

WILENTZ

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Via email opra+request-1360-4f27b673:requests.opramachine.com
PSNJ, Ironbound Media

**RE: Borough of Avon-by-the-Sea
Monmouth County, New Jersey
OPRA Request**

To Whom It May Concern:

I serve as Municipal Attorney for the Borough of Avon-By-The-Sea, Monmouth County, New Jersey (hereinafter "Borough"). The Borough is in receipt of the email dated March 27, 2018 serving upon the Borough an OPRA request. Due to the Borough's legal holiday of March 30, 2018, the Borough's response is due on or about April 6, 2018.

The following shall constitute the Borough's response to the OPRA request dated March 27, 2018. You have requested the following documents:

- 1) Any and all borough STATUTES referencing and/or in regards to the checking of containers, bags, and or coolers by police officers, special officers, and/or those acting under authority of the borough police on the beaches patrolled by borough employees.
- 2) Any and all borough POLICIES referencing and/or in regards to the checking of containers, bags, and or coolers by police officers, special officers, and/or those acting under authority of the borough police on the beaches patrolled by borough employees.
- 3) Any and all borough police policies and/or procedures regarding police officer/employee conduct when engaging/contacting the public.

- 4) Any and all borough police policies regarding the display of badge and name tag, or any other policy references to borough police officers/employees identifying themselves upon request.

The Borough responds as follows:

- 1) None; the Borough has no statutes.
- 2) The Borough does not have any specific written policies in regards to the checking of containers, bags or coolers on the beached patrolled by Borough employees.
- 3) See attached.
- 4) The Borough does not have any specific written policy regarding the display of badge and name tags or identifying themselves upon request.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Borough to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc.

The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Thank you for your attention to this matter.

Very truly yours,


BARRY A. COOKE

BAC:sm

Cc: mfreda@avonbytheseanj.com

B. PROFESSIONAL CONDUCT AND RESPONSIBILITIES

1. Standard of Conduct – Members and employees shall conduct their private and professional lives in such a manner as to avoid bringing the Department and themselves into disrepute.
2. Loyalty – Loyalty to the Department and to associates is an important factor in Departmental morale and efficiency. Members and employees shall maintain a loyalty to the Department and their associates as is consistent with the law and personal ethics.
3. Cooperation – Cooperation between the ranks and units of the Department is essential to effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation within the Department.
4. Assistance – All members are required to take appropriate police action toward aiding a fellow police officer exposed to danger or in a situation where danger might be impending.

C. GENERAL RESPONSIBILITIES

1. Protect life and property.
2. Preserve the peace.
3. Prevent crime.
4. Detect and arrest violators of the law.
5. Enforce all State and local laws and ordinances coming within the Departmental jurisdiction.
6. Safely and expeditiously regulate traffic.
7. Aid citizens in matters within police jurisdiction.
8. Take appropriate police action in aiding fellow officers as needed.
9. Provide miscellaneous services.
10. Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the Department.
11. Be accountable and responsible to their supervisors for obeying all lawful orders
12. Coordinate their efforts with other employees of the Department to achieve Department objectives.

13. Strive to improve their skills and techniques through study and training.
14. Familiarize themselves with the area of authority and responsibility for their current assignment.
15. Perform their duties promptly, faithfully, diligently.
16. Perform all related duties as required.