



Township Council
1 Municipal Plaza
Bloomfield, NJ 07003

Louise M. Palagano
Municipal Clerk

<http://www.bloomfieldtnj.com>

Meeting: 02/06/23 07:00 PM

2023 ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND CHAPTER 75, "POLICE DEPARTMENT", IN THE CODE OF THE TOWNSHIP OF BLOOMFIELD, ESSEX, COUNTY, NEW JERSEY

BE IT ORDAINED, by the Mayor and Council of the Township of Bloomfield, County of Essex, State of New Jersey, as follows:

Section 1. Chapter 75 Police of the Code of the Township of Bloomfield, County of

Essex, State of New Jersey, is hereby amended to read as follows:

Article I
General Provisions

§ 75-1 Composition; appointments; additional personnel.

- A. There shall be a Department of Police, also known as the "Police Department," the head of which shall be the Police Chief.
- (2) In accordance with N.J.S.A. 40A:14-118, the Police Department of the Township of Bloomfield shall consist of the following:
- (a) One Police Chief. Where the municipality has opted not to name a Chief of Police, there may be a Director of Police vested with the appropriate authority over the Police Department.
 - (b) One Deputy Chief.
 - (c) Six Captains.
 - (d) Eight Lieutenants.
 - (e) Sixteen Sergeants.
 - (f) As many Detectives and patrol officers as shall, from time to time, be appointed by the Mayor and Council.
- B. The Mayor and Township Council may appoint such additional police officers or not fill an open position as shall be necessary for temporary or emergency services or as may be required due to budgetary constraints. Any position not filled by the Council after becoming vacant for any reason should be considered removed from the table of organization unless

the Council fills the position or takes some other action.

- C. No person shall be a member of the police force until they shall have been regularly appointed a police officer of the Bloomfield Police Department.
- D. All appointments to any position in the Police Department shall be made by the Mayor and Township Council according to law.
- E. In accordance with N.J.S.A. 11A:4-1.3, the Bloomfield Police Department may hire a person, exempt from the requirement to take an examination for an entry-level law enforcement position, who has successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission.
- F. All applicants for appointment to or for promotion within the Police Department shall be qualified for appointment or promotion as required by law, ordinance and civil service rules and regulations.

§ 75-2 Appropriate authority; promulgation of rules and regulations.

- A. The Chief shall be the appropriate authority over the Police Department pursuant to N.J.S.A. 40A:14-118 and shall promulgate rules and regulations for the government of the force and for the discipline of its members.
- B. The Chief shall:
 - (1) Be the Chief Executive Officer of the Police Department.
 - (2) Make, administer and enforce rules and regulations for the control, disposition and discipline of the Department, and of its officers and employees.
 - (3) Establish procedures for the hearing and determination of charges of violation of departmental rules and regulations by any member of the Police Department, provided that a member may be fined, reprimanded, removed, suspended or dismissed from the Department only on written charges made or preferred against them after such charges have been examined, heard as described herein and according to such practice, procedure and manner as may be prescribed by rules and regulations of the Department and Civil Service.
 - (4) Appoint, with approval by the Mayor and Council, such civilian employees and/or members to the Police Department as they deem necessary and appropriate, in their discretion and judgment, to maximize the efficiency of the Police Department. Said civilian employees and/or members shall perform any and all services as prescribed and specified by the Police Chief.
 - (5) Nothing herein contained in this section shall limit or prevent the Police Chief from exercising and/or carrying out the rights, powers and duties afforded in accordance with applicable state law, the Attorney General guidelines and directives and any other relevant

- (6) Nothing herein contained shall prevent the appointment by the governing body of committees or commissions to conduct investigations of the operation of the police force and the delegation to such committees or commissions of such powers of inquiry as the governing body deems necessary or to conduct such hearings or investigations as authorized by law.
 - (7) Nothing herein contained shall prevent the appropriate authority, or any executive or administrative officer charged with the general administrative responsibilities within the municipality, from examining at any time the operations of the police force or the performance of any officer or member thereof. In addition, nothing herein contained shall infringe on or limit the power or duty of the appropriate authority to act to provide for the health, safety and/or welfare of the municipality in an emergency situation through special emergency directives.
 - (8) Have and exercise all of the functions, powers and duties of a department head of the Township.
- C. Where municipality has opted not to name a Chief of Police, the Director of Police is vested with such authority; without a Chief of Police, all police officers are subordinate to the Director of Police in accordance with rank, and the Director is entitled to assume duties ordinarily assigned to Chief of Police, including directing daily operations of the Police Department. *Policemen's Benev. Ass'n, North Brunswick, Local 160 v. Township of North Brunswick*, 318 Super. 44, 723, A.2d 1287 (A.D.1999), certification denied 161 N.J. 150, 735 A.2d 575. Unless a Police Chief is appointed, any reference to a "Police Chief" within the Township's ordinances should be read a reference to the Police Director.
- D. Duties of Police Director. Where municipality has opted not to name a Chief of Police, the Police Director shall be head of the Police Department and shall be directly responsible to the Mayor and Council through the Township Administrator for efficiency and day-to-day operations of the Department. Pursuant to the policies established by the Township Administrator, the Police Director shall:
- 1. Administer and enforce the rules and regulations of the Police Department and any special emergency directive for the disposition and discipline of the Department and its members and officers.
 - 2. Have, exercise, and discharge the functions, powers and duties of the Police Department.
 - 3. Prescribe the duties and assignments of all members and officers.
 - 4. Delegate such authority as may be deemed necessary for the efficient operation of the Police Department to be exercised under the Director's direction and control.
 - 5. Report at least monthly to the Mayor and Council, through the Township Administrator, in such form as shall be prescribed, on the operation of the Police Department during the preceding month and make such other reports as may be requested by the Mayor and

Council through the Township Administrator.

§ 75-3 Appointments; temporary or emergency service.

- A. The Township Council may appoint such additional police officers as shall be necessary for temporary or emergency service.
- B. No person shall be a member of the Police Department until appointed as a police officer of the Bloomfield Police Force or Department.
- C. All appointments to any position on the Police Department shall be made by the Township Council according to law.

§ 75-4 Equipment.

- A. The Township shall provide the members of the Police Department with badges or shields, wreaths, signal box keys, locker keys, nightsticks, handcuffs and weapons. Loss of such equipment and failure to immediately report the loss of same shall be deemed neglect of duty. Members of the Police Department shall pay for any such equipment lost through neglect.
- B. Members of the Police Department, at their own expense, shall provide themselves with uniforms and uniform caps, as specified by the Chief, flashlights, whistles, notebooks and pencils, outerwear and suitable footwear and wristwatches of standard make.
- C. All uniforms and equipment must be kept in good order and condition. All articles furnished by the Township must be accounted for and surrendered to the Police Chief upon suspension or separation from service for any reason whatsoever.
- D. Members of the Police Department, while on duty, shall carry full equipment.
- E. Members of the Police Department, while off duty, except on vacation, sick or disability leave, shall carry their badges and weapons.

§ 75-5 Outside employment; response to calls.

- A. Purpose. Members of the Bloomfield Police Department may engage in private police work when written permission is obtained from the Chief of Police for such work in accordance with this section. When members are engaged in any other business or occupation, it shall not consume their energies to make them ineffective for their regular police duties. In the performance of duty, each member shall respond promptly to every call and give their best efforts under and in all circumstances. Although specified hours may be allotted to members of the Police Department for the performance of duty on ordinary occasions, each member must at all times be prepared to act immediately on notice that their services are required.
- B. Assignments of off-duty police officers.
 - (1) Eligibility and limitations. Sworn members of the Bloomfield Police Department who are authorized to engage in off-duty employment shall be permitted to accept police-related employment in accordance with the Bloomfield Police Department Rules and Regulations, for private employers who are separate and independent from the Township of Bloomfield,

only during off-duty hours, to perform public-safety functions on behalf of and as assigned by the Police Chief or the Chief Law Enforcement Officer of the Police Department, while receiving compensation from the Police Department at the rates established by the governing body of the Township of Bloomfield, at such times as will not interfere with the efficient actual performance of regularly scheduled or emergency duty for the Township.

- (2) Sworn officers who are deemed eligible to perform outside employment and who perform in the capacity of a security officer for a licensed security company as defined under N.J.S.A. 45:19A-1 et seq. or a private employer, while receiving compensation for those duties from the licensed security company or private employer, shall not wear their Bloomfield police uniform or otherwise exhibit evidence of authority as a law enforcement officer while performing private security functions for the licensed security company or private employer. Prior to commencement of such employment, the police officer must ensure that the officer, the licensed security company and/or the private employer are in full compliance with the Security Officers Registration Act (SORA), N.J.S.A. 45:19A-1 et seq. The officer may only work for a licensed security company or private employer which has provided written assurance to the Township of Bloomfield Police Department, on a form to be provided, prior to the commencement of work, that the officer is a full employee of that company, person or entity while conducting the duties of a security officer and that the licensed security company or the private employer carries comprehensive workers' compensation and general liability insurance in amounts required by the Township. Officers in compliance with this provision are exempt from the requirements and assignment provisions of this article.

C. Request for services.

- (1) Approval of Police Chief. Any person or entity wishing to employ off-duty Bloomfield police officers as security officers (as an employee, agent or subcontractor of a private security company or private employer) shall first obtain the approval of the Police Chief or the Chief's designee, which approval shall be granted if, in the opinion of the Police Chief or the Chief's designee, such employment is necessary and would not be inconsistent with the efficient functioning and good reputation of the Police Department and would not unreasonably endanger or threaten the safety of the officer or officers who are to perform the work.
- (2) All road construction, traffic control or public safety functions required which interfere with motor vehicle or pedestrian traffic on Township streets and/or public sidewalks shall require the use of a uniformed Bloomfield police officer. All vendors are required to schedule employment of aforementioned officers through the Police Department's Outside Employment Unit.
- (3) The Police Chief or designee is hereby authorized to execute an agreement with the applicant for services required, which agreement shall set forth the specific nature of the services to be performed, the location, dates and hours of service, payment arrangements mandated by this article, insurance coverage or any other provisions required by law or regulation of the State of New Jersey. The applicant must first file a request for services with the Police Department's Outside Employment Unit.

- (4) All requests to the Township for the services of off-duty law enforcement officers in the Township of Bloomfield Police Department shall be forwarded to the Police Chief for posting within the time frame established by the Police Department. The Police Chief in their discretion may approve emergency requests for services.
 - (5) All requests to the Bloomfield Police Department for the services of off-duty law enforcement officers for a period of one week or longer shall be forwarded to the Police Chief or the Chief's designee for posting at least 10 business days before such services are required. Any law enforcement officers, when so employed by private employers, shall be compensated at the rate set forth in § 75-5.1.
 - (6) All requests to the Bloomfield police for service of off-duty law enforcement officers for a period of less than one week shall be forwarded to the Police Chief or the Chief's designee for posting within seven business days prior to the desired start work date. Any law enforcement officers, when so employed by private employers, shall be compensated at the rates set forth in § 75-5.1.
 - (7) In emergency situations, requests to the Bloomfield Police Department for the services of off-duty law enforcement officers shall be made as necessary to the Police Chief or the Chief's designee, who shall use their discretion in approving or denying that request, considering the interests of the Police Department.
 - (8) Any law enforcement officers, when so employed, shall not be considered an employee of the Township, except for discipline purposes. Any and all wages earned for outside employment shall not be applied toward the pension benefits of law enforcement officers so employed, nor shall hours worked for outside employment be considered in any way compensable as overtime under the Federal Labor Standards Act, 29 U.S.C. § 201 et seq., or compensable in any other manner that requires the Township to pay the officers by Township funds through its payroll system.
 - (9) The Police Department Policy and Procedures shall be revised to be in compliance with this section and N.J.S.A. 45:19A-9 et seq.
- D. Police uniforms. Bloomfield police officers performing off-duty police-related services for applicants shall be in full police uniform while said services are being provided, unless forbidden to do so by operation of this section.
- E. Off-duty employment outside overtime budget mechanism.
- (1) Establishment. To assure the timely payment of wages to police officers who perform off-duty services, and to meet the requirements of the Fair Labor Standards Act, the Township of Bloomfield will establish an off-duty employment outside overtime budget mechanism (hereinafter "account") or such other name as assigned by the Director of Finance in accordance with appropriate rules and statutes for budgeting for the receipt of fees collected from private persons or entities for the payment to police officers for off-duty or outside employment services. The off-duty employment outside budget mechanism shall be administered by the Township's Finance Department.

- (2) Any person or entity requesting the services of an off-duty law enforcement officer in Bloomfield shall estimate the number of hours such law enforcement services are required, which estimate shall be approved in writing by the Police Chief, or their designee, and, upon Police Chief's approval, a copy of said approval shall be forwarded to the Township's Finance Department. The person or entity requesting the services shall then forward payment for services for the total estimated hours of service, the rates of compensation and administrative fees as set forth in subsection § 75-5.1, to the Department of Finance for deposit prior to the commencement of said services.
- (3) In any instance where the number of hours required is unknown and cannot be reasonably estimated, or is anticipated to be in excess of 10 days, the person or entity requesting the services of an off-duty law enforcement officer shall deposit an amount sufficient to cover the rate of compensation and administrative fees as set forth in § 75-5.1 for the equivalent of 10 days prior to the commencement of any work. Any unused portion of the deposit shall be returned or credited against the final amount owed.
- (4) Prior to posting any request for services of off-duty law enforcement officers, the Police Chief or their designee shall verify that the balance deposited for the person or entity requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Police Chief or their designee shall not post a request for services from any person or entity unless all fees and compensation required in the manner described above have been deposited in the account. All payments must be remitted directly to the Township of Bloomfield Finance Department for deposit. No officer shall be paid directly by any employer for requested services nor provide any such services for more hours than are specified in the request for services.
- (5) The person or entity requesting such services shall be responsible for ensuring that sufficient funds remain in the account in order to avoid any interruption of services.
- (6) In the event the funds in the account should become depleted or that the account falls below the designated level, services of off-duty law enforcement officers shall cease, and further requests for additional or future services shall not be honored or posted until additional funds have been deposited in the account in the manner prescribed above.
- (7) The Commander of the Bloomfield Police Department's Business Office, or their designee, shall make a written report to the Police Chief every 90 days regarding the status of each account and highlight each deficient account holder. Payments to police officers shall be on a biweekly basis with all appropriate deductions.
- (8) Exemption. All public utility companies are exempt from the provisions set forth in this section requiring advance payment to the Trust Account; providing, however, that there are no amounts previously due that are outstanding for a period in excess of 15 days. Any such delinquent balances shall require advance payment of the amount outstanding prior to any officer engaging in any further off-duty assignments.
- (9) Cancellation. In the event that the person or entity requesting the off-duty law enforcement officers fails to contact the Township of Bloomfield at least four hours prior to the scheduled start time to cancel the job, or the officer works less than four hours and the job is

completed, the officer is entitled to be paid for the minimum of four hours.

- F. Public emergency. The Police Chief or their designee shall have the authority to order any police officer engaged in off-duty assignments within the Township of Bloomfield to respond to an emergency situation within Bloomfield. The Police Chief or their designee shall also have the right to order any off-duty assignment to be terminated whenever said assignment creates an unacceptable risk to the health, safety and welfare of the off-duty officer and/or the citizens of Bloomfield. (Ord. 6 PSF-A, 2-3-10 § 1)
- G. Insurance requirements.
- (1) The applicant (private security company or private employer) shall be responsible for providing all insurance coverage as required by law. The applicant shall provide Bloomfield with appropriate certificates of insurance naming Bloomfield and the police officers as additional insured and evidencing that the police officer and the Township are covered by general liability coverage on an occurrence basis of at least \$1,000,000 each occurrence and workman's compensation insurance with respect to the services to be provided.
 - (2) The certificate of insurance or the policy shall contain the following language: "The Township of Bloomfield, its agents, servants and administrators are included as additional insureds with respect to general liability coverage as required by written contract."
 - (3) As an alternative, the Police Chief, after consultation with the Township's Risk Manager, may accept a board-form policy endorsement in addition to a certificate of insurance (with language satisfactory to the Township's Risk Manager, in accordance with Township policies and procedures) naming the Township of Bloomfield and the police officer as additional insureds under the policies.
- H. Indemnification and duty to defend.
- (1) The person or entity requesting the services of the off-duty police shall execute an appropriate hold harmless and indemnity agreement which shall provide that such person or entity shall indemnify, defend, and hold harmless the Township of Bloomfield, its agents, servants and administrators from and against any and all claims, or actions at law, whether for personal injury, property damage or liability, including any costs of defense incurred by the Township of Bloomfield which arise from any acts or omissions of the insured, its agents, or employees arising out of or related to the use of off-duty Bloomfield police officers.
 - (2) This indemnification and hold harmless agreement and the duty to defend shall apply in all instances, whether the Township of Bloomfield is a plaintiff or is made a direct party to the initial action or claim or is subsequently made a party to the action by third-party interpleading or is made a party to a collateral action arising, in whole or in part, from any of the issues from the original cause of action or claim.

§ 75-5.1 Township-controlled side work fees.

- A. Classification No. 1: Township-originated based rates.

(1) For Board of Education, public entities, Bloomfield Center Alliance, Township recreation:

(a) Hourly rate range of \$33 to \$62 per hour.

(b) No administrative fee.

B. Classification No. 2: Vendors requesting security for private businesses:

(1) Hourly rate range of \$29 to \$62 per hour.

(2) Administrative fee of \$5.

C. Classification No. 3: Special events (e.g., emergency security details; movies/commercial filming):

(1) Hourly rate of \$70 per hour, plus \$5 per hour administrative fee.

D. Classification No. 4: Construction/utility company request for traffic control:

(1) Hourly rate of \$70 per hour, plus \$5 per hour administrative fee.

E. Classification No. 5: Bloomfield College security details:

(1) All college events: hourly rate of \$50 per hour, plus \$5 per hour administrative fee.

F. Use of Township police vehicles:

(1) Hourly rate of \$15 per hour, per vehicle, will be added to hourly work rate.

G. Requirement of a supervisor for an event:

(1) Whenever an event or detail is utilizing three or more police officers, a supervisor will be required and receive a rate of \$10 above the police officer rate for the detail.

§ 75-6 Hours of duty; emergencies.

The hours of employment of uniformed members of the Police Department shall not exceed eight consecutive hours in any one day nor 40 hours in any one week, provided that, in case of an emergency, the Police Chief or other executive officer of the Police Department, the Township Administrator or the Township Council having charge or control of the Police Department shall have full authority to summon and keep on duty all such members during the period of emergency.

§ 75-7 Conduct of members.

Members of the Police Department shall conduct themselves in a quiet, civil and orderly manner at all times; refrain from the use of indecent, profane, uncivil or threatening language, even though there is great provocation; be respectful to superiors, equals and citizens; use no unnecessary force or violence to prisoners or any other person; cheerfully perform all proper duties; and answer all proper questions but avoid unnecessary conversation while on duty.

Superiors shall be courteous to subordinates.

§ 75-8 Removal and suspension.

Members or officers of the Police Department shall be subject to reprimand, loss of pay, suspension from duty, removal, reduction of rank, fine or discipline for cause, including incapacity, misconduct or disobedience, provided in the New Jersey statutes or regulations, the Police Department's rules and regulations or for the following causes:

- A. Intoxication on duty or in uniform.
- B. Drinking any intoxicating liquor while on duty or in uniform.
- C. Willful disobedience of orders.
- D. Disrespect of a superior officer.
- E. Indecent, profane, harsh or uncivil language.
- F. Unnecessary violence to a prisoner or unlawful use of force in any case.
- G. Sleeping while on duty.
- H. Absence from duty without leave.
- I. Leaving post or assignment without just cause.
- J. Not properly patrolling post.
- K. Not found on post.
- L. Incompetency, lack of energy and incapacity, mentally or physically.
- M. Immorality, indecency or lewdness.
- N. Violation of any criminal law.
- O. Entering any building except in discharge of duty while in uniform or on duty.
- P. Neglect in paying just debts contracted while a member of the force.
- Q. Conduct unbecoming an officer.
- R. Publicly commenting upon the official action of a superior officer, Mayor or a member of the Township Council.
- S. Revealing to any person not a member of the Police Department any proposed police action or movements or provisions of any official order.

- T. Making any false statement in application for appointment to the police force.
- U. Neglect of duty.
- V. Conduct subversive of good order and the discipline of the force.
- W. Untruthfulness about matters pertaining to the police force or duties.
- X. Violating any of the rules and regulations promulgated by the Township Council.

§ 75-9 Procedure for discipline.

- A. Cause. Members or officers of the Police Department may be removed from office or otherwise disciplined for the causes set forth in § 75-8.
- B. Preliminary investigation. Upon all allegations of wrongdoing made by a citizen or another officer against any officer of the Police Department, the allegations of wrongdoing shall be investigated in accordance with the internal rules and regulations of the Police Department. After completion of the investigation, if the investigating officer believes that there is sufficient cause to file a formal complaint, said investigating officer shall prepare a written report, together with all supporting documentation, which shall be forwarded to the Chief of Police.
- C. Review by Chief of Police. If, after reviewing said report and supporting documentation, the Chief of Police believes that sufficient cause exists to file a formal complaint, the Chief shall prepare and serve said formal complaint, specifying a time, date and place for a hearing within the time limits and as required in N.J.S.A. 40A:14-147.
- D. Hearing.
 - (1) At the time and place fixed for such hearing, the hearing officer shall receive evidence concerning the charges and shall afford the accused an opportunity to be heard, to cross-examine witnesses appearing in support of the charges, to present evidence on their own behalf and to be represented by counsel.
 - (2) The hearing officer shall have the power to hear and determine the charge or charges against the officer. Said hearing officer shall have the power to subpoena witnesses and documentary evidence, which said subpoena may be enforced by the Superior Court in accordance with N.J.S.A. 40A:14-148.
 - (3) A verbatim transcript shall be made of said hearing, the cost of which shall be paid 1/2 by the Township and 1/2 by the accused.
- E. Hearing officer. The hearing officer for the hearing, pursuant to Subsection C above, shall be the Township Administrator, unless, in the Administrator's sole discretion and for any reason, the Administrator appoints an independent third party to serve as hearing officer. In the event that the Administrator appoints a third party to serve as hearing officer, the Township shall bear the entire expense and/or cost of the services of said third party. In the event that a third party serves as hearing officer, said hearing officer shall make findings

and recommendations in accordance with Subsection F below and transmit them within 30 days of the date of the hearing to the Township Administrator. Within 30 days of the date of the receipt of the hearing officer's report of findings and recommendations, the Township Administrator will issue the final decision, which may affirm, modify or reject the report of the hearing officer. For purposes of this § 75-9, all references to the hearing officer's decision shall mean the administrative final decision after review of any independent third-party report.

- F. Decision. The hearing officer shall decide the guilt or innocence of the accused based on a preponderance of the evidence. The decision of the hearing officer shall be set forth in a detailed report, including specific findings of fact, and if the guilt of the accused is established, explanation shall be provided of the penalty to be imposed.
- G. Penalties. In the event that the hearing officer determines the guilt of the accused, the hearing officer may impose any of the following penalties against the accused, singly or in combination, in the hearing officer's discretion:
 - (1) Removal from office as a member of the Police Department and employee of the Township.
 - (2) Reduction in rank.
 - (3) Suspension from duty without pay for any period not to exceed six months.
 - (4) Suspension with pay for any period.
 - (5) Any of the above penalties singly or in combination with each other.
- H. Acquittal. In the event that the hearing officer determines that the accused is not guilty of the offense charged, said charges shall be dismissed and the accused shall be reinstated; and if the accused had been suspended without pay, any back pay accrued during the period of suspension shall be paid to the accused.
- I. Appeals. Any member of the Police Department who has been convicted after any hearing pursuant to this § 75-9 may obtain review of said conviction in the Superior Court pursuant to N.J.S.A. 40A:14-150, which said review shall be heard de novo on the record below made pursuant to Subsection D(3) above.

§ 75-10 Conformance to rules and regulations.

It shall be the duty of each officer and member of the Police Department to carefully read and strictly conform to this chapter and the rules and regulations of the Police Department prescribed by resolution of the Township Council.

§ 75-11 Release of information; fees.

- A. The Chief of the Township Police Department shall prescribe, in writing, regulations governing the release of noncriminal information from the files of the Township Police Department. Such regulations shall specifically set forth that noncriminal information which may be released by the Township Police Department and all other information shall be treated as confidential and shall not be released, unless by order of a court of competent

jurisdiction or by authority of the Chief of the Township Police Department.

- B. Any person desiring noncriminal information from the files of the Township Police Department shall make such request in accordance with and in the manner prescribed by regulations to be promulgated by the Chief of the Township Police Department. Checks and money orders shall be made payable to the Township of Bloomfield, and all fees shall be paid to the Township Police Department. The Chief of Police shall deliver all such fees to the Tax Collector of the Township, who shall receive and account for the same in accordance with the provisions of § 5-49 of this Code.
- C. Fees to be charged shall be as follows:
- (1) Discovery request fees.
 - (a) Standard fees. The prosecutor may charge a fee for a copy or copies of discovery. The fee assessed for discovery embodied in the form of printed matter shall be \$0.05 per letter-size page or smaller, and \$0.07 per legal-size page or larger. From time to time, as necessary, these rates may be revised pursuant to a schedule promulgated by the Administrative Director of the Courts. If the prosecutor can demonstrate that the actual costs for copying discovery exceed the foregoing rates, the prosecutor shall be permitted to charge a reasonable amount equal to the actual costs of copying. The actual copying costs shall be the costs of materials and supplies used to copy the discovery but shall not include the costs of labor or other overhead expenses associated with making the copies, except as provided for in Subsection C(1)(b) of this rule. Electronic records and non-printed materials shall be provided free of charge, but the prosecutor may charge for the actual costs of any needed supplies such as computer discs.
 - (b) Special service charge for printed copies. Whenever the nature, format, manner of collation, or volume of discovery embodied in the form of printed matter to be copied is such that the discovery cannot be reproduced by ordinary document copying equipment in ordinary business size, or is such that it would involve an extraordinary expenditure of time and effort to copy, the prosecutor may charge, in addition to the actual copying costs, a special service charge that shall be reasonable and shall be based on the actual direct costs of providing the copy or copies. Pursuant to R. 3:10-1, defense counsel shall have the opportunity to review and object to the charge prior to it being incurred.
 - (c) Special service charge for electronic records. If defense counsel requests an electronic record in a medium or format not routinely used by the prosecutor; not routinely developed or maintained by the prosecutor; or requiring a substantial amount of manipulation or programming of information technology, the prosecutor may charge, in addition to the actual cost of duplication, a special charge that shall be reasonable and shall be based on the cost of any extensive use of information technology, or the labor cost of personnel providing the service that is actually incurred by the prosecutor or attributable to the prosecutor for the programming, clerical, and supervisory assistance required, or both. Pursuant to R. 3:10-1, defense counsel shall have the opportunity to review and object to the charge prior to it being incurred.
 - (2) Open public records requests: in accordance with Open Public Records Act, as amended,

- (3) Permit to purchase pistol or revolver: \$2.
- (4) Permit to purchase rifle or shotgun, ID card: \$5.
- (5) Fingerprints registered where required for issuance of permit or license for any civilian purpose, per card:
 - (a) Residents: \$3.
 - (b) Nonresidents: \$15.
- (6) Letter of good conduct: \$5.
- (7) Notarization of signature, each signature: \$1.
- (8) Report of record of individual when requested by prospective employer engaged in government contract of a national security nature: \$4.
- (9) Searching fee for any of the foregoing enumerated services when a report, record or photograph is not on file; record check of individual for prospective employers: \$5.
- D. No fee shall be charged for any of the enumerated services when requested by any municipality, county, state or federal agency or subdivision thereof. The fee for notarization of signature shall not apply to signatures required on application forms for commitment to mental health hospitals.

Article II

School Traffic Guards

§ 75-12 Appointments.

- A. The Township Council shall appoint qualified applicants to the position of school traffic guard, part-time, which position was created by an ordinance of the Township adopted December 3, 1956.
- B. Appointment to the position of school traffic guard shall be upon the recommendation of the Chief of Police and the Township Administrator.

§ 75-13 Qualifications.

- A. To be eligible for appointment as school traffic guard, a person shall:
 - (1) Be a resident of the Township.
 - (2) Be a citizen of the United States, of good moral character and able to read and write the English language understandably.
- B. Each appointee shall be sworn to faithful performance of the required duties.

- C. Applicants for such position or new appointees shall present themselves for a period of preassignment training of such nature and duration as the Chief of Police shall find necessary to the performance of the required duties, during which period such appointees or candidates for such position shall receive the hourly wage provided for such persons during the training period.

§ 75-14 Duties.

School traffic guards shall maintain the orderly movement of pedestrian and vehicular traffic consistent with the safety of children attending school in the Township.

§ 75-15 Duties of Police Chief.

Pursuant to the policies established by the Township Administrator, the Police Chief, with respect to school traffic guards, shall:

- (1) Supervise and command school traffic guards and shall familiarize such guards with duties of their position.
- (2) Have the authority to assign guards to such localities as shall be best suited to afford protection to school children.
- (3) Prescribe the hours of duty for school traffic guards according to the exigencies of the school or the locality where such post shall be created. A list of the posts and the hours of duty for each post shall be prominently displayed in police headquarters and a copy placed on file with the Township Council and in the financial offices of the Township.
- (4) Be authorized to assign a guard to a longer tour of duty at any post to meet special conditions which prevail in or at any of the schools of the Township.

§ 75-16 Compliance with rules and regulations.

School traffic guards shall adhere to and be governed by all the rules and regulations laid down for the guidance of the Police Department members insofar as such rules and regulations are applicable to and consistent with the special class of duty prescribed for school traffic guards. Guards shall also comply with all other applicable ordinances, rules and regulations adopted by the Council.

§ 75-17 Limited police powers.

School traffic guards shall not be a part of or in anywise be deemed members of the Police Department of the Township. Guards shall have and exercise such limited police powers as may be delegated to them by the Chief of Police.

§ 75-18 Uniforms and equipment.

Each guard shall provide and wear, at their own expense, a uniform prescribed by the Township Council, with a suitable identifying badge and such other equipment prescribed by the Chief of Police as the Chief shall find necessary in the best interest of the Township.

§ 75-19 Discipline; suspension and dismissal.

The Township Council shall have the authority to summarily dismiss any school traffic guard for any reason it shall deem sufficient. The Chief of Police shall have the authority to discipline, suspend and recommend dismissal of a guard whenever they find it to be in the best interest of

Article III
Special Law Enforcement Officers

§ 75-20 Creation of position.

In accordance with the provisions of P.L. 1985, c. 439, of the New Jersey Statutes, N.J.S.A. 40A:14-146.8 et seq., there is hereby created the position of special law enforcement officers for the Township of Bloomfield, Essex County, New Jersey. Each special officer appointed shall be subject to the requirements of this article and the additional requirements set forth in P.L. 1986, c. 2, adopted March 24, 1986.

§ 75-21 Classification; powers and duties.

The classifications of the special law enforcement officers shall be based upon the duties to be performed by said officers and are established as follows:

- A. Class One. Officers of this class are authorized to perform routine traffic detail, spectator control and similar duties as may be assigned by the Chief of Police or, in the absence of the Chief, another law enforcement officer in a supervisory capacity designated by the Chief to act in the Chief's stead. Said Class One officers are also authorized to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the New Jersey Statutes Annotated. The use of firearms by said Class One officers is strictly prohibited, and no Class One officer shall be assigned any duties which may require the carrying or use of a firearm.
- B. Class Two. Officers of this class are herewith authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. They shall be assigned such powers and duties by the Chief of Police or, in the absence the Chief, another law enforcement officer in a supervisory capacity designated by the Chief to act in the Chief's stead. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission, established within the Department of Law and Public Safety of the State of New Jersey.
- C. Auxiliary Police Force.
 - (1) Purpose: The purpose of the Auxiliary Police Force is to assist the Township Police Department in such emergencies and other situations as the Police Chief may determine.
 - (2) Appointments: Auxiliary police shall be appointed by the Mayor and Council, upon the recommendation of the Police Chief for a one-year term.
 - (3) Rules and regulations: All appointed auxiliary police officers will be governed by the same Code of Conduct that has been adopted by the Township of Bloomfield.
 - (4) Responsibility: It shall be the responsibility of the auxiliary police to assist the Township Police Department, upon the request of the Police Chief, in areas such as buildings and grounds security, enforcement of parking regulations, traffic and crowd control, document

and record maintenance, and other areas of responsibility as determined by the Police Chief.

- (5) Training course: No person shall be appointed as an auxiliary police officer unless they have successfully completed a training course as approved by the Police Chief.

§ 75-22 Compliance with other legislation governing Police Department.

All duly appointed special law enforcement officers shall be subject to the rules and regulations governing the Police Department of the Township of Bloomfield as adopted by previous ordinances, including, by description but not limitation, the Standard Operating Procedures Police Manual of the Township of Bloomfield.

§ 75-23 Appointments; terms.

Special law enforcement officers shall be appointed by the Township Council for a term not to exceed one year, which appointments shall be made at the annual reorganization meeting or at such other times as the Township Council deems it necessary to make such appointments.

§ 75-24 Compensation.

Said special law enforcement officers Class One shall not be compensated for the performance of their duties. Special law enforcement officers Class Two shall be compensated as indicated in the Township salary ranges ordinance for special law enforcement officers.

§ 75-25 Limitation on number of officers.

The number of special law enforcement officers employed by the Township of Bloomfield shall be limited as follows:

- A. Class One: not more than the number of regular police officers employed by the Township of Bloomfield.
- B. Class Two: not more than 25% of the number of regular officers employed by the Township of Bloomfield.

§ 75-26 Residency requirements.

- A. Appointments to the position of special law enforcement officer with the Township of Bloomfield shall be made with preference given to applicants as follows:
 - (1) Retired Bloomfield police officer;
 - (2) Bloomfield resident veterans;
 - (3) Bloomfield residents;
 - (4) Essex County residents;
 - (5) Other residents of counties contiguous to Essex County; and
 - (6) Other residents of the state.
- B. The Police Chief may request a waiver from following the listed preference from the Mayor

and Council, taking into account the specific level of experience and the unique competencies needed to fulfill the obligations of the job descriptions.

§ 75-27 Qualifications.

A. No person may be appointed a special officer unless the person:

- (1) Is a resident of the State of New Jersey during the term of appointment.
- (2) Is able to read, write and speak the English language well and intelligently and has a high school diploma or equivalent.
- (3) Is sound in body and of good health.
- (4) Is of good moral character.
- (5) Has not been convicted of any offense involving dishonesty or which would make them unfit to perform the duties of special officers.
- (6) Has undergone the same psychological screening that is required of all full-time police officers of the Police Department.

B. The Chief of Police shall have had the applicant fingerprinted as required by statute, conducted a background investigation of the applicant to determine the eligibility and qualifications of the applicant and reported these determinations, in writing, to the Council.

§ 75-28 Training course; firearms.

No special officer shall commence their duties until they have completed the training as required under N.J.S.A. 40A:14-146.11, as amended from time to time.

§ 75-29 Uniforms.

The uniform of special officers shall be determined by the Chief of Police and shall be in compliance with N.J.S.A. 40A:14-146.12.

§ 75-30 Supervision and direction.

- A. A special officer shall be under the supervision and direction of the Chief of Police or, in the absence of the Chief, another superior officer designated by the Chief of Police and shall perform their duties only in the Township of Bloomfield, unless in fresh pursuit of any person pursuant to Chapter 156 of Title 2A of the New Jersey Statutes.
- B. The special officer shall comply with the rules and regulations applicable to the conduct and decorum of the permanent, regularly appointed police officers of the Police Department, as well as any rules and regulations applicable to the conduct and decorum of special officers.

§ 75-31 Hours of duty.

- A. The Chief of Police may assign special officers of Class One and Class Two to perform authorized duties not to exceed 20 hours per week.
- B. Special police officers may be assigned without limit during periods of emergency.

Article IV
General Duties

§ 75-32 Duties of Police Department.

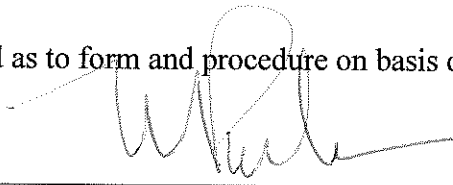
The Police Department shall preserve the public peace; protect life and property; detect, arrest and prosecute offenders of the laws of New Jersey and the ordinances of the Township of Bloomfield; direct and control traffic; provide attendance and protection during emergencies; provide appearances in court; cooperate with all other law enforcement agencies; and provide training for the efficiency of its members and officers.

Section 2. All ordinances inconsistent herewith are hereby repealed.

Section 3. This ordinance shall take effect upon final passage and publication in accordance with the law.

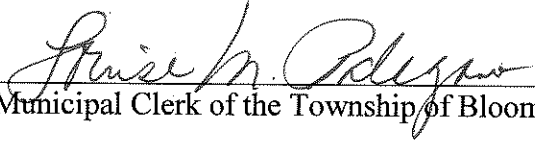
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Approved as to form and procedure on basis of facts set forth.



Director of Law-Township Attorney

I hereby certify that the above ordinance was duly adopted by the Mayor and Council of the Township of Bloomfield at a meeting of said Township Council held on February 6, 2023.



Municipal Clerk of the Township of Bloomfield



Mayor of the Township of Bloomfield

✓ Vote Record - Ordinance						
☐ Adopt		Yes/Aye	No/Nay	Abstain	Absent	
☐ Deny	Jenny Mundell	☒	☐	☐	☐	
☐ Withdrawn	Nicholas Joanow	☒	☐	☐	☐	
☐ Table	Sarah Cruz	☒	☐	☐	☐	
☐ Not Discussed	Wartyna Davis	☐	☐	☐	☒	
☐ First Reading	Ted Gamble	☒	☐	☐	☐	
☐ Table with no Vote	Richard Rockwell	☒	☐	☐	☐	
☐ Approve	Michael J. Venezia	☒	☐	☐	☐	
☐ Veto by Mayor						
☐ Discussion						
☐ Defeated						
☐ Discussion No Vote						

✓ Vote Record - Ordinance						
☐ Adopt			Yes/Aye	No/Nay	Abstain	Absent
☐ Deny						
☐ Withdrawn						
☐ Table	Jenny Mundell		☒	☐	☐	☐
☐ Not Discussed	Nicholas Joanow		☒	☐	☐	☐
☐ First Reading	Sarah Cruz		☒	☐	☐	☐
☐ Table with no Vote	Wartyna Davis		☐	☒	☐	☐
☐ Approve	Ted Gamble		☒	☐	☐	☐
☐ Veto by Mayor	Richard Rockwell		☒	☐	☐	☐
☐ Discussion	Michael J. Venezia		☒	☐	☐	☐
☐ Defeated						
☐ Discussion No Vote						