2019 TAX LEVY AND RATE

### 2020 ESTIMATED RANGE FOR TAX LEVY (PERCENTAGE OF 2019 LEVY)

	<u>LEVY</u>	<u>TAX RATE</u>		<u>95.00%</u>	<u>105.00%</u>
MUNICIPAL	16,207,515.00	1.0250	MUNICIPAL	15,397,139.25	17,017,890.75
MUNICIPAL OPEN SPACE	79,012.00	0.0050	LOCAL SCHOOL	75,061.40	82,962.60
MUNICIPAL LIBRARY	634,600.00	0.0400	MUNICIPAL LIBRARY	602,870.00	666,330.00
LOCAL SCHOOL	34,431,283.00	2.1780	LOCAL SCHOOL	32,709,718.85	36,152,847.15
COUNTY	4,464,901.62	0.2830	COUNTY	4,241,656.54	4,688,146.70
COUNTY OPEN SPACE	191,031.46	0.0120	COUNTY OPEN SPACE	181,479.89	200,583.03
TOTALS	<u>56,008,343.08</u>	<u>3.5430</u>	TOTALS	<u>53,207,925.93</u>	<u>58,808,760.23</u>

### 2020 ESTIMATED TAX RATE

2020 NET VALUE TAXABLE - 1,593,838,330

AMOUNT TO BE RAISED BY TAXATION: TAX RATE:

MUNICIPAL	16,514,172.34	1.036	(ADOPTED BUDGET OVER 105% RANGE)
MUNICIPAL OPEN SPACE	79,692.00	0.005	(ADOPTED BUDGET WITHIN 105% RANGE)
MUNICIPAL LIBRARY	658,096.00	0.041	(ADOPTED BUDGET WITHIN 105% RANGE)
LOCAL SCHOOL	35,224,453.00	2.210	(ADOPTED BUDGET OVER 105% RANGE)
COUNTY	4,600,000.00	0.289	(ESTIMATED BUDGET WITHIN 105% RANGE)
COUNTY OPEN SPACE	<u>200,000.00</u>	<u>0.013</u>	(ESTIMATED BUDGET WITHIN 105% RANGE)
TOTALS	<u>57,276,413.34</u>	<u>3.594</u>	

CERTIFIED BY: \_\_\_\_\_  
 Diana McLeod  
 Chief Financial Officer

CERTIFIED BY: Denise Amoroso  
 Denise Amoroso  
 Tax Collector

# BOROUGH OF NEW MILFORD

## CALCULATION OF PROPOSED 2020 ESTIMATED TAX RATE

### BASIS OF PROPOSED TAX LEVY AND TAX RATE

2020 MUNICIPAL BUDGET - ADOPTED  
2020 LOCAL SCHOOL BUDGET - ADOPTED  
2020 BERGEN COUNTY BUDGET - ESTIMATE  
2020 BERGEN COUNTY OPEN SPACE BUDGET - ESTIMATE

### ACTUAL 2019 TAX LEVY AND RATE

### 2020 ESTIMATED RANGE FOR TAX LEVY (PERCENTAGE OF 2019 LEVY)

	<u>LEVY</u>	<u>TAX RATE</u>		<u>95.00%</u>	<u>105.00%</u>
MUNICIPAL	16,207,515.00	1.0250	MUNICIPAL	15,397,139.25	17,017,890.75
MUNICIPAL OPEN SPACE	79,012.00	0.0050	LOCAL SCHOOL	75,081.40	82,962.60
MUNICIPAL LIBRARY	634,600.00	0.0400	MUNICIPAL LIBRARY	602,870.00	666,330.00
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COUNTY OPEN SPACE	191,031.46	0.0120	COUNTY OPEN SPACE	181,479.89	200,583.03
TOTALS	<u>56,008,343.08</u>	<u>3.5430</u>	TOTALS	<u>53,207,925.93</u>	<u>58,808,760.23</u>

### 2020 ESTIMATED TAX RATE

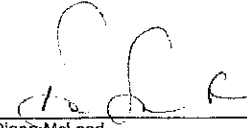
2020 NET VALUE TAXABLE - 1,593,838,330

AMOUNT TO BE RAISED BY TAXATION:

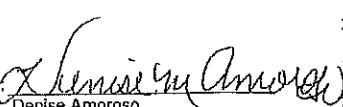
TAX RATE:

MUNICIPAL	16,514,172.34	1.036	(ADOPTED BUDGET OVER 105% RANGE)
MUNICIPAL OPEN SPACE	79,692.00	0.005	(ADOPTED BUDGET WITHIN 105% RANGE)
MUNICIPAL LIBRARY	658,096.00	0.041	(ADOPTED BUDGET WITHIN 105% RANGE)
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COUNTY OPEN SPACE	<u>200,000.00</u>	<u>0.013</u>	(ESTIMATED BUDGET WITHIN 105% RANGE)
TOTALS	<u>57,276,413.34</u>	<u>3.594</u>	

CERTIFIED BY:

  
Diana McLeod  
Chief Financial Officer

CERTIFIED BY:

  
Denise Amoroso  
Tax Collector

BOROUGH OF NEW MILFORD  
BERGEN COUNTY, NEW JERSEY

RESOLUTION

No. 2020:138

Offered by: Councilwoman Grant

Seconded by: Councilwoman Sirocchi-Hurley

Member	Aye	No	Abstain	Absent
SIROCCHI-HURLEY	✓			
SEYMOUR	✓			
DUFFIE	✓			
GROTSKY	✓			
SANDHUSEN	✓			
GRANT	✓			
MAYOR (lie)				

**WHEREAS**, on January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a public health emergency of international concern; and

**WHEREAS**, New Jersey Governor, Phil Murphy, declared a State of Emergency and Public Health Emergency on March 9, 2020 via Executive Order 103; and

**WHEREAS**, the Mayor and Council of the Borough of New Milford authorized an hourly rate of \$18.00 per hour to be paid to Denise Brunner in her capacity as the Emergency Management Coordinator, for the duration of this emergency, not to exceed \$5,000 via resolution 2020:127; and

**WHEREAS**, the amount of work far exceeds the maximum amount authorized having already been expended during the first two months of this emergency.

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council of the Borough of New Milford hereby authorize an additional \$7,500.00 for work by the Emergency Management Coordinator related to this emergency declaration.

I hereby certify that the above is a true copy of a resolution passed by the Council of the Borough of New Milford at the meeting held on May 11, 2020.

SEAL

Christine Demus