

Donna Belton

21-163

From: Anonymous34623 <opra+request-20174-581ff7de@requests.opramachine.com>
Sent: Tuesday, February 09, 2021 11:00 PM
To: clerkforms
Subject: OPRA request - Howell Township PBA 228 Contract Supporting Documents

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Dear Howell Township,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Please provide a copy of the letter received by the township from the Monmouth County Chief's of Police Association and all associated emails and/or documents to Mayor Theresa Berger and the governing body regarding the Howell Township PBA Local 228 contract negotiations. This was discussed in detail at the council meeting on February 9th, 2021.

Yours faithfully,

Anonymous Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:

opra+request-20174-581ff7de@requests.opramachine.com

Is clerkforms@twp.howell.nj.us the wrong address for OPRA requests to Howell Township? If so, please contact us using this form:

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**Monmouth County
POLICE CHIEFS ASSOCIATION
of New Jersey
Incorporated**

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February 9, 2021

Via E-Mail

Mayor Theresa Berger and Council
4567 Rt.9
Howell, N.J. 07731

RE: INTERFERENCE OF POLICE OPERATIONS

Dear Mayor Berger,

Howell Police Chief Kudrick regrets to have solicited the assistance of the Monmouth County Police Chief's Association. He is forced to do so as direct contact with you or the governing body would be a violation of an administrative directive issued by Township Manager Brian Geoghegan (manager). The issue is of significance importance and time is critical. Chief Kudrick has attempted to address this issue with Mr. Geoghegan however he ignored the chief's communications.

The issue surrounds the decision by the manager within the proposed Howell P.B.A. collective bargaining agreement ("contract") that allows vacation days of the officers to take precedent over the scheduling of mandatory training. In addition, the new wording strictly limits the amount of training days that would be authorized from several weeks to only several days. An appropriate authority (manager) should never attempt to interfere with the day-to-day operations of the police department. Nonetheless include provisions in a labor agreement that adversely affect the operations of a police department. It is the position of this association Mr. Geoghegan's actions are a clear violation of both your local ordinance § 2-36 and N.J.S.A. 40A:14-118 of state law both of which clearly delineate the authority of the chief of police to manage the day-to-day operations of the police department.

This is highly concerning to the association as this could have a contagious effect on other unions throughout the county and subsequently cause the very same issues for those police chiefs. As such, the Executive Board of the Monmouth County Police Chief's Association has unanimously agreed to support Chief Kudrick as he protects the integrity of the Howell Police Department. This support

Mayor Theresa Berger
Re: INTERFERENCE OF POLICE OPERATIONS
February 9, 2021
Page 2

includes potential legal action. That is not the desired course of action by this association. Rather, we believe this issue can be easily resolved as it should have never occurred.

We respectfully request you and the governing body table the contract in its current form. The issues of concern should be removed entirely from the contract. It has never existed in prior contracts for obvious reasons. Further, we recommend you direct Mr. Geoghegan and anyone else under his authority or fellow elected officials to refrain from further interference of the day-to-day operations of the police department. This is the second such incident to occur. Last year, the prosecutor's office had to intervene when the Director of Law Mr. Joe Clark improperly attempted to gain access to the police department's email server.

Chief Kudrick's communications to Mr. Geoghegan outlining his concerns and recommendations are available upon request.

We strongly encourage Mr. Geoghegan heed the warnings and concerns of Chief Kudrick. Failure to do so will have a detrimental effect on the police department and taxpayers of Howell Township.

If you would like additional information or guidance on this issue, please feel free to contact me.

Sincerely,



Chief Michael Bauer
Vice President

Cc: Honorable Christopher J. Gramiccioni
Prosecutor, Monmouth County Prosecutor's Office

Mr. Robert A. Honecker, Jr.
General Counsel, Monmouth County Police Chief's Association
Ansell Grimm & Aaron, PC

Chief Raymond Haducka
Chairman, Legal Aid and Arbitration
New Jersey State Association of Chiefs of Police