

## ORDINANCE 2022:1515

### AN ORDINANCE AMENDING CHAPTER 75, THE BOROUGH OF HADDON HEIGHTS ENTITLED "POLICE DEPARTMENT" OF THE CODE OF THE BOROUGH OF HADDON HEIGHTS, COUNTY OF CAMDEN AND STATE OF NEW JERSEY

#### Article I

#### Establishment; Membership

##### § 75-1 Department established.

A Police Department is hereby established in the Borough of Haddon Heights pursuant to N.J.S.A. 40A:14-118 et seq.

##### § 75-2 Composition of Department.

The Police Department may consist of a Chief of Police, a Captain, a Lieutenant, four Platoon Sergeants, a Detective, 10 patrol officers, and special law enforcement officers and such other employees and police officers as the Borough Council may determine to be necessary, who shall perform the duties hereinafter set forth and such other duties as may be prescribed by rules and regulations promulgated from time to time for the government of the Police Department, as provided in § 75-8.

##### § 75-2.1 Temporary appointments.

Notwithstanding anything herein to the contrary, the Borough Council may make such temporary appointments to any rank on such terms and conditions as the Council may determine to be in the best interests of the Borough.

##### § 75-3 Chief of Police powers and duties.

- A. The Chief of Police shall be the executive head of the Police Department and shall be responsible for its efficient operation. All orders and instructions to the members of the Department shall be transmitted through the Chief, who shall be under the supervision of and responsible to the Mayor, and Director of Police and Fire, as appointed by the Borough Council.
- B. It shall be their duty to obey all rules and regulations for the government of the Police Department and to see that they are strictly obeyed by all members of the Police Department, and they shall:
  - (1) See that all public laws and Borough ordinances are enforced.
  - (2) Assign the duties and work schedules of their subordinates.
  - (3) Have authority to suspend any subordinate, without pay, pending hearing and disposition by the Mayor and Director of Police and Fire of written charges.
  - (4) Submit to Mayor and Council, at its regular meeting each month, a written report of the activities of the Police Department during the previous month.
  - (5) Submit to Mayor and Council, at its organization meeting, a consolidated written report of the activities of the Police Department during the preceding calendar year (6) Notify the Mayor and Director of Police and Fire if illness or other cause shall require their absence from duty.
  - (7) Keep, with the assistance of such subordinate as they shall designate, a book to be known as the "Desk Complaints, Incident Reports and Log Book," in which shall be entered all happenings, circumstances or events which shall occur during each day in which the Police Department or any of

its members shall be involved. The record shall disclose:

- (a) The name and address of every person charged with an offense and whether an arrest was made.
  - (b) The nature of the offense and time of occurrence.
  - (c) The name of the officer.
  - (d) The names and addresses of all witnesses.
  - (e) The disposition of the matter.
  - (f) Special circumstances or remarks.
- C. They are the administrative head and the commanding officer of the Police Department. Subject to the rules and regulations prescribed by the Mayor and Director of Police and Fire, they shall maintain or cause to have maintained constant supervision of the general conduct and efficiency of the Police Department and shall be responsible therefore.
- D. It shall be their duty to see that the laws of the state and ordinances of the Borough are duly observed and enforced throughout the Borough.
- E. They will, within the limits of the budget of the Department, submit estimates of costs and requests for equipment and personnel deemed necessary to handle the business of the Department.
- F. They are responsible for the contact, liaison and cooperation of the Police Department with other departments of the Borough and the departments and agencies of federal, state and other local governments.
- G. They shall have the power to assign any and all members of the Department to their respective duties and to require them to perform the same, and they shall assign the officers in their command to such duties as in their judgment shall be for the best interest of the Department and for the safety and welfare of the residents of the Borough of Haddon Heights.
- H. They shall appoint a ranking officer to be their Executive Officer for the purpose of putting into effect all orders and instructions that may be issued from time to time.

**§ 75-4 Captain of Police powers and duties.**

- A. The Captain of Police is next in command to the Chief of Police, and in every case of absence or disability of the Chief of Police, the Captain shall perform all of the duties of the Chief of Police.
- B. The Captain shall have the following duties, responsibilities and authority:
- (1) They will assist the Chief with the administration of the Department in personnel assignments, vacation schedules, equipment requirements, etc.
  - (2) They will ensure that general orders, departmental procedures and assignments are being executed thoroughly and promptly.
  - (3) They will observe the Lieutenant, Sergeants, Detective and patrol officers in the performance of their daily duties and will comment and instruct if necessary.

- (4) They will review all police reports and prescribe action, as indicated.
- (5) They shall see that every member of the Police Department is properly instructed in their duties by the Sergeants, paying particular attention to the instructions of new members of the force. They shall see that the Sergeants require all members of the Department to be attired in the proper uniform, with the proper equipment to perform their duties.
- (6) They shall, from time to time, review the manner in which the crossing guards perform their duties and instruct if necessary.
- (7) They shall be directly responsible to the Chief of Police for the maintaining of all records, data, files and inventory of the Police Department. They shall ensure that a modern and progressive filing system is kept and supervise its maintenance and security.
- (8) They will make observations of new procedures and review existing procedures so as to make recommendations for increased efficiency. They shall supervise all personnel assigned to them and be responsible for their conduct and efficiency.
- (9) They shall keep records of all supplies, equipment and materials assigned to the Police Department and shall know their whereabouts or to whom they are assigned. They shall also keep the running inventory, know the average rate of consumption and reorder when necessary.
- (10) They shall make up the Department payroll and submit it to the proper office for processing of pay.
- (11) They shall keep a record of the time of Department personnel and such other records as the Chief of Police may direct.
- (12) They shall not depart from established policy in their duties or responsibilities.
- (13) They shall perform such duties as may be assigned to them by the Chief of Police.
- (14) They shall be the Court Officer for the Department.
- (15) They shall assist with zoning enforcement.
- (16) They shall be responsible for the maintenance and upkeep of all departmental vehicles.

**§ 75-4.1 Lieutenant of Police powers and duties.**

- A. The rank of Lieutenant shall be next in command to the Police Captain. In the case of the absence of the Captain, the Lieutenant shall perform all duties of the Captain.
- B. The Lieutenant shall have the following duties, responsibilities and authority:
  - (1) Shall have charge of police investigative activities providing supervision to personnel while performing their investigative functions as well as the direct supervision of the Class II and Class III officers assigned to the Board of Education.
  - (2) They are directly responsible for overseeing all the duties of the Detective Bureau, including but not limited to, assignment and instruction of subordinates in investigative practices and related law enforcement problems.

- (3) Receive complaints and makes necessary investigations.
- (4) Provide needed information to citizens and others.
- (5) Give testimony in court.
- (6) Prepare and direct the preparation of reports.
- (7) Enforce departmental rules and regulations and insure compliance with departmental policies and procedures.
- (8) Learn and utilize various types of electronic and/or manual recording and computerized information systems used by the department.
- (9) Correct and edit data in electronic (live-scan) fingerprinting system or fingerprint cards. Communicate with patrol on inaccurate submissions.
- (10) Notify the officer and their immediate supervisor of missing or incomplete submissions.
- (11) Identify those complaints that are required to have fingerprints submitted to the NJSP Records Unit.
- (12) Conduct background checks on departmental personnel, solicitor permit applicants and any request from outside agencies on current or former residents and forward results to the Chief of Police and requesting agencies.
- (13) Enter cases into the Infoshare data base.
- (14) Check all case files for consistency and accuracy in data entry.
- (15) Perform all of the duties listed, and exercise the authority and perform the duties of a Detective, Patrol Officer or Sergeant when and if necessary.
- (16) Perform the duties of the Evidence/Property Custodian.
- (17) Shall be the Evidence/Property Officer under the direction of the Captain and is responsible to receive, inventory and maintain custody of property and evidence submitted by department personnel.
- (18) Maintain a written database that reflects status of property at all times.
- (19) Assist officers in the proper packaging procedure and submissions of evidence as well as conferring with them on the status of various cases.
- (20) Act as a liaison with other agencies, including the courts, prosecutors and probation office in matters of property and evidence.
- (21) Testify in court as an authority regarding the department's evidence procedures and practices.
- (22) Safely handle, store and package weapons, controlled dangerous substances and biological items.
- (23) Log items into evidence and transported items to and from state labs as required.

- (24) Conduct timely transportation of evidence for analysis to the New Jersey State Police Labs in Hammonton, Sea Girt, Hamilton, Newark and Trenton and shall pick up and return submissions to the Borough's Police evidence room along with provided reports.
- (25) Assist with the processing of items for forensic examination and any additional duties assigned by the Captain or Chief.

**§ 75-5 Platoon Sergeant powers and duties.**

- A. The Platoon Sergeant is next in command to the Lieutenant of Police and, unless otherwise so stated, in every case of absence or disability of the Chief of Police, the Captain of Police, and the Lieutenant of Police will assume command during their tour of duty and will ensure that general orders, departmental procedures and assignments are being executed thoroughly and promptly.
- B. The Platoon Sergeant shall have the following duties, responsibilities and authority:
  - (1) It shall be the duty of the Platoon Sergeant to report at police headquarters 20 minutes before their tour of duty starts to acquaint themselves with police information and activity that has occurred during their absence and to prepare themselves for their coming tour of duty. They shall see that the officers under their command are promptly instructed as to their duties and that all orders are promptly and properly carried out.
  - (2) They shall make careful inspection of each member of their platoon to ascertain that they are properly uniformed and equipped to perform their duties properly. If any patrol officer in their platoon are in any way unfit for duty or improperly uniformed or equipped, they shall report such fact to their superior officer immediately. In the absence of a superior officer, they will take the necessary measures to correct this situation.
  - (3) They shall see that officers reporting to them properly relieve the officers who are going off duty, without reasonable delay.
  - (4) They shall constantly patrol the Borough, and they shall check on the work of the patrol officers on traffic and in patrol cars and determine whether police duties, orders and instructions are promptly and efficiently performed.
  - (5) During their tour of duty they shall inspect or supervise such inspection of all police vehicles used by them or the officers under their command, noting their condition and serviceability, and if they finds that any police vehicle is in need of repair or unsafe to operate they shall notify the Captain and submit a report to them.
  - (6) They shall prepare a daily activity report, listing the activities of the officers under their command during their tour of duty. They shall list all summonses issued, record the mileage for each patrol car and have each vehicle used by them or officers in their command inspected, noting their condition before their tour of duty ends.
  - (7) They shall review all written reports made by the officers under their command during their tour of duty, and if they meet with their approval, they shall so approve them. If reports fail to meet with their approval, they shall instruct as to the proper form and information to be supplied. All police activity occurring within a tour of duty must be properly reported, in writing and on the prescribed forms, before the Sergeant and the officers under their command leave the police station.
  - (8) If they are unable to report for duty because of illness, they shall notify the senior officer on their

shift and relay any information of concern to the senior officer.

- (9) They are responsible for the operation of the headquarters and their dispatcher.
- (10) They shall accept bail for persons charged with offenses in which the Department is authorized to accept bail. They shall, during their tour of duty, keep all such moneys or other moneys coming into their possession in a place provided solely for such purpose.
- (11) They shall be responsible for all moneys received, property taken from prisoners, either as evidence of a crime or for safekeeping, and/or any other moneys, valuables or other property entrusted to them. They will complete the necessary forms for held or confiscated property, making certain that one copy is filed properly and the other copy is given as a receipt.
- (12) They shall be responsible for all prisoners who are confined to cells and shall make sure that all persons confined are searched. They shall not permit the confinement in a cell of any unconscious person or any person in need of medical attention. They shall summon a doctor to police headquarters or have such person or persons taken to a doctor or to a hospital without unnecessary delay.

**§ 75-6 Appointments; probationary period; training.**

- A. The Mayor shall nominate and, with the advice and consent of the Council, appoint the Chief, the Captain, the Lieutenant, the Sergeants, the Detective, and the patrol officers, who shall severally hold their respective offices and employment, subsequent to their probationary appointment for those persons not presently members of the Police Department, during good behavior and efficiency in the performance of duty.
- B. The initial appointment of persons not presently permanent members of the Police Department shall become permanent subsequent to a six-month probationary period and successful completion of a police training course as hereinafter provided, unless the appointee has been notified in writing by the Police Committee, at least 15 days before the expiration of the probationary period, that their appointment has been terminated.
- C. No person shall hereafter be given or accept a permanent appointment as a police officer in the Borough of Haddon Heights unless such person has successfully completed a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey, pursuant to the provisions of Chapter 56 of the Laws of 1961.
- D. This article shall not prohibit the giving or accepting of a probationary or temporary appointment as a police officer, for a period not to exceed one year, to enable a person seeking a permanent appointment to complete a police training course as prescribed by the Police Training Commission.
- E. A person who holds a probationary or temporary appointment as a police officer in the Borough of Haddon Heights shall be permitted to take a police training course, and such appointee shall be entitled to a leave of absence with pay during the period of the police training course.

**§ 75-7 Salaries.**

The salary of all members of the Department shall be as prescribed by the Salary Ordinance of the Borough of Haddon Heights, as amended or supplemented from time to time.

**§ 75-8 Police Committee; rules and regulations.**

- A. The Mayor shall, immediately upon this article's becoming effective and annually thereafter at the organization meeting of Council, appoint a Director of Police and Fire.
- B. The Mayor and Director of Police and Fire, subject to the approval by the Council, shall from time to time make and promulgate such rules and regulations, not in conflict with the laws of the State of New Jersey or ordinances of the Borough, as they may deem necessary and advisable for the government of the Department, which rules are hereby incorporated herein and made a part hereof.
- C. The Mayor and Director of Police and Fire shall be the "appropriate authority" in accordance with N.J.S.A. 40A:14-118.

**§ 75-9 Hearings on charges against police.**

Pursuant to N.J.S.A. 40A:14-148, the hearing board established under the rules and regulations is designated as the body to hear and determine charges made against a member or officer of the Department.

**§ 75-10 Special law enforcement officers.**

- A. Creation of position. The Borough Council, as it deems necessary, shall appoint special law enforcement officers sufficient to perform the duties and responsibilities permitted by ordinance of the Borough of Haddon Heights and authorized by N.J.S.A. 40A:14-118. No such appointment shall be made until the enforcement officer designated by the Chief of Police, or in the absence of the Chief, the chief law enforcement officer designated by the Chief of Police, shall have certified, in writing, that an applicant for the position of special law enforcement officer is both eligible and qualified to hold the position.
- B. Qualifications. No person may be appointed as a special law enforcement officer unless such person:
  - (1) Is a resident of the State of New Jersey during the term of the appointment.
  - (2) Is able to read, write and speak the English language well and intelligently and has a high school diploma or its 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 which would make them unfit to perform the duties of the office of special law enforcement.
  - (6) Has successfully undergone the same psychological testing that is required of all full-time police officers.
  - (7) Complies with all other requirements set forth in N.J.S.A. 40A:14-146.8 et seq., the Administrative Rules and Regulations of the Division of Police and the general ordinances of the Borough of Haddon Heights.
- C. Classification. Special law enforcement officers shall be classified as belonging to either Class One or Class Two, based upon the duties to be performed by each class, as follows:

- (1) Class One. Officers of this class shall be 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, the law enforcement officer designated by the Chief of Police. Class One officers shall have the power to issue summons for disorderly persons and petty disorderly persons offenses, violations of Borough ordinances and violations of N.J.S.A. 39:1-1 et seq. The use of a firearm by a Class One special law enforcement officer shall be strictly prohibited, and no Class One special law enforcement officer shall be assigned any duty which may require the carrying or use of a firearm.
  - (2) Class Two. Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer. The use of a firearm by a Class Two special law enforcement officer may be authorized only after the officer shall have been fully certified as successfully completing training, as prescribed by the Police Training Commission established in the Department of Law and Public Safety.
- D. Training course. No person shall commence duties as a special law enforcement officer until having successfully completed a training course approved by the Police Training Commission. In addition, no Class Two special law enforcement officer shall be issued a firearm prior to having successfully completed the basic firearms course required by the Police Training Commission of permanent, regularly appointed police and biannual requalification examinations.
- E. Persons ineligible for appointment. No person shall be eligible to serve as a special law enforcement officer in the Borough if that person intends to serve as a special law enforcement officer in another municipality nor shall any permanent, regularly appointed full-time police officer be permitted to simultaneously serve as a special law enforcement officer in the Borough. No public official with responsibility for setting law enforcement policy or exercising authority over the budget of the Borough or supervision over the Division of Police shall be appointed as a special law enforcement officer.
- F. Powers of authority. The Chief of Police, or in the absence of the Chief of Police such other law enforcement officer designated by the Chief, may authorize special law enforcement officers when on duty to exercise the same powers and authority as permanent, regularly appointed police officers, including but not limited to the carrying of firearms and the power of arrest, subject to the rules and regulations, not inconsistent with the certification requirements of N.J.S.A. 40A:14-146.8 et seq., as may be established pursuant to the ordinances of the Borough of Haddon Heights.
- G. Appointment; term; revocation. A special law enforcement officer may be appointed for a term not to exceed one year. The powers and duties of a special law enforcement officer shall cease at the expiration of the term to which the special law enforcement officer shall have been appointed. At the expiration of such term, the Council shall have the absolute discretion in determining whether to reappoint. The appointment of a special law enforcement officer may be revoked by the Council for cause, after a hearing, unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing. Special law enforcement officers so appointed shall not be considered members of the police force of the Borough of Haddon Heights.
- H. Duty times. A special law enforcement officer shall be deemed to be on duty only while performing the public safety functions on behalf of the Borough pursuant to N.J.S.A. 40A:14-146.8 et seq., and when receiving compensation, if any, from the Borough, at the rates or stipends as established by ordinance. A special law enforcement officer shall not be deemed to be on duty while performing private security duties for private employers, which duties are not assigned by the Chief of Police or their designee, or while receiving compensation of such duties from a private employer. A special law enforcement officer may, however, be assigned by the Chief of Police or their designee to



perform public safety functions for a private entity if the Chief, or their designee, supervises the performance of the public safety functions. If the Chief of Police, or their designee, assigns a public safety duty and supervises the performance of those duties, then, notwithstanding that the Borough is reimbursed for the cost of assigning a special law enforcement officer at a private entity or function, the special law enforcement officer shall be deemed to be on duty. Every effort must be made by the Chief of Police to fulfill public safety functions for private employers with the assignment of overtime for permanent, regular officers first, prior to assigning special law enforcement officers to perform these duties.

- I. Supervision; conduct. A special law enforcement officer shall be under the supervision and direction of the Chief of Police, or their designee, and shall perform all duties solely within the Borough, unless in fresh pursuit of any person pursuant to N.J.S.A. 2A:156-1 et seq. A special law enforcement officer shall comply with the rules and regulations applicable to the conduct and decorum of the permanent, regularly appointed police officers of the Borough as well as all rules and regulations applicable to the conduct and decorum of special law enforcement officers.
- J. Hours worked; number of special law enforcement officers. No special law enforcement officer may be employed, except during a period of emergency, for more than 20 hours per week by the Police Department. The number of Class One special law enforcement officers employed by the Borough shall not exceed four. The number of Class Two special law enforcement officers employed by the Borough shall not exceed 25% of the total regular police officers.
- K. Understanding. Special law enforcement officers may be employed only to assist the Division of Police but may not be employed to replace or substitute for full-time, regular police officers or in any way diminish the number of full-time officers employed by the Borough.

**§ 75-11 Appointments in time of emergency.**

In case of riot, mass breach of the peace or sudden or unanticipated danger or emergency, the Mayor or, in their absence or disability, the President of Council or, in their absence, the Director of Police and Fire may appoint as many additional special law enforcement officers as the occasion may demand.

**§ 75-12 Oath of office.**

All members of the Police Department and all special law enforcement officers shall, before entering upon the duties of their office and in any event within 10 days after their appointment, severally take and subscribe to the oath of office as prescribed by the New Jersey Statutes Annotated and file the same with the Borough Clerk.

**§ 75-13 Knowledge of rules and regulations by members.**

Each member of the Police Department shall be presented with a copy of the rules and regulations for the government of the Police Department and shall be responsible for a complete knowledge thereof.

**§ 75-14 Headquarters.**

The headquarters of the Police Department is hereby established at the Borough Hall and shall be open for the conduct of business of the Department 24 hours of the day, including Sundays and holidays.

Article II  
**Police Manual**

**§ 75-15 Adoption of manual.**

- A. The attached Haddon Heights Police Department Manual of Rules and Regulations was introduced

on August 17, 2010, and copies have been available for public review.

- B. The attached Haddon Heights Police Department Manual of Rules and Regulations shall become effective September 21, 2010, upon a public hearing and final adoption by the governing body of the Borough of Haddon Heights.

### Article III

#### Promotion to Sergeant, Lieutenant or Captain

##### § 75-16 Eligibility for rank of Sergeant.

An officer of the Police Department who has full-time police experience with the Borough of Haddon Heights and who has 24 consecutive months completed at time of appointment shall be eligible for promotion to the rank of Sergeant.

##### § 75-16.1 Eligibility for rank of Lieutenant.

An officer of the Police Department who has full-time police experience with the Borough of Haddon Heights, who has completed at least 48 consecutive months of service completed at the time of appointment, and holds the rank of Sergeant, shall be eligible for promotion to the rank of Lieutenant.

##### § 75-17 Eligibility for rank of Captain.

An officer of the Police Department who has full-time police experience with the Borough of Haddon Heights and who has completed at least 48 consecutive months of service and holds the rank of Sergeant or Lieutenant shall be eligible for promotion to the rank of Captain.

##### § 75-18 General provisions.

- A. Interviews and a written test will be conducted for all promotions to the rank of Sergeant, Lieutenant or Captain.
- B. All officers, whether deemed eligible or not by these procedures, will be permitted to take part in the promotional process for the next-higher rank. (See §§ 75-16, 75-16.1 and 75-17 for eligibility.) Only in cases where the officer becomes eligible will the score then apply.
- C. All promotions will consist of all elements as outlined in § 75-19 of these procedures.
- D. Administration of these procedures will conform to the guidelines herein and in accordance with specific interview rules as outlined in § 75-20.
- E. Officers who encounter a demotion in rank shall be permitted to take a promotional examination. The officer shall not be eligible for promotion for a period of three years starting when the demotion takes effect. The officer will be afforded the opportunity to take the examination but it will not apply until the three-year period is complete. Any officer so demoted for disciplinary reasons, upon re-promotion, shall not retain any seniority right owing to the resumed rank.
- F. All promotions to the rank of Sergeant, Lieutenant and Captain shall be subject to a one-year probationary period. This probationary period may be extended an additional six months at the discretion of the Chief of Police for just cause. The officer must be informed of the extended probation period. Officers not successfully completing their probationary period will, for just cause, be subject to a demotion to their previous rank.
- G. The oral interview for each rank will be conducted by the Promotional Committee as provided for in § 75-19.

**§ 75-19 Preparation of interviews; point allocation.**

All interviews and point allocation shall be prepared and administered in accordance with the following guidelines:

**A. Written test.**

- (1) The written test shall consist of questions prepared by the Chief of Police or their designee. Questions must be related to departmental monthly training objectives and case law. Each officer taking the test must be given the same questions. The test will be separated into two parts: part one will be related to departmental monthly training objectives and part two will be related to case law. The Chief or their designee will grade the test and a score will be based on the correct number of answers with a maximum score of 100 for each part to the test. The table in § 75-19B(2) shall be utilized. Then, the points shall be divided by eight. Therefore, the maximum points for each part of the test shall be 5. The points from each part shall added together for a final score. The maximum points in this category shall be 10.

**B. Oral interview.**

- (1) The oral interview shall consist of questions prepared by the Promotional Committee. Questions must be related to the law enforcement profession and the rank considered for promotion. Each officer taking the interview must be asked the same questions. The interview process is to give the Promotional Committee an understanding of the officer's background as related to police work, past performance, education, leadership style and to help the Promotional Committee in the selection process. The interview committee will award officers a score based on their performance.
- (2) A maximum of 40 points shall be allocated according to the following schedule:

<b>Score</b>	<b>Points</b>
95 to 100	40
94	38
93	36
92	34
91	32
90	31
89	30
88	29
87	28
86	27
85	26
84	25
83	24
82	23
81	22
80	21
79	20
78	19
77 or less	0

**Score**

**Points**

- C. Evaluation points. Each officer will receive points based on their last two evaluations. The scores (sum) from the last two evaluations shall be added then divided by two. The semiannual evaluation periods shall be January through June and July through December for Sergeants, Lieutenant and the Captain, and November through April and May through October for patrol officers. The points shall be updated semiannually at the completion of the semiannual rating period. A maximum of 100 points will be allocated. The Chief of Police shall assure performance evaluations are completed semiannually. The Chief can change the evaluation periods at their discretion
- D. Seniority. One-quarter of a point will be given for every year of completed, full-time police service as a police officer with the Borough of Haddon Heights Police Department. A maximum of five points will be allocated. Seniority points shall be updated at the completion of the semiannual evaluation period.

**§ 75-20 Conduct of interviews; promotions.**

- A. All interviews shall be conducted in accordance with the following rules and regulations:
  - (1) The interview will be conducted on weekdays in the municipal building.
  - (2) A notice of the interview must be posted at least 30 days prior to the date of the interview.
  - (3) Any officer who is eligible to take the interview must notify the Chief of Police, in writing, at least seven days prior to the date of the interview.
  - (4) Any officer scheduled to take the interview and who is scheduled to work must make arrangements to be off, i.e., switching, compensation time, etc. In the event that an officer is scheduled to take the interview, the Chief of Police will ensure that patrol coverage is achieved by utilizing the remaining manpower at their discretion.
  - (5) All employees who take the interview will be allowed to see their own scores after the official results are announced and posted, which will be within 14 days from the date of the interview.
  - (6) If possible, officers who worked night work will be given first consideration to complete the interview.
  - (7) It is the full responsibility of the Promotional Committee to determine the confidentiality, content, guidelines, and procedures of the interview.
  - (8) At least two members from Council should be required to be on the Promotional Committee along with the Chief of Police.
  - (9) Scoring and grading of the interview will be completed by the Promotional Committee.
  - (10) The Promotional Committee will forward the interview scores to the Chief of Police within five working days of the completion of the interview.
  - (11) The Chief of Police will take the results, which were forwarded by the Promotional Committee, and compute, according to the point schedule established in these procedures, all points earned. The Chief will add those points due each officer according to the schedule for evaluation and seniority.

The complete total accumulated points will be the officer's score for promotional purposes. Officers must receive a minimum score of 60 total accumulated points to be considered for promotion. The list shall be updated semiannually in accordance with § 79-20B.

B. Sergeant, Lieutenant and Captain promotional interviews.

- (1) A promotional interview for Sergeant will be valid for a maximum period of three years from the date of the interview, which time may be extended in extraordinary circumstances as determined by Borough Council. The promotional list shall be updated by the Chief of Police after each semiannual evaluation by adding the current seniority points and evaluation points to the interview points for each officer. The three officers with the highest points shall comprise the list of the officers to be considered for promotion. The current list and the Chief of Police's recommendation will be submitted to the Promotional Committee when a position becomes available. As a promotion occurs, the next-highest-scoring officer's name will be added to the promotion list unless good cause exists not to.
- (2) A promotional interview for Lieutenant shall only be valid for the current promotion being considered. The three officers with the highest points shall comprise the list of the officers to be considered for promotion to Lieutenant. This will be determined by adding the current seniority points and the evaluation points to the interview points for each officer. The current list and the Chief of Police's recommendation will be submitted to the Promotional Committee for promotion.
- (3) A promotional interview for Captain shall only be valid for the current promotion being considered. The three officers with the highest points shall comprise the list of the officers to be considered for promotion to Captain. This will be determined by adding the current seniority points and the evaluation points to the interview points for each officer. The current list and the Chief of Police's recommendation will be submitted to the Promotional Committee for promotion.

C. College, physical fitness and range.

- (1) College. Officers who achieve a four-year degree or who have taken six credits towards same over the past two evaluations shall receive five points.
- (2) Physical fitness testing. Officers who have taken, and passed, a voluntary physical fitness test during the past year shall receive a maximum of five points. Lower scores shall be received for marginal fitness and higher for exceptional fitness. The testing, procedures and scoring are to be established by departmental standard operating procedure.
- (3) Firearms qualification. Officers who have shown proficiency with the Departmental handguns shall be eligible for up to five points. Scores shall be averaged out for the last two handgun qualifications. The qualifications and testing shall be in accordance to Attorney General guidelines. Scoring shall be based on departmental standard operating procedure.

D. Residency.

- (1) Officers who live in the Borough, but do not own a residence, for the past two full rating periods shall receive five points. Officers who live and own a residence in the Borough shall receive five points.
- (2) In the event that two or more candidates achieve the same final average score, a resident of Haddon Heights shall be selected prior to a nonresident. In the event that more than one candidate achieving

the same final average score is a resident or in the event that all achieving the same final average score are nonresidents, then the Promotional Committee shall make the selection of the officer to be considered for promotion.

#### Article IV **Hiring Police Officers**

##### § 75-21 **Eligibility.**

To be eligible for appointment, an officer must be:

- A. A citizen of the United States and a resident of the State of New Jersey.
- B. In good health, etc., sufficient to satisfy the Board of Trustees of the Police and Firemen's Retirement System of New Jersey as to their eligibility for membership in the retirement system.
- C. Able to read, write and speak the English language well and intelligently.
- D. Of good moral character and must not have been convicted of any criminal offense involving moral turpitude.
- E. Able to perform all the duties and responsibilities of a patrol officer as outlined in the Police Manual.
- F. The current holder of, at a minimum, an Associates Degree or have at least two years of college completed.

##### § 75-22 Hiring procedures; modification of procedures.

- A. All qualified candidates are required to take a police officer entrance examination.
- B. All qualified candidates are required to take a physical assessment.
- C. All qualified candidates are required to have a psychological assessment.
- D. All qualified candidates are required to attend an oral interview.
- E. All qualified candidates are required to take a reading and writing comprehension test.
- F. The hiring process may be modified by resolution duly adopted by the Borough Council

##### § 75-23 Tests.

- A. The written entrance examination will be given by the New Jersey Police Chiefs Association.
- (1) The Haddon Heights Police Department shall collect a testing fee as set forth in Chapter 213, Fees, from each eligible candidate in order to cover the costs charged by the New Jersey Police Chiefs Association, provided that any eligible candidate who cannot pay the nominal fee may have the fee waived after proper application is made to the Chief of Police.

#### Article V

## Off-Duty Employment

### § 75-24 Off-duty employment.

- A. Haddon Heights police officers shall be permitted off-duty police-related employment only during off-duty hours and at such times as will not interfere with the efficient performance of regularly scheduled or emergency duty for the Borough of Haddon Heights.
- B. All off-duty police-related services performed by a Haddon Heights police officer shall be in their official capacity as an employee of the Haddon Heights Police Department and shall be subject to the control and supervision of the Police Department.
- C. Haddon Heights police officers are prohibited from engaging in any employment for police-related services with any private person, corporation or any other entity except in the manner set forth in this article.

### § 75-25 Definitions.

As used in this article, the following terms shall have the meanings indicated:

#### **APPLICANT**

The person, corporation or other legal entity employing a Haddon Heights police officer to provide off-duty police-related services.

#### **OFF-DUTY EMPLOYMENT**

Any employment by a Haddon Heights police officer where the source of compensation to the police officer does not originate from the municipal budget line for police salaries and wages.

### § 75-26 Request for off-duty employee.

- A. Applicants seeking to employ off-duty police officers shall make said request through the Chief of Police or Police Captain.
- B. The request shall be in writing, except in case of emergency, and shall include the specific nature of services desired.
- C. Approval shall be granted if, in the opinion of the Chief of Police or Police Captain, such employment 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.
- D. The Chief or Captain may assign police officers for police-related services based on a determination that police-related services are required for the public safety.
- E. All costs for said police-related services shall be the responsibility of the applicant on whose behalf the services are provided and shall be paid as set forth in Article V, § 75-24 hereof.

### § 75-27 Assignment of police officers.

The Borough police department shall maintain a list of police officers who have volunteered for off-duty employment. Assignment of off-duty police work shall be made in accordance with a rotation list to be maintained by the Chief of Police or Police Captain. When a police officer refuses an assignment, the officer's name will be placed at the bottom of the list. When there is insufficient personnel to cover an assignment, then the Captain shall fill in.

**§ 75-28 Police uniforms, equipment and vehicles.**

Haddon Heights police officers performing off-duty police-related services for applicants shall be in full police uniform while said services are being provided. However, Haddon Heights police vehicles shall not be used by police officers during the performance of off-duty police-related services unless specifically authorized by the Chief of Police or Police Captain.

**§ 75-29 Escrow account; payment required.**

- A. Any applicant requesting the services of an off-duty police officer shall estimate the number of hours such services are required, which estimate is to be approved in writing by the Chief of Police or Police Captain, and shall deposit an amount sufficient to cover the rate of compensation and administrative fees for the total estimated hours of service in the escrow account - off-duty employment established by the Chief Financial Officer.
- B. A separate dedicated-by-rider trust fund (escrow-off-duty employment) shall be established by the Chief Financial Officer and all funds collected and disbursed relating to off-duty employment shall be made through said account.
- C. Prior to accepting any request for services of off-duty law enforcement officers, the Chief of Police or Police Captain shall verify that the balance in the escrow account of the applicant requesting services is sufficient to cover the compensation and fees for the number of hours specified in the request for services. The Chief of Police or Police Captain shall not approve a request for services from any applicant unless all fees and compensation required in the manner described above have been deposited with the Chief Financial Officer. No police officer shall provide any services for more hours than are specified in the request for services.
- D. In the event the funds in such an escrow account should become depleted, services of off-duty police officers shall cease and request for further services shall not be performed until additional funds have been deposited in the escrow account.
- E. The applicant requesting such services shall be responsible for ensuring that sufficient funds remain in the escrow account to avoid any interruption of services.

**§ 75-30 Authorizing contract.**

The Chief of Police or Police Captain is hereby authorized to execute an agreement to the applicant for services required, which agreement shall set forth, inter alia, 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.

**§ 75-31 Compensation, rates and fees.**

- A. Applicants hiring Haddon Heights police officers for off-duty employment shall be charged pursuant to a schedule set annually by Council by resolution, which includes an hourly rate of pay for the police officer; a fair and reasonable sum (percentage of hourly rate) representing the administrative costs, overhead and out-of-pocket expenses; and, when applicable, the cost for the use of a police vehicle for providing this service.



- (1) Traffic control: \$85 per hour.
- (2) Other traffic control: \$85 per hour per full-time police officer.
- (3) Other police services: \$85 per hour per full-time police officer.
- (4) Police vehicles: \$15 per hour per vehicle.
- (5) Overhead rate: 15% per hour to cover administrative and overhead cost.

B. Police services.

- (1) Board of Education services.
  - (a) Officer on school property: \$55 per hour per full-time police officer.
  - (2) County traffic control officer rate: \$75.53 per hour per officer.
  - (3) County traffic vehicle rate: \$5 per vehicle per hour.
  - (4) County traffic administrative rate: \$2.78 per hour.

C. Borough Council shall meet with PBA representatives and shall adjust the off-duty employment hourly rate contained herein by resolution on a yearly basis. That increase, upon agreement of both parties, shall be based on the projected increase in officers' salary for that calendar year.

**§ 75-32 Payments to police officers.**

- A. All sums due to a police office performing off-duty employment shall be paid subsequent to the submission of a time sheet which is approved by the Chief of Police or Police Captain.
- B. Payment shall be made through the payroll process.

**§ 75-33 Insurance.**

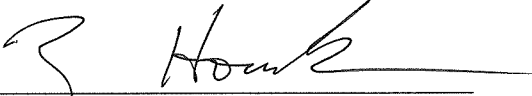
The applicant shall be responsible for providing all insurance coverage as required by law. The applicant shall provide the Borough of Haddon Heights with appropriate insurance certificates insuring that the police officer and the Borough of Haddon Heights are covered by general liability coverage and workman's compensation with respect to the services to be provided.

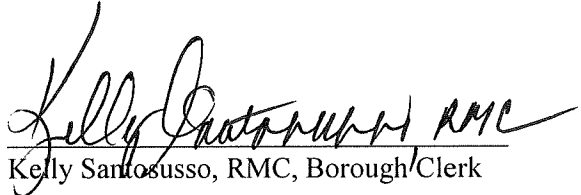
**§ 75-34 Indemnification.**

- A. To the fullest extent permitted by law, the applicant shall indemnify, defend, and hold harmless the Borough of Haddon Heights, its agents and employees, from and against all claims, damages, losses, liabilities, and expenses, including but not limited to attorney's fees and court costs arising out of, resulting from or in any way relating to, either directly or indirectly:
  - (1) The performance of work;
  - (2) Any and all claims by said police personnel for injuries and/or illnesses while performing the off-duty employment;
  - (3) The breach by the petitioner of any of the terms and conditions of the agreement;

- (4) The negligent or intentional acts or omissions of the police, and/or the applicant, its employees, agents and/or subcontractors;
  - (5) Bodily injury, sickness and/or disease, including death, at any time resulting from such bodily injury, sickness or disease, sustained by any person while in, on or about the site and surrounding areas where such injury, sickness, disease and/or death arose out of or was in any way connected with the work of, the performance of, or failure to properly perform the work;
  - (6) Any liability based upon the petitioner's negligence imputed to the Borough of Haddon Heights;
  - (7) Damage to property of the petitioner, the Borough of Haddon Heights or any other person or entity arising out of, incident to, or in connection with the performance of the work;
  - (8) Laborers, mechanics and materialmen's liens, and all other liens and charges of every character whatsoever, arising out of work to be performed by this agreement; and/or
  - (9) Any other cause of action which may be brought against the Borough of Haddon Heights arising out of or in any way relating to the work and petitioner's obligations hereunder.
- B. This indemnification and hold harmless agreement shall apply in all instances, whether the Borough of Haddon Heights is 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 in-pleading 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.

Introduced: MARCH 1, 2022  
Public Hearing: MARCH 15, 2022  
Final Adoption: MARCH 15, 2022

  
\_\_\_\_\_  
Mayor Zachary Houck

ATTEST:   
Kelly Santosusso, RMC, Borough Clerk