

2025

Board, Commission, and Committee Members' Handbook



MAYOR AND COUNCIL WELCOME

On behalf of the Mayor and Council and the entire New Providence government, we would like to thank you for your service to our Borough. This handbook was prepared as a reference for those residents who, like you, volunteer to serve on one of New Providence's boards, commissions, or committees. This handbook is intended to serve as an overall guide; depending on the specific body to which you have been appointed, there might be specific rules established either by State statute or local ordinance that will override aspects of the handbook's generalized guidelines.

Members of boards, commissions, and committees play an important role in the Mayor and Council's policy-making process by providing advice and information to the Mayor and Council [the governing body] on a wide variety of issues. This input can often be the catalyst for innovative programs and improved services delivered to the community.

On behalf of our community, we thank you for volunteering your time and expertise to assist the Mayor and Council in making the policy decisions that shape our town and impact all of us who live here. We hope that you will enjoy your tenure as a vital part of the municipal team and sincerely thank you for your willingness to devote your time and energy to serve our community.

Sincerely,

Mayor Allen Morgan

Council President DeSarno

Councilwoman Nadine Geoffroy

Councilwoman Diane Bilicka

Councilman Alex Kogan

Councilman Matthew Cumiskey

Councilwoman Lisa McKnight

ACKNOWLEDGEMENTS

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I. POWERS AND DUTIES OF BCCs

General

The primary mission of New Providence's boards, commissions, and committees is to advise the New Providence Council, the elected policy-making body of the Borough, through direct citizen participation. Although the specific duties and authority of each board, commission, and committee vary widely, certain responsibilities are common to all board, commission, and committee members.

These guidelines are intended to assist you in your volunteer efforts on behalf of our community.

Boards, commissions, and committees are all standing bodies. As a rule, boards are regulated by state statute and have some independent authority. Commissions also tend to be regulated by state statute and are largely advisory in nature. Committees are created through Council action and are strictly advisory to the Council. For the purposes of this handbook, boards, commissions, and committees are referred to herein collectively as "BCCs."

Except where explicitly specified by state law, BCCs do not make policy decisions. This responsibility legally resides with the New Providence Council and cannot be delegated to any other body.

Special Powers

The following boards and commissions have special powers as specified by NJ State law:

Board of Health (N.J.S.A. 26:3-1 et seq.)

The Board of Health is responsible for assessing the status of public health in the community, developing policies to address public health needs, and assuring that these needs are met.

The Borough of New Providence works with the Westfield Regional Health Department in ensuring the health and safety of the residents is always at the highest level. The Westfield Regional Health Department keeps the community updated with up-and-coming laws and news items. The Board of Health is also responsible for inspecting and issuing permits to food vendors, food establishments, community pools, and other New Providence businesses.

Historic Preservation Commission (N.J.S.A. 40:55D-107 et seq.)

The Commission, appointed by the mayor, makes recommendations to the governing body and executes ideas for preserving the borough's historical character, including, but not limited to: identifying homes and buildings of significant interest within the borough; recognizing, identifying and fencing cemeteries within New Providence; recognizing historic buildings in the downtown area; and maintaining historical records pertaining to borough buildings and properties.

Library Board of Trustees (N.J.S.A. 40:54-9 et seq.)

- Operates and establishes policies for purposes of governing the New Providence Public Library.
- Holds in trust and manages all property of the library.

Planning Board (N.J.S.A. 40:55D-25 et seq.)

The Planning Board oversees permitted activities within the construction department. Their essential duties are to deal with policy (the Borough's Master Plan) and the implementation of that policy through the zoning, site plan, and subdivision ordinances. These ordinances establish ground rules that an applicant must meet. If the applicant meets the requirements of the ordinance, the board must approve the subject application. However, a site or subdivision plan can be denied if it does not fulfill a specific requirement of an ordinance. The Planning Board is also charged with periodically formulating a plan to meet the mandates of the New Jersey Council on Affordable Housing as an element of the Master Plan.

Zoning Board of Adjustment (N.J.S.A. 40:55D-70 et seq.)

The Board of Adjustment is in charge of non-permitted activities within the construction department. It also issues variances based on the Borough's zoning ordinance. The purpose of the Board of Adjustment is to provide relief from zoning requirements that cannot be satisfied. Requests for relief are not based on policy but on an applicant's ability to prove his or her case. The zoning board must make decisions as a judge does in court.

II. APPOINTMENTS / RESPONSIBILITIES OF BCC MEMBERS

General

There are certain responsibilities common to members of all BCCs:

- 1) Understand your role and scope of responsibility and be informed of the objectives, scope of responsibility, and operating procedures of your individual board, commission, or committee. (For more, see Section I: Powers and Duties)
- 2) As an individual member of a BCC, you must not represent your own views or recommendations as those of the BCC as a whole unless the majority of the BCC has officially voted to approve such a position. (For more, see Section IV: Communications)
- 3) Members should represent the public interest, not special interest groups or personal agendas.
- 4) Members are in a unique position of serving as a liaison between the Borough and its citizens and can help to reconcile contradictory viewpoints and to build a consensus around common goals and objectives. (For more, see Section III: Relationships)

- 5) Do your homework and be thorough in recommendations by reviewing items prior to the meeting in order to be fully prepared to discuss, evaluate, and act on all matters scheduled for consideration.
- 6) Participate actively in your BCC's discussion of its annual work plan and be prepared to work throughout the year to support one or more of those objectives.
- 7) Plan to attend and participate in all the meetings of the BCC. Alert the Chair before a meeting if you cannot attend. (For more, see Section X: Code of Conduct, "Attendance Policy")
- 8) Supportive relationships with the Mayor, Council, and borough staff are essential for the successful operation of any board, commission, or committee. (For more, see Section III: Relationships)
- 9) Establish a good working relationship with fellow members of your board, commission, or committee. Respect individual viewpoints, allow other members time to present their views fully before making comments, be open and honest, and welcome new members. (For more, see Section III: Relationships)
- 10) Appointments to boards, commissions, and committees are made without regard to political party affiliation. Members are not restricted from participating in political activities.
However, members may not use or involve their membership on their respective board, commission, or committee in the conduct of political activities. (For more, see Section X: Code of Conduct)
- 11) The mayor and council review appointments to BCCs as terms expire, or current members retire. It is important to bring new members on periodically to facilitate the goal of encompassing a wide range of opinions and perspectives. Therefore, an appointment to a BCC should not be considered permanent, nor should a sitting member of a BCC expect to be reappointed automatically.

Responsibilities of the Chair

Each BCC is responsible for selecting its own chair, vice-chair, if applicable, and secretary (if none is provided) at the first meeting of each calendar year. Except where otherwise prescribed by statute or ordinance, the chair is responsible for the following:

- Assembling the agenda in advance of each meeting.
- Presiding over the meetings of the BCC. In the absence of the chair, the vice-chair shall preside. In the absence of both the chair and vice-chair, a quorum of those members present shall designate an acting chair to preside over the meeting.
- Acting as a conduit, in conjunction with the governing body liaison, for correspondence and requests directed to the staff on behalf of the BCC.
- Representing the BCC in communications with the Mayor and Council.
- Ensuring agendas and minutes are filed in a timely manner with the Clerk and posted

on the municipal website. (For more, see Section IX: Agenda and Minutes)

Responsibilities of the Secretary

The secretary is responsible for taking the meeting minutes and making any necessary corrections, as approved by the BCC. Some BCCs are staffed with a paid secretary. These tend to be BCCs with special legal powers (See Section I: Powers and Duties). Many BCCs are responsible for electing a volunteer to act as secretary. A BCC may elect to have an individual member serve as the secretary or to have the members take turns performing the duties of the secretary.

Responsibilities of the Council Liaison

The council determines governing body liaisons to each BCC annually, with some exceptions for direct mayoral appointments. The role of a governing body liaison is as follows:

- To serve as a conduit for information between the Borough Council and the Advisory Committee or Board.
- The Council Liaison should describe the purpose of the committee and guide the development of the committee's goals and mission. The council liaison shall review the mission statement of their committees with the council for concurrence.
- The Council Liaison should provide the Borough Council with updates as necessary about the committee's activities. Before implementation, desired changes should be discussed with the Mayor and Borough Council.
- A Council Liaison has no unilateral authority to approve an action that otherwise requires the action of the Borough Council.
- Ensure the proper transmittal of all communications, requests, and questions by the group and the provision of responses.
- Transmit all necessary budget information.
- Review and take appropriate action on vouchers where appropriate.
- Review the goals and mission of the committee.
- Determine the current status of the committee in relation to the mission set for the committee.
- The council liaison shall provide guidance, support, and government resources for achieving the committee's goals.
 - 1. Providing government resources must be coordinated through the Borough Administrator to ensure no disruptions to the workforce. Council members and committee members or chairpersons should work through the Borough Administrator for assistance from professional staff.
- Where established, share the position or perspective of the Borough Council on matters pending before the committee.
- A Council member may not assert a position of the Borough Council that has not been discussed and agreed upon by the governing body.
- **The council liaison should not serve as the chair of the committee.** The committee chair is responsible for setting the agenda and directing and controlling the meeting.
- Members of the Borough Council may become aware of facts or information that fall under the purview of another committee or liaison. It is incumbent on all council

members to share information across committees to ensure that decisions are made based on the disclosure of all relevant information.

III. RELATIONSHIPS

General Guidelines

The following general guidelines help to establish and maintain strong relationships:

- Do your homework.
- Explain actions in concise thoughts.
- Compliment colleagues and staff whenever an opportunity arises.
- Work for consensus on important issues.
- Be attentive.
- Do not criticize staff or others in public.
- Understand you represent the Borough when interacting with members of the public.
- Take care to treat all with respect and in a professional manner.

Relationships with Other Board, Commission, or Committee Members

Success or failure often depends upon the degree of cooperation among the BCC's individual members. We encourage you to keep the following points in mind in your interactions with other BCC members:

- Always respect other individuals' viewpoints even though they may differ from yours.
- Allow others adequate time to present their views fully before making comments.
- Evaluation of other members' viewpoints should be based on what is best for the total community and for all concerned.
- Be open and honest at all times.
- Each member is responsible for seeing that new members are welcome, become oriented, and receive training.

Relationships with New Providence Mayor and Council Members

It is important to recognize that not all the recommendations made by the various BCCs will be accepted and approved by the governing body. This does not imply a lack of confidence or disinterest in the advisory bodies' recommendations. The Mayor and Council must weigh the advice provided by advisory bodies against a broader scope of considerations as they reach the decisions for which they are responsible. Although a BCC may disagree with the final decision that the Mayor and Council make on an issue, it should not act in any manner contrary to the established policy adopted by the governing body.

Staff Interaction

Staff members may act as advisors to BCCs and can provide research and administrative services. BCC members should not and cannot direct staff to work on projects without the approval of the

New Providence Council and/or the direction of the Administrator. To operate the Borough in an effective and professional manner, the governing body and Administrator need to be aware of the projects on which each Department is working. In addition, BCC members should not make requests of professionals employed by the Borough, including attorneys, without the approval of the Administrator.

The BCCs have no authority to supervise or direct the work of Departments, except in cases where State statute allows.

Correspondence and requests directed to the staff on behalf of a BCC should be routed through the chair and/or the governing body liaison and directed to the Borough Administrator.

Relationships with Other BCCs

The Mayor and Council rely on each BCC to approach issues and give advice through the lens of their BCC. Each BCC should respect the expertise of the other BCCs and their role in advising the governing body and the land use boards on policies related to their domains.

Sometimes, the governing body may work on an initiative involving more than one BCC or that otherwise calls for a more holistic approach. In these cases, the Mayor and Council may task various BCCs with working together. BCCs are also encouraged to communicate with one another, especially on issues where their interests might overlap.

Relationships with the Public

Members serve as a communication link between the Borough and the public, explaining municipal programs and recommendations and providing a channel for residents' input.

BCC meetings should be conducted in a manner conducive to a productive exchange of ideas and perspectives. Members have an obligation to listen to the public's comments or complaints. A welcoming atmosphere should prevail, and steps should be taken to ensure that members of the public are free to express their views without fear of ridicule or belittlement by anyone with an opposing viewpoint.

Members should conduct themselves in a manner that demonstrates fairness and professionalism. They should be considerate of all interests and value differences of opinion. Additionally, members should remain open-minded and objective and make no judgment until all the available evidence pertaining to an issue has been submitted.

Municipal representatives at all levels of the organization, including volunteers, are expected to show common courtesy. It is important to recognize that, as a member, your actions and comments are often interpreted to be those of the entire board, commission, or committee and a reflection of municipal policy.

IV. COMMUNICATIONS

General Communications Policy

BCCs should communicate their positions to the governing body or to other BCCs on matters pertaining to the BCC's purpose and function. The chair should speak for the BCC unless the BCC has expressly authorized another member's communication. An individual member is free to voice a position, oral or written, on any issue if it is made clear that the member is not speaking as a representative of the Borough or as a member of a BCC.

Correspondence directed to staff on behalf of the BCC, including requests for information, should be routed through the chair and/or the governing body liaison and directed to the Borough Administrator.

BCCs may advise the New Providence Council on advocating for or against legislative or political matters before another body, for example, the State Legislature or the County Board of Commissioners. However, only the Council can speak for the Borough.

Each BCC has a designated page on the municipal website www.newprov.us. Each BCC page should include a description of the BCC's mission, a listing of its current members, and other important information relevant to that BCC. BCC agendas and meeting minutes are available on the municipal website. Each BCC page should also include a photo or an image related to the BCC's purpose. BCCs can also use the website as a repository for useful information produced by the BCC, including reports, fact sheets, digital brochures, and FAQs. Each BCC is responsible for ensuring its webpage is up to date. The staff and governing body liaison(s) should review material where applicable, approve it by the BCC, and send it to the Public Information Officer (PIO) for posting.

BCCs are encouraged to use the town's social media channels to inform the public of their activities. The Borough operates a Facebook page (@newprovnj) and an Instagram account (@newprovnj).

Announcements about upcoming events, links to recent reports, and other timely information should be reviewed by the staff and governing body liaison(s), where applicable, approved by the BCC, and sent to the Public Information Officer (PIO) for posting.

BCCs are encouraged to submit information about their upcoming activities to their governing body liaison for inclusion in borough publications and announcements.

Expressing Individual vs. BCC Views

As an individual member of a BCC, you must not represent your views or recommendations as those of the BCC unless the majority of the BCC has officially voted to approve such a position. BCC members who are making recommendations or expressing views that a majority of the BCC members have not approved should indicate they are expressing individual opinions and are not speaking on behalf of the BCC or the Borough.

Remember that your actions and statements as a BCC member assume special significance. When

making a public statement, members should remind listeners that BCC actions are recommendations (unless otherwise provided by law) and that the New Providence Borough Council will take final action.

Although BCC members may be selected, in part, to represent specific interest groups, each member should represent the overall public good and not that of a specific group, set of interests, or personal agenda.

V. OBTAINING LEGAL ADVICE

BCCs may require legal advice from time to time. Certain BCCs - for instance, the Planning Board and Zoning Board of Adjustment - are required by statute to appoint their attorneys. These appointed attorneys will provide legal advice to those boards. The majority of the BCCs, however, should obtain their legal guidance from the Municipal Attorney. Except for those BCCs with separate counsel, all requests for legal guidance should be made by the chair or Council liaison and approved by the Administrator.

VI. GETTING THINGS DONE

Understanding the following processes will help you and your BCC work successfully with the Mayor, Council, and professional staff to accomplish your goals.

Setting Objectives

At the beginning of each calendar year, the Mayor and Council establish goals and priorities with input from the municipal staff and BCCs. BCCs are expected to align their overarching priorities with those established annually by the governing body. In addition, the governing body looks to the BCCs for advice on how best to implement their shared objectives effectively and efficiently.

BCCs are encouraged to create a work plan describing what they intend to accomplish in the upcoming year regarding their functions and duties. Each item in the work plan should set a rough timeframe for completion. Think of these timeframes as goals rather than hard deadlines. They will not limit the BCC's flexibility to respond to new information or conditions in real-time if circumstances change.

Reports, Memos, and Work Sessions

Time is set aside for reports at each council meeting. The BCC liaison is expected to update the governing body on the BCC's recent activities and discussions, especially on topics that might culminate in a memo to the Council or a proposed resolution or ordinance.

BCCs may ask or be asked to present a report to the governing body, lead a work session on a topic of interest, or advise on an upcoming decision via a report or a memo. In addition, BCCs may use memos to bring important issues that need action to the attention of the mayor and council. Typically, the chair will present on behalf of the BCC.

Memos should be voted on and approved by the BCC before submitting. The BCC chair or secretary should send the memo to the Mayor and Council and copy the Administrator and Clerk. Memos should be included in the agenda packet of the next scheduled Council meeting under “Correspondence” and archived on the BCC’s webpage on the municipal website. Depending on the memo's content, the BCC's chair and members may be asked to present to the Mayor and Council or participate in a work session.

Periodically, the Mayor and Council may hold a work session with a BCC. These work sessions serve as an opportunity for open dialogue regarding matters of mutual concern and provide a forum to address any issues, including those that may have a budgetary impact.

Expenses

Certain statutorily defined BCCs are allocated annual budgets for expenses related to executing the work of those BCCs. Municipal funding is available to other BCCs for legitimate expenses, including purchasing supplies to create a poster board for an event, attending a conference relating to the BCC’s focus, providing refreshments for an event the BCC is hosting for the community, etc.

BCC’s must follow the Borough **SOP #102-07-006, Petty Cash Reimbursement**, to be reimbursed for expenses. BCC’s who make purchases with the expectation of reimbursement via petty cash must receive authorization from the Borough Administrator via their Council Liaison **before** the purchase is made.

- The person seeking reimbursement must submit an original receipt for the item(s) purchased.
- A Petty Cash Voucher must be completed.

Restrictions:

- Petty Cash expenses may not exceed \$75.00.
- Splitting purchases to circumvent the petty cash threshold is prohibited.
- Sales tax is not reimbursed. BCC shall provide the Borough’s ST 4 form when making purchases.

VII. MEETING PROCEDURES

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the BCC and the public can attend to business efficiently, fairly, and with full participation. At the same time, it is up to the chair and the members of the BCC to maintain common courtesy and decorum. Only one person at a time should have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should ensure that the debate and discussion of an agenda item focus on the item and the policy in question and has the right to cut off discussion that is too personal, too loud, or too crude.

The chair should ensure everyone is treated with respect: BCC members, the public, and staff.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may limit the time allotted to speakers, including members of the BCC.

Open Public Meetings Act (aka the Sunshine Law)

The Open Public Meetings Act is a state statute governing how public bodies conduct business. However, not all BCCs are considered “public bodies,” therefore, not all BCCs are governed by the Open Public Meetings Act. The Act’s requirements only apply to “a public body.

... organized by law and ... collectively empowered as a multi-member voting body to spend public funds or affect persons’ rights.” Examples of these bodies are the Council, the Planning Board, the Zoning Board of Adjustment, the Board of Health, the Library Board of Trustees, etc. Meetings of these public bodies must always be open to the public, except when the body is meeting in a validly convened executive session.

The term “meeting” is defined as any meeting that is open to all the body's members, that is attended by an effective majority of that body, and at which any public business will be discussed or any formal action may be taken. It is important to remember that the open meeting requirements apply to more than just in-person gatherings. They also apply to telephone conference calls, group emails, or any other means of communication where meeting-like communication can occur. However, the term “meeting” does not include typical partisan caucuses, meetings as a part of a convention, or a chance encounter or social gathering at which public business is not discussed.

Notice Requirements for BCCs covered by the Open Public Meetings Act.

Full and timely notice to the public should be given before the holding of any meeting of a public body at which a quorum is in attendance or is expected to be in attendance.

Each BCC chair should provide a list of the regular meeting dates at the beginning of the calendar year to the Clerk's Office. For special meetings, irregularly scheduled meetings, or rescheduled meetings, a notice of the meeting should be filed with the Clerk’s Office at least 48 hours before the time of the meeting. Less notice is permitted only when dealing with matters of such urgency and importance that a delay would likely harm the public interest substantially. The chair must confirm any such meetings in advance with legal counsel to the BCC, if available, or with the Administrator or governing body liaison.

Notice Requirements for all other BCCs.

Even those BCCs not covered by the Open Public Meetings Act should adhere to the spirit of the Act wherever practicable. As with the “public body” BCCs, each BCC chair should provide a list to the Clerk’s Office of the regular meeting dates of the BCC at the beginning of the calendar year. For special meetings, irregularly scheduled meetings, or rescheduled meetings, a notice of the meeting should, whenever practicable, be filed with the Clerk’s Office at least 72 hours before the time of the meeting unless the matter(s) to be discussed are of such urgency and importance that a delay would be likely to result in substantial harm to the public interest. The chair must confirm any such meetings in advance with legal counsel to the BCC, if available, or with the Administrator

or governing body liaison.

Even those BCCs not covered by the Open Public Meetings Act should adhere to the spirit of the Act wherever practicable. As with the “public body” BCCs, each BCC chair should provide a list to the Clerk’s Office of the regular meeting dates of the BCC at the beginning of the calendar year. For special meetings, irregularly scheduled meetings, or rescheduled meetings, a notice of the meeting should, whenever practicable, be filed with the Clerk’s Office at least 72 hours before the time of the meeting unless the matter(s) to be discussed are of such urgency and importance that a delay would be likely to result in substantial harm to the public interest. The chair must confirm any such meetings in advance with legal counsel to the BCC, if available, or with the Administrator or governing body liaison.

Executive or Closed Session (BCCs covered by the Open Public Meetings Act only)

Discussions related to personnel, litigation, and negotiations may be held in executive or closed sessions. Holding an executive session is the only time that a BCC meeting may lawfully be conducted privately. For most BCCs, executive sessions are extremely rare, and members are encouraged to obtain advice in advance from the Administrator if they contemplate requesting such a session. During an executive session, the BCC cannot make final policy decisions, adopt resolutions, or take other formal action.

Meeting Times (for all BCCs)

Long-term-standing BCCs have pre-established regular meeting times. Newly formed BCCs should establish regular meeting times at their first meeting, which will be set by the governing body liaison(s) and staff.

BCC members can propose a new regular meeting time by placing the item on the agenda. The majority should vote in favor of changing the regular meeting time. The availability of a governing body, staff liaison, and meeting room (if applicable) should be considered when changing the regular meeting time.

Quorum Requirements

A membership quorum must be present for a BCC to conduct business or take formal action. In general, a quorum consists of the majority of the total number of members of the BCC. In the case of BCCs that are governed by the Open Public Meetings Act, however, a quorum will be an “effective majority” of the BCC (which could be less than a majority of the full majority). Moreover, certain BCCs might have a different quorum requirement set by State statute. Note that the quorum requirement for a given BCC does not change even if a position on the BCC is vacant and a replacement has not been appointed.

If a quorum is not present for a meeting, no action can be taken other than adjourning it to a later date and time.

Rules of Procedure

Certain BCCs (for instance, planning boards and zoning boards of adjustment) are empowered by State statutes to adopt their own bylaws or rules of procedure. For all other BCCs, meetings should generally be conducted according to standard rules of procedure for the conduct of official meetings as found in "Robert's Rules of Order." These Rules should be used as guidelines to ensure the orderly conduct of the meetings. Rigid adherence to these rules is not required.

The meeting agenda (See Agenda) constitutes the BCC's agreed-upon road map. To the extent practicable, each agenda item should be handled by the chair in the following basic format:

- 1) The chair should announce the agenda item number and subject.
- 2) The chair should invite the appropriate people to report on the item, including any recommendations they might have.
- 3) The chair should ask members of the BCC if they have any technical questions for clarification.
- 4) The chair should invite public comments or, if appropriate, at a formal meeting, open the meeting to public input. If many members of the public want to speak, the chair may limit the time of each public speaker. After the public comments, the chair should announce that public input has concluded.
- 5) The chair should invite a motion from the BCC members and announce the name of the member who makes the motion.
- 6) The chair should determine if any member of the BCC wishes to second the motion. The chair should announce the name of the member who seconds the motion.
- 7) If the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of two ways:
 - a. The chair can ask the maker of the motion to repeat it; or
 - b. The chair can repeat the motion.
- 8) The chair should now invite discussion of the motion by the members of the BCC. If there is no desired discussion or the discussion has ended, the chair should announce that the BCC will vote on the motion. If there has been no discussion or a brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by having the maker of the motion repeat it.
- 9) The chair can end the discussion and limit debate when it is no longer productive. The chair's rulings prevail unless overruled by a majority of the members. The chair retains the right to make and second motions, participate in discussions, and vote on all matters.

- 10) The chair takes a vote. Simply asking for the “ayes” and then the “nays” is normally sufficient, although certain actions (e.g., voting on a development application) will require a roll call vote. If members of the body do not vote, they “abstain.” If there is a split vote, the chair can ask for a show of hands or conduct a roll call vote. A simple majority determines whether the motion passes or is defeated. Note: Alternates only vote if a regular member is absent; in that case, Alternate 1 votes in the place of the first absent member, and, if required, Alternate 2 votes in place of the second absent member.
- 11) The chair should announce the vote's result and what action (if any) the BCC has taken.

Taking Action

Taking action on an item is one of the most important things a BCC does. The following guidelines should be followed:

- Except under exceptional circumstances, make sure the proposed action item has been placed on the agenda ahead of time;
- Make sure it falls within the scope of the BCC’s mission and any applicable governing body goals and priorities;
- Recognize that normally all BCC actions seeking Council action or commitments will be in the form of a recommendation to the Mayor and Council;
- Review the proposed action with municipal staff and governing body liaison(s) in advance, especially if it requires a commitment of municipal staff time or resources;
- Remember that if the BCC is advisory to the governing body, it should not undertake to act independently;
- If the BCC wants to comment to an outside agency or person, for example, on a pending bill, send the BCC’s draft comments via the liaison(s) to the Mayor and Council for approval recognizing only the Mayor and Council can speak for the Borough;
- If an advisory committee receives a request from an outside organization, the request should be forwarded to the governing body liaison(s). The advisory committee should not respond directly to the requestor without authorization via the governing body liaison(s).

VIII. COORDINATION / APPROVAL OF COMMUNITY EVENTS [SOP#102-16-002]

All requests for a community event to be sponsored by or involve Borough Council Advisory Committees or Borough Council personnel resources shall be approved by the Borough Council. Events shall not support any individual business, political party, or religious organization or be political or religious in nature.

- All requests for a community event shall be submitted to the Borough Administrator as outlined above. If the event recommendation is by a private citizen, the borough administrator shall consult with the council liaison to the applicable advisory committee best aligned with the proposed activity.
- If the borough administrator and council liaison agree that the citizen's request warrants

further consideration, it will be referred to the council committee chairman best aligned with the citizen's interests.

- If the proposed event involves a business within the Downtown Improvement District or the Business and Professional Association and requires the use of public property or resources, the Business Community Manager will advance the proposal in accordance with these procedures.
- The advisory committee shall consider the following factors when reviewing requests:
 - Does this request reflect an event or activity that has overall appeal to the citizens of New Providence or a particular subset of our residents?
 - Does this event or activity conflict with, detract from, or otherwise dilute the value of any other scheduled events?
 - Does the event warrant the expenditure of borough resources - financial or otherwise?
- If the advisory committee is proposing the event or is recommending the event suggested by a private citizen, the committee shall prepare a report outlining the details of the event; such report shall, at a minimum, include:
 - An event description, including the proposed date, time, and location.
 - Will this be a “free” event, or will charges to event participants apply?
 - If property other than Borough property is required, has permission been granted from the property owner to conduct the event at that location?
 - Borough personnel resources (such as Administration, Community Activities, Police, Fire Rescue Squad, or DPW) required for the planning, execution, and follow-up of the event.
 - Borough funds necessary to conduct the event.
 - Any fundraising efforts to support the program's cost or to raise money for the entity and the target of said fundraising: the general population, the business community, or other entities.
 - To avoid doubt, all communications (written or spoken) between the Advisory Committee Chairperson, Council Liaison, and Borough Administrator are limited. No other exparte communications are permissible.
 - The report will be listed on a council agenda for discussion led by the council liaison for the committee. The following actions may occur:
 - The Borough Council may accept the proposal as presented by the advisory committee;
 - Reject the proposal;
 - Modify the proposal with conditions.
 - The council's actions, as outlined above, shall be memorialized in a resolution adopted by the borough council.

- The council liaison shall advise the advisory committee of the decision. If approved, the event will fall under that advisory committee's purview, and an employee of the Borough will be assigned to coordinate the event. However, any staff involvement requires the approval of the borough administrator. At no point will private citizens approach Borough employees or engage in planning activity, including but not limited to the creation of purchase orders and scheduling of Borough facilities or resources.

IX. AGENDA AND MINUTES

Agenda

The chair should put together an agenda before each meeting with the assistance of designated municipal staff and governing body liaison(s). The chair will submit the agenda to the clerk at least 72 hours before the meeting to allow sufficient time for posting on the town website.

The agenda shall include the following:

- The name of the BCC;
- The date, time, and place of the meeting;
- A general description of each agenda item that will be discussed;
- Any other information that may be required by law.

Except in exigent circumstances, formal action can only be taken on items appearing on the agenda.

Each BCC is encouraged to provide members of the public with an opportunity to speak on matters within its purview, regardless of whether the matter is on the agenda. The BCC chair can impose time limitations if necessary. The BCC chair should remind public speakers to state their names and addresses for the record.

Minutes

Minutes must be taken at any meeting of a BCC at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or could occur. At a minimum, the minutes of a meeting should contain the following information:

- Date, time, and location of the meeting;
- List of members present;
- A general outline of each major topic discussed or considered and the outcome;
- Verbatim (to the extent possible) record of all motions, along with a list of how each member voted on each motion;
- Statement(s) made by individual board members explaining their vote;
- Detailed recording of all formal action taken;
- Time of adjournment.

Approval of Minutes

BCCs should review minutes and make any additions, deletions, or corrections. Each BCC is encouraged to draft, review, and approve minutes in a timely fashion. The chair or secretary of the BCC should send the approved minutes to the Clerk and PIO for posting on the municipal website.

X. CONTACTS AND CHECKLISTS

Contacts

Al Morgan, Mayor
amorgan@newprov.us
(908) 403-8613

Denise Brinkofski, Clerk
dbrinkofski@newprov.us
(908) 665-1400 x 0

Bernadette Cuccaro, Administrator
bcuccaro@newprov.us
(908) 665-8145

Cindy Reis, Public Information Officer
creis@newprov.us
(908) 665-1400

Annual Checklist

At the first meeting of the year – either in January for an existing BCC or when a new BCC is initially formed – the following steps should be taken:

- ☐ Elect a chair and vice-chair (if relevant) *
- ☐ Nominate a secretary to take minutes *
- ☐ Approve a meeting schedule for the remainder of the calendar year *
- ☐ Verify the phone and email contact for all members of the BCC *
- ☐ ***Send the results of all the above items marked with * to the Clerk and Public Information Officer for posting on the municipal website. (phone numbers/emails will NOT be posted)***
- ☐ Review this Handbook.
- ☐ Review goals for the year.
- ☐ Review the BCC webpage to ensure it is up to date.

Meeting Checklist

Before each meeting, the chair or secretary should:

- ☐ Prepare an agenda and send it to the Clerk, BCC members, and Council Liaisons.
- ☐ Circulate any backup materials that will be considered, including draft meeting minutes from the prior meeting.
- ☐ Review the BCC webpage to ensure it is up to date.

After each meeting, the chair or secretary should send the following to the Clerk and Public Information Officer for posting on the municipal website:

- ☐ Approved minutes.
- ☐ Any approved resolutions, memos, or other communications intended for the Mayor and Council.
- ☐ Any information intended for the public.

XI. CODE OF CONDUCT

Introduction

Members of the Borough's volunteer BCCs are required to comply with the following rules as representatives of the New Providence government.

These rules require members to abide by certain ethical standards and to comply with the Borough's harassment policy.

Each member shall, upon their appointment, sign and submit to the Clerk's office the attached "Receipt and Acknowledgment" stating that they have received a copy of this Code and shall abide thereby.

Ethics/Conflicts of Interest

State law requires members of non-advisory BCCs to abide by the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq. ("LGEL"). All BCC members, whether governed by the LGEL or not, should familiarize themselves with the "Disqualification Rules" attached hereto as Exhibit A.

Members shall not solicit or accept personal gifts of any form from private sources for services rendered or to be rendered as members of volunteer BCCs or while conducting business in their capacity as members of volunteer BCCs.

No member shall be interested, directly or indirectly, in any contract with the Borough or in compensation for goods or services furnished to the Borough or any contractor furnishing the same to the Borough; nor shall they participate in any profits of such parties or receive any gift or other reward for actions related to such activities.

Members shall not engage in partisan political activity on municipal time or property, use their position for personal gain, or unlawfully use their position to coerce others. Nothing herein shall be construed to prevent members from becoming or continuing to be members of any political party, club, or organization, attending political meetings or expressing partisan political views, or circulating petitions on public questions outside of working hours and off the municipal property. Nor shall members be prevented from voting with complete freedom in any election.

Harassment Policy

To the extent applicable, members shall abide by and conduct themselves per the "Policy Against Harassment" attached hereto as Exhibit B. This is the harassment policy governing New Providence municipal employees, and it shall be equally applicable to volunteer members of BCCs. Violation of the policy against harassment may lead to the member's removal from the BCC.

Attendance Policy

All members of BCCs shall regularly attend the meetings of the BCC upon which they are serving. Failure to do so may lead to the member's removal. A BCC member is entitled to request a public hearing to contest their removal.

Eligibility

All members of BCCs shall be residents of New Providence during their tenure on said BCCs unless the enabling legislation or ordinance creating said BCC permits non-residents to serve.

Persons employed by the Borough may not serve on any BCC unless so provided in the enabling legislation.

Members are free to resign at any time.

EXHIBIT A: Disqualification Rules

Members of volunteer BCCs should conscientiously avoid participating in the functions of their respective BCCs on any matter, including but not limited to, the establishment of policies or acting on any application before said BCC, that may involve directly or indirectly a conflict of interest which would prejudice the value of their advice. Members are often persons who by professional personal qualifications have unique involvement in certain specialty fields including but not limited to engineering, law, real estate, and medicine, and as such may personally or professionally have an interest generally in the progress of particular points of view or cases in the community, which professional interest is a part of and not detrimental to their function on the respective BCC.

Consequently, it is improper for any member to participate in consideration of or vote on any matter, whether it is an application or policy decision or recommendation (as appropriate), to which they may have a direct or indirect special relationship which could influence their comments or give the appearance of unduly influencing recommendations of the BCC of which they are a member. It is the obligation of each member to determine whether they have such a special relationship to any matter before said BCC by applying the guidelines set forth herein. In no event shall a member be considered to have a special relationship to a matter merely because of a specific opinion based upon personal beliefs or professional views. A special relationship shall be deemed to exist where economic or personal interest, professional or otherwise, is directly or indirectly concerned with the individual matter.

The following are examples of such explanations:

- (1) Having been engaged by or having given substantial assistance to the applicant in preparation of any part of their submission.
- (2) Having a direct or indirect interest in financial results which may result from a ruling on the application.
- (3) Being the employer, employee, client, associate or relative of the applicant or having a financial or proprietary interest in the application.

The foregoing examples are merely illustrative of the special interest referred to by these rules and are not to be considered definitive limits of the form special interest might take. In any situation when a special interest exists, whatever its form, it shall be the duty of the member affected to make it known to the other members of the BCC and withdraw from

consideration of the matter in question.

EXHIBIT B: POLICY AGAINST HARASSMENT

Policy Against Harassment.

BCC Volunteers are held to the same standards as employees working for the borough.

General Anti-Harassment.

The Borough of New Providence desires to promote and maintain a working environment in which all employees are treated with respect and dignity. Discrimination and harassment based on an individual's civil rights are prohibited under federal and state law and will not be tolerated. The Borough is an equal opportunity employer, which means that decisions regarding the hiring and terms and conditions of employment are made without reference to matters involving a person's civil rights, except in those areas where the law provides exemptions or exceptions. If an employee believes that he/she has been subjected to unlawful civil rights discrimination (including retaliation for reporting or objecting to same), the employee shall immediately report it to the Borough Administrator. The Borough Administrator will undertake an appropriate investigation and advise the employee of the investigation results. Employees determined to have engaged in unlawful civil rights discrimination are subject to discipline, up to and including discharge from employment.

A. Harassment and Sexual Harassment. Definitions and Examples:

1. Definition of Harassment and Examples.

- (a) Civil Rights laws make it illegal to discriminate against or harass an employee because of sex, creed, race, ancestry, religion, color, national origin, physical or mental disability, marital status, age, gender, genetic testing, blood trait, liability for service in the armed forces, veteran status, gender identity or expression, civil union status, domestic partnership status, affectional or sexual orientation, or any other civil right protected by federal, state or local law. Harassment is intentionally creating a hostile or intimidating environment based upon one or more of these areas.
- (b) Harassment may involve severe and/or pervasive conduct. Severe conduct is conduct sufficient to alter the work environment, even though it may occur only once. Pervasive conduct is a persistent pattern of harassment.
- (c) Harassment encompasses a broad range of physical, psychological, written, or verbal behavior and includes, but is not limited to, the following:
 - physical or mental abuse
 - offensive jokes or slurs

- offensive and uninvited verbal, graphic (including any electronic or digital display or printout), visual, or physical conduct by one individual towards another;
- obscene messages
- images or communications obtaining libelous, defamatory or fraudulent materials
- ethnic or racial slurs
- anything that may be considered disparaging or harassing of others based on race, national origin, gender, religion, age, disability or other status protected by Civil Rights laws

2. Definition of Sexual Harassment and Examples.

- (a) Sexual Harassment is a particularly insidious form of workplace harassment. Civil Rights laws make sexual harassment illegal, whether caused by supervisors or co-employees.
- (b) Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, and constitutes harassment when:
 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual or
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- (c) It is impossible to identify every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment include, but are not limited to, the following:
 - unwelcome requests for sexual favors
 - lewd or derogatory comments or jokes
 - comments regarding sexual behavior or about the body of another individual
 - sexual innuendo or other vocal activity such as catcalls or whistles
 - obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial materials (whether documentary, digital or electronic) of a sexual nature
 - continuing to express sexual interest in a person after being informed that that interest is unwelcome
 - retaliating against an individual for refusing a sexual advance or reporting an incident of possible sexual harassment

- offering or providing favors or employment benefits, such as promotions, favorable evaluations, or favorable assigned duties or shifts, etc., in exchange for sexual favors
- any unwanted physical touching, assault, or impeding of movement

B. Workplace Harassment, Including Sexual Harassment, Is Expressly Prohibited.

The Borough's policy is to provide a work environment free of harassment and sexual harassment. As such, harassment will not be tolerated and is strictly prohibited. Any form of workplace harassment or sexual harassment will be treated as a disciplinary matter.

C. Victims And Witnesses Are To Report All Instances Of Harassment And Sexual Harassment.

Employees who are victims of or witness workplace harassment/sexual harassment must report it immediately to the Borough Administrator or Borough Clerk. In addition to this formal avenue for reporting harassment/sexual harassment, employees who are victims or witnesses are encouraged to report harassment and sexual harassment to any supervisor. An employee is not obligated to report harassment/sexual harassment to a superior who is engaging in the harassment. In such instances, the employee must report to the superior's supervisor, any other supervisor, and/or the Borough Administrator or Clerk.

D. Investigation Of Harassment And Sexual Harassment Complaints.

All reported complaints of harassment/sexual harassment will be promptly and thoroughly investigated. They will also be dealt with as confidentially as possible, consistent with the obligation to conduct an investigation. Upon the conclusion of any investigation, the Borough will take any steps it deems necessary to enforce this policy, correct any issues, and/or prevent future instances of harassment.

E. Responsibilities of Supervisors and Department Heads.

When a report of harassment is made to a supervisor, the supervisor shall provide any factual information he has obtained in a written report, which shall be forwarded to the Borough Administrator.

The Department Head shall also forward any factual information about the matter in writing to the Borough Administrator.

Any supervisor or Department Head who witnesses discrimination or violation of this policy shall immediately report it to the Borough Administrator.

F. No Retaliation For Reporting Unlawful Discrimination, Harassment Or Sexual Harassment Complaints.

No employee shall suffer any job detriment or retaliation at the hands of the employer for reporting unlawful discrimination, harassment, or sexual harassment. If a person reporting

discrimination, harassment, or sexual harassment believes that he/she has been, for that reason, subjected to retaliation, the person should immediately report the retaliation in the same manner in which he/she reports discrimination, harassment, or sexual harassment, but may bypass the person who is retaliating

G. Disciplinary Action For Unlawful Discrimination, Harassment And Sexual Harassment.

Participating in workplace unlawful discrimination, harassment or sexual harassment by any employee will result in disciplinary action up to and including termination of employment. Employees should also be aware that, under the law, employees may be individually liable, including legally and financially responsible, for unlawful discrimination, harassment or sexual harassment. Furthermore, supervisors, even though not causing discrimination, harassment or sexual harassment, may be individually liable for failing to receive complaints of unlawful discrimination, harassment or sexual harassment and/or failure to act upon such complaints.

H. Training On Harassment And Sexual Harassment And Dissemination of Policy.

The Borough Administrator or his/her designee is responsible for providing training on unlawful discrimination and training on harassment/sexual harassment. At least annually, the Borough Administrator or his/her designee shall advise supervisors as to their responsibilities to report/prevent unlawful discrimination, harassment and sexual harassment. In addition, at least annually the Borough Administrator or his/her designee shall disseminate to all employees the Borough's policy against unlawful discrimination, harassment or sexual harassment. The Borough Administrator or his/her designee shall also be responsible to check that procedures are in place for reporting unlawful discrimination, harassment or sexual harassment, that such procedures are known by employees, and that they are effective.

I. Questions.

Please contact the Borough Administrator or the Borough Clerk if you have any questions about this policy.

EXHIBIT C: List of BCCs and their Establishing Ordinances

Board of Health.

(Borough Ord. 73-7 as Ch. 2, Art. IV, of the 1973 Code of Ordinances.); Borough Code Chapter 57, Board of Health

- a) The Board of Health shall consist of five members and two alternate members, who shall be appointed by the Mayor. Any vacancy which may occur on the Board, whether the same occurs by death, resignation or otherwise, shall be filled in the same manner for the unexpired term thereof. Each Board of Health member shall hold office for a term of three years from January 1 of the year of his/her appointment and shall continue in office until his/her successor shall have been appointed and shall have qualified.
- b) The Board of Health shall adopt rules and regulations for its own government.
- c) The Board of Health shall elect a President and shall appoint a Clerk, Registrar of Vital Statistics and Sanitary Inspector. It may also appoint such other officers, inspectors or assistants as it may deem necessary. All appointees of the Board shall be governed by the rules of the Board, and they may be removed for cause by the Board.
- d) The Board of Health shall not contract any debt or debts of any kind beyond the amount of the appropriation first made for its use by the Council.

Historic Preservation Commission

(Borough Ord. 2004-13)

A. Creation. There is hereby created in and for the Borough of New Providence a Historic Preservation Commission (the "Commission"). The powers of the Commission shall be strictly limited to those expressly set forth in this section. The section is enacted under the authority of the Borough to regulate the use of land for the public health, safety and welfare pursuant to N.J.S.A. 40:48-1, N.J.S.A. 40:48-2 and N.J.S.A. 40:55D-107 through 40:55D-112.

B. Membership.

1. The Commission shall consist of five regular members and may have not more than two alternate members of the following three classes:

- a) Class A: a person who is knowledgeable in building design and construction or architectural history and who may reside outside the Borough of New Providence.
- b) Class B: a person who is knowledgeable or with a demonstrated interest in local history and who may reside outside the Borough.
- c) Class C: a citizen of the Borough of New Providence who shall hold no other municipal office, position or employment except for membership on the Planning Board or Board of Adjustment.

- d) There shall be at least one regular member from each class.
- 2. Alternate members shall meet the qualifications of Class C members.

C. Appointment and terms of members; vacancies.

- 1. The Mayor shall appoint all members of the Commission and shall designate at the time of appointment the regular members by class and the alternate members, if any, as "Alternate No. 1" and "Alternate No. 2."
- 2. Terms. The terms of the members first appointed shall expire in the following manner:
 - a) The first appointed Class A member shall serve an initial term of four years. Thereafter, the Class A member shall serve a term of four years.
 - b) The first Class B member shall serve an initial term of three years. Thereafter, the Class B member shall serve a term of four years.
 - c) One Class C member shall serve an initial term of four years, one Class C member shall serve an initial term of three years, one Class C member shall serve an initial term of two years. Thereafter, each Class C member shall serve a term of four years.
 - d) One alternate member shall serve an initial term of two years, and one alternate member shall serve an initial term of one year. Thereafter, each alternate member shall serve a term of two years.
- 3. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only and done so by the Mayor within 30 days of the vacancy. Notwithstanding any other provision therein, the term of any member common to the Commission and the Planning Board shall be for the term of membership on the Planning Board, and the term of any member common to the Commission and the Board of Adjustment shall be for the term of membership on the Board of Adjustment.

D. Officers. The Commission shall annually elect a Chairman and Vice Chairman from its members, and annually select a Secretary, who may or may not be a member of the Commission or a municipal employee.

E. Rules and procedures. The Commission shall create rules and procedures for the transaction of its business, subject to the following regulations:

- 1) A quorum for the transaction of business shall consist of three of the Commission's members, including the Chairman or, in his or her absence, the Vice Chairman.
- 2) The Secretary shall keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, findings, determinations and decisions. All such material shall be public records.
- 3) All meetings shall comply with the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.)

- 4) Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.
- 5) No member of the Commission shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest.
- 6) A member of the Commission may, after public hearing if he or she requests it, be removed by Borough Council for cause.

F. Compensation for members. The Commission members shall serve without compensation.

G. Powers and duties. The Commission shall have the responsibility to:

- 1) Prepare, maintain and update from time to time a survey of historic sites of the Borough. Make recommendations to the Planning Board on the Historic Preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements.
- 2) Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement plan.
- 3) Advise Borough Council, the Planning Board and Board of Adjustment on applications for development or other matters concerning Historic Preservation when requested or directed by Borough Council, the Planning Board or Board of Adjustment.
- 4) Report annually to the Mayor and Borough Council on the state of Historic Preservation in the Borough and recommend measures to improve same.
- 5) Provide written reports on the application of Zoning Ordinance provisions concerning Historic Preservation.
- 6) Advise the Construction Code Official (or other designated administrative officer) on applications for construction permits.
- 7) Carry out such other advisory, educational and informational functions as will promote Historic Preservation in the municipality.

H. Advise on certain applications. The Planning Board and Board of Adjustment shall refer to the Historic Preservation Commission every application for development submitted to either Board for development in historic zoning districts or on historic sites designated on the Zoning or Official Map or identified in any component element of the Master Plan. This referral shall be made when the application for development is deemed complete or is scheduled for a hearing, whichever occurs sooner. Failure to refer the application as required shall not invalidate any hearing or proceeding. The Historic Preservation Commission may provide its advice, which shall be conveyed through its delegation of one of its members or staff to testify orally at the hearing on the application and to

explain any written report which may have been submitted.

I. Reports on certain applications.

- 1) Applications to the Construction Code Official (or other designated administrative officer) for the issuance of permits for development, including demolition, renovation, alteration, reconstruction or additions to existing buildings and structures within historic areas, historic districts or historic sites, shall be referred by the Officer to the Historic Preservation Commission for a written report prior to the issuance of such permits.
- 2) The Historic Preservation Commission shall review applications for the above-mentioned permits for compliance with the Borough's Land Use Development and/or Zoning Ordinance provisions concerning Historic Preservation with respect to any of those aspects of the change proposed, pursuant to the Municipal Land Use Law (N.J.S.A. 40:55d-1 et seq.).
- 3) The Historic Preservation Commission shall advise the Construction Code Official (or other designated administrative officer) by way of written report as to whether or not the application for the permit is in compliance.
- 4) In the case of an application for a construction permit, the Historic Preservation Commission shall report, in writing, to the Construction Code Official (or other designated administrative officer) within 45 days of his/her referral of the application to the Historic Preservation Commission. The Historic Preservation Commission shall give the applicant written notice of date, time and place of meeting prior to the Historic Preservation Commission meeting. If the Historic Preservation Commission recommends to the Construction Code Official (or other designated administrative officer) against the issuance of the permit or recommends conditions to the permit to be issued, the Construction Code Official (or other designated administrative officer) shall deny issuance of the permit or include the conditions in the permit as the case may be.
- 5) In the case of a referral by the Planning Board or Board of Adjustment, the Historic Preservation Commission shall report to the particular Board in question, in writing, within 45 days of the referral by the Board to the Historic Preservation Commission.
- 6) Failure of the Historic Preservation Commission to report within the time periods specified in this section shall be deemed to constitute a report in favor of issuance of the permit and without the recommendations of conditions to the permit.
- 7) Appeals of the decisions of the Construction Code Official (or other designated administrative officer) based on the recommendations of the Historic Preservation Commission shall be made to the Zoning Board of Adjustment in accordance with the Municipal Land Use Law and the New Providence Land Use Ordinance.

- 8) Appeals of the decisions of the Board of Adjustment or Planning Board based on the recommendations of the Historic Preservation Commission may be made as provided by law.

J. Historic areas. The requirements of this section shall apply to all development, including demolition, renovation, reconstruction and additions to existing buildings or structures that may be situated within those areas designated as “historic sites” on the Community Facilities Plan Map included in the 1978 Master Plan and as referenced and incorporated in the Master Plan adopted on May 6, 2004, and potentially eligible sites of historical significance.

Planning Board

(Borough Ord. No. 88-4)

Sec. 10B-4. Planning Board established; membership; voting rights; limitations.

- A. Establishment. A Planning Board is hereby established pursuant to the MLUL, N.J.S.A. 40:55D-23 and 55D-23.1, consisting of seven members and two alternate members:

- B. Members

- 1) The membership of the Planning Board shall consist of, for convenience in designating the manner of appointment, the four following classes:
 - a. Class I: the Mayor.
 - b. Class II: one of the officials of the borough other than a member of the Borough Council, to be appointed by the Mayor.
 - c. Class III: a member of the Borough Council, to be appointed by it.
 - d. Class IV: four other citizens of the borough, to be appointed by the Mayor.
- 2) The members of Class IV shall hold no other borough office, position or employment. Membership on a borough board or commission whose function is advisory in nature and the establishment of which is discretionary and not required by statute shall not be considered the holding of borough office. If there is established an Environmental Commission, a member of the Commission shall be a Class IV member of the Planning Board as required by Section 1 of P.L. 1968, c. 245 (N.J.S.A. 40:56A-1), unless there is among the alternate members both a member of the Board of Adjustment of Historic Preservation Commission and a member of the Board of Education, in which case the member common to the Planning Board and Environmental Commission shall be deemed a Class II member.

C. Alternate members.

- 1) An alternate member shall hold no other municipal office except for membership on discretionary advisory boards as permitted for regular Class IV members and except that one alternate may be a member of the Board of Adjustment or Historic Preservation Commission and one alternate may be a member of the Board of Education.
- 2) Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No. 1" and "Alternate No. 2." The alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

D. Terms. Terms of the members shall be as follows and shall run from January 1 of the year in which the appointment is made:

- 1) Class I: Correspond to official tenure.
- 2) Class II: One year or terminate at the completion of the term in office.
- 3) Class III: One year or terminate at the completion of the term in office.
- 4) Class IV: Four years, except for members of an Environmental Commission, whose term shall be three years or terminate at the completion of their term of office as a member of the Environmental Commission, whichever occurs first.
- 5) Alternate member: two years.

E. Removal. Any member other than a Class I member, after a public hearing if he requests one, may be removed by the Borough Council for cause.

F. Vacancies. If a vacancy in any class, including an alternate member, shall occur otherwise than by expiration of the Planning Board term, it shall be filled by appointment, as above provided, for the unexpired term.

G. Organization. The Planning Board shall elect a chairman and vice chairman from the members of Class IV.

H. Staff.

- 1) Secretary. The Planning Board shall select a secretary, who may or may not be a member of the Planning Board or a borough employee.
- 2) Attorney. There is hereby created the office of Planning Board Attorney, who shall not be the Borough Attorney. The compensation of the Planning Board Attorney shall be fixed annually.

- 3) Experts, staff and services. The Planning Board may also employ or contract for the services of experts and other staff and services as it may deem necessary. The compensation shall not exceed, exclusive of gifts or grants, the amount appropriated by the Borough Council for the Board's use.

New Providence Alcohol and Drug Alliance

(By-Laws of the New Providence Alcohol and Drug Alliance adopted July 2008)

Article I. Name

The name of this organization shall be the New Providence Alcohol and Drug Alliance. In common usage and for purposes of these By-Laws, the organization shall be referred to as the "PADA."

Article II. Purpose

Section 1. The PADA is an association of people who mission is to serve as the official coordinating body for New Providence Township and New Providence Borough, New Jersey, for planning, awareness and education efforts on drug and alcohol abuse. The PADA is dedicated to raising community awareness and the prevention of the problems related to drug and alcohol abuse.

Section 2. The PADA shall be the Municipal Alliance Committee for the Township of New Providence and the Borough of New Providence within the Governor's Council on Alcoholism and Drug Abuse. In this role as Municipal Alliance Committee, the PADA shall carry forth the intent and spirit of N.J.S.A. 26:2BB-9 *et seq.* and the guidelines and procedures of the Governor's Council on Alcoholism and Drug Abuse.

Section 3. The PADA shall cooperate with the Governor's Council on Alcoholism and Drug Abuse and the County Local Advisory Committee on Alcoholism and Drug Abuse Alliance Steering Subcommittee, to provide municipal data, reports and other information which may be required for the County Annual Alliance Plan or be needed to assist the Alliance effort.

Article III. Membership

Section 1. The PADA Committee shall be comprised of a broad spectrum of the community, as required by New Jersey law. The number of members of PADA shall be determined by the New Providence Township Committee and the New Providence Borough Council from time to time by Resolution. Additionally, representatives from the Teen Advisory Group and the Corner House Student Board shall be invited to attend PADA functions in order to provide information to PADA concerning their programs. Committee members on PADA shall serve without compensation.

Section 2. Members of the PADA committee shall serve for terms as established by the Resolutions adopted by the New Providence Township Committee and the New Providence Borough Council from time to time. Said governing bodies shall appoint representatives from the New Providence Regional School Board and the Superintendent of Schools and they shall serve during their respective appointed terms. Student members of PADA shall serve while they are students at the public schools, private schools and New Providence University. All other members of PADA shall serve three (3) years terms except upon initial appointment by the governing bodies pursuant to

Resolution, the governing bodies shall stagger the terms of the members so that one-third (1/3) of said members' terms shall expire annually.

Section 3. The Executive Director of Corner House shall annually appoint a Chair and other such officers as necessary by the PADA.

ARTICLE IV. MEETINGS

Section 1. The PADA shall hold monthly meetings except for July and August at noon on the first Thursday of each month at the New Providence Township Municipal Complex or such other day of the month as may be determined from time to time by PADA. Meetings may be held via telephone and votes may be made via e-mail with a record of same maintained by the Secretary.

Section 2. The Chair may call special emergency meetings as deemed necessary.

Section 3. Adequate public notice of all meetings shall be given to all members of PADA and notice of meetings shall be provided to the public in accordance with the requirements of the New Jersey Open Public Meetings Act. Attendance by the public is welcome at all meetings.

Section 4. PADA shall adopt an annual calendar of meetings at the PADA organization meeting annually.

Section 5. Minutes shall be kept of all PADA meetings.

ARTICLE V. QUORUM

A quorum of the PADA shall be required for action to be taken by the Committee (*i.e.* approval of plan or modification). A quorum shall be fifty (50%) percent of the Committee's membership plus one (1).

ARTICLE VI. COMMITTEES

Section 1. The Chairperson and members of all committees shall be appointed by the PADA Chair.

ARTICLE VII. AMENDMENTS

These By-Laws may be amended at any meeting of the general membership of the PADA by a vote of two-thirds (2/3) of the full authorized membership of PADA.

ARTICLE VIII. PARLIAMENTARY PROCEDURES

The latest addition of Robert's Rules of Order shall govern the proceedings of PADA unless they are in conflict with these By-Laws.

New Providence Public Library Board of Trustees

(By-Laws of the New Providence Memorial Library revised 2023)

Article I: Members

Section 1:

The Board of the Library Trustees of the Borough of New Providence, hereafter referred to as the board, existing by virtue of the provisions of Title 40, Chapter 54, of the Laws of the State of New Jersey, and exercising the powers and authority and assuming the responsibilities delegated to it under the said statute, shall consist of seven to nine members, one of whom shall be the mayor's designee, one the local superintendent of schools or designee, and five to seven citizens to be appointed by the mayor or chief executive. At least five members must be residents of the municipality. New Trustees and reappointed Trustees must take the Oath of Office following the vote. State statute requires a stagger in term endings. For municipal libraries, at least one Trustee's term expires each year. The term expiration dates must continue to apply to anyone appointed to fill a vacancy in the middle of a term.

The Board of Trustees shall have all the powers granted to it by the laws of the State of New Jersey, and shall establish and monitor, in accordance with said law, the basic policies of the Library with respect to 1) the appropriation and budgeting of funds; 2) the establishment and maintenance of Library services; 3) the acquisition, maintenance, insurance, use and disposition of properties; 4) the practices relating to hiring, compensation and responsibilities of, and practices concerning, all employees; and 5) the practices relating to the collection, lending and disposition of all Library materials.

Section 2: Meeting Attendance

Members shall be expected to attend all meetings in person except as they are prevented by a valid reason. In the event a Trustee cannot physically attend a meeting for a legitimate cause, a Trustee may attend a meeting via electronic means such as, but not limited to, telephone and Zoom if approved by the President prior to the meeting. A Trustee may not attend a meeting via email or text message. A Trustee attending via electronic means must have the ability to review all documentation and presentations which are being considered at the meeting as well as the opportunity for simultaneous oral communications among all participating Trustees. Members of the public must attend all meetings in person.

In accordance with New Jersey law A2784, the mayor may remove a Trustee from the board after missing 3 consecutive meetings (not due to legitimate illness). A member who is unable to attend a meeting shall advise the President and director or the library administrative assistant at least one (1) day in advance of the meeting.

In the event a member misses three (3) meetings in a calendar year, and who shall fail to present an excuse therefore satisfactory to a majority of the Board, the Board may vote to recommend to the Mayor removal of said member.

Section 3: Vacancies

Upon the expiration of the term of office of any Trustee, the mayor or other chief executive officer of the municipality shall appoint a citizen for a term of five years in the same manner as the original appointments are made. Vacancies filled due to resignation, incapacity, death or removal shall follow the regulations as set forth in New Jersey Library Law.

Article II: MEETINGS

Section 1:

Regular meetings of the board shall be held monthly except for July and August. An additional meeting will be held every January for the purposes of discussing employee salaries and the Director's annual evaluation. The meeting times and place shall be designated at the October board meeting by resolution.

Section 2:

The annual meeting, in which the new Officers for the year are appointed, shall be conducted in conjunction with the regular monthly meeting held in January.

Section 3:

Special meetings may be called by the President, or upon the written request of four members, for the transaction of business stated in the call for meeting. The Secretary or the administrative assistant shall notify all members at least forty-eight hours in advance. Closed meetings may be called by the President or upon written request of four members to discuss potential litigation, contract negotiations, and personnel issues. If the matter involves personnel, the employee(s) shall be notified at least forty-eight hours in advance and be given the opportunity to choose to have the meeting be an open session. Written notice to the Board must be provided. If more than one employee is the subject of the meeting, then all must agree, in writing, to having the meeting be an open meeting.

Section 4:

All meetings will be held in person at the Library unless a declared emergency is in effect as defined by N.J.A.C. 5:39-1.1 et seq.

Section 5:

All meetings shall be announced to the public in accordance with the New Jersey Open Meeting Law (Chapter 231 PL 1975). Remote meetings held as a result of a Declared Emergency must be announced and include clear and concise instructions for accessing the remote public meeting. Notice of the electronic meeting must be posted on the Library's website and on the main entrance door of the Library.

Section 6:

Quorum: A quorum for the transaction of business shall consist of five members of the board or a majority if current membership is less than 9 members.

Section 7:

An affirmative vote of a simple majority of members of the board present shall be necessary to approve any action before the board. The President may vote upon, and may move or second, a

proposal before the board.

Section 8: The order of business at the regular meetings shall be as follows:

1. Announcement of compliance with the Open Public Meetings Law.
2. Call to order.
3. Roll call of members.
4. Welcome to visitors with instructions on when to address the board.
5. Public presentation to, or discussion with, the board.
6. Library Friends report.
7. Approval of minutes
8. Communications.
9. Report of director.
10. Committee reports.
11. Action on bills.
12. Old business.
13. New business.
14. Closed session.
15. Adjournment.

Section 9:

Proceedings of all meetings shall be governed by Robert's Rules of Order, latest edition.

ARTICLE III: OFFICERS

Section 1:

Officers of the board shall be elected at the regular annual meeting of the board, and shall be as follows: President, Vice-President, Secretary, and Treasurer. Their term of office shall be for one (1) year coinciding with the calendar year. Officers shall serve in one capacity for no more than three consecutive years.

Section 2:

The President of the board shall preside at all meetings, appoint all committees, execute all documents authorized by the board, authorize calls for any special meetings, serve as an ex-officio voting member of all committees, and generally perform the duties of a presiding officer. In the absence of the President from a board meeting, the Vice President shall preside. In the absence of both, the members shall select a temporary chairman.

Section 3:

The Vice President shall perform all the duties of President in the absence of the President.

Section 4:

The Secretary shall see that the minutes and other records of the board are filed and maintained in a safe and secure manner in the library. The Secretary shall take minutes for all closed meetings and shall maintain them in a secure place, located behind the administrative assistant's desk. The administrative assistant or designee shall take the minutes for all open meetings. Regular minutes should be available to any member of the public upon request, in compliance with the Open Public Records Act. The secretary shall review and approve of all minutes prior to distribution to the

board for final approval.

Section 5:

The Treasurer shall see that an accurate account of receipts and disbursements is kept, shall present to the board the bills to be paid for approval, and shall perform such other duties as are generally associated with that office. The Treasurer and all board members authorized to sign checks shall be bonded. Bond fees are to be paid by the library on behalf of the board. The insurer requires a personal financial disclosure statement by the new Treasurer at the time of bond issuance. All checks require two signatures, either the director and one board member or two board members. Non-budgeted expenditures of \$10,000 or more shall require Board approval via a resolution prior to being contracted for or paid.

Article IV: COMMITTEES

Section 1:

There shall be the following standing committees, appointed by the President for one (1) year coinciding with the calendar year: finance, sunshine, personnel, and policy.

Section 2:

A nominating committee appointed by the President in December shall present a slate of candidates for office at the January Annual Meeting. At this meeting, additional nominations may be made from the floor, and the voting will take place. This close timing is due to the library board's reorganization having to take place after the borough's. Newly appointed Trustees and re-appointees shall be sworn in immediately following the vote, by the President. In the absence of the President, the oath may be administered by the borough clerk, the mayor, other elected municipal officers or others according to NJSA Library Law.

Section 3:

The function of the committees shall be to provide information, monitor policy, and give direction to the board and to the library director.

Section 4:

No committee shall have other than advisory powers unless, by suitable action of the board, it is granted specific power to act.

Section 5:

At the President's discretion, other committees necessary for the general welfare of the library may be appointed.

ARTICLE V: CONFLICT OF INTEREST

Section 1:

Board members may not in their private capacity negotiate, bid for, or enter into a contract with the New Providence Public Library in which they have a direct or indirect financial interest, acting for a business or organization.

Section 2:

A board member shall withdraw from board discussion, deliberation, and vote on any matter in which the board member, an immediate family member, or an organization with which the board member is associated or has a financial interest.

Section 3:

A board member may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

ARTICLE VI: DIRECTOR**Section 1:**

The Board shall appoint a qualified library director, who holds a New Jersey State Professional Librarian Certificate, or equivalent qualifications, who shall be executive and administrative officer of the library on behalf of the Board and under its review and direction. An annual performance appraisal shall be conducted by the Board coinciding with the annual review of staff salaries. The Director shall hire, determine the duties of, and dismiss all staff within the provisions of applicable laws and regulations and library policies. The Director shall consult with the Board about changes in professional staff and keep them advised of all personnel changes. Progress reports shall be presented to the Board at its meetings. The Director shall attend all Board Meetings except the portion of those meetings at which the Director's appointment, appraisal, or salary are to be discussed.

ARTICLE VII: AMENDMENT OF BYLAWS**Section 1:**

These bylaws may be amended at any regular meeting of the board by a majority vote of the entire membership of the board, provided the written amendment as submitted to members was stated in the call for the meeting.

Section 2:

These bylaws shall be reviewed by the board annually.

Zoning Board of Adjustment

- A. Establishment. A Zoning Board of Adjustments is hereby established pursuant to the MLUL, N.J.S.A. 40:55D-69, consisting of seven regular members and two alternate members.
- B. Members. Members shall be appointed by the Mayor with the advice and consent of the Borough Council. No member may hold any elective office or position under the borough.
- C. Alternate members. Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No. 1" and "Alternate No. 2." The alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made

- as to which alternate member is to vote, Alternate No. 1 shall vote.
- D. Terms. The term of each regular member shall be four years, and the term of the alternate members shall be two years.
 - E. Removal. A member may, after public hearing if he requests it, be removed by the Borough Council for cause.
 - F. Vacancies. The Mayor shall nominate a candidate to fill a vacancy within 30 days after a position on the Board becomes vacant. If the Mayor fails to nominate within the 30 days or if the Borough Council fails to confirm any nomination made by the Mayor, then, after the expiration of the 30 days, the Council shall appoint the new member. No such appointment shall be made except by the vote of a majority of the members of the Council present at the meeting, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in case of a tie. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term only.
 - G. Organization. The Board of Adjustment shall elect a chairman and vice chairman from its members.
 - H. Staff.
 - 1) Secretary. The Board of Adjustment shall select a secretary, who may or may not be a member of the Board of Adjustment or a borough employee.
 - 2) Attorney. There is hereby created the office of Zoning Board of Adjustment Attorney who shall not be the Borough Attorney. The compensation of the Board of Adjustment Attorney shall be fixed annually.
 - 3) Experts, staff and services. The Board of Adjustment may also employ or contract for the services of experts and other staff and services as it may deem necessary. The compensation shall not exceed, exclusive of gifts or grants, the amount appropriated by the Borough Council for the Board's use.
 - I. Compensation. The compensation of the Zoning Board of Adjustment members shall be fixed by the Borough Council annually.

EXHIBIT D: STANDARD OPERATING PROCEDURES

Communications/Public Information

I. PURPOSE/GOALS

Based upon the Borough of New Providence's interest and expectation in deciding who may "speak" and what is "spoken" on behalf of the Borough of New Providence, the following policy has been established regarding the use of all media in conveying borough information. The purpose of this policy is to define the borough's procedures regarding the initiation, approval and distribution of all news releases and other public information and to address issues surrounding social media. This policy applies to all employees, elected officials and volunteers and is meant to assure that accurate, coordinated, approved, non-political, and factual information is shared via the official sites and sources of the Borough of New Providence. The dissemination of information requires a multi-pronged approach utilizing various media and message frequency in order to reach all of the borough's residents and visitors. The borough will approach the use of all media tools as consistently as possible, borough wide.

II. DISCUSSION

The Public Information Officer (PIO) is vital in the creation, coordination and dissemination of official public information for all aspects of the Borough of New Providence operations. It is understood and recognized that all employees, elected and appointed officials and our volunteer committees represent and reflect the values of the Borough of New Providence. As such it is imperative that any and all release of information be coordinated through the Public Information Officer or Borough Administrator to assure that those values are reflected in the information being shared. Any questions or concerns that may arise concerning public information content or methodology shall be directed to the Public Information Officer or Borough Administrator.

Employees are reminded to review the New Providence Personnel Manual for an in-depth discussion of employee's responsibilities as they relate to email and Internet Code of Conduct.

III. Website

The Borough of New Providence official website at www.newprov.org will remain the borough's primary and predominant internet presence. Unless otherwise approved by the Borough Administrator or Public Information Officer, content posted to official Borough of New Providence social media sites will first be posted on the borough's official website. Wherever possible, the borough social media sites will link back to the official borough website for forms, documents, online services, and other information necessary to conduct business with New Providence.

Each Department Head and Borough Council Committee will designate one representative who is responsible for providing, updating, and maintaining content and information posted on the borough website and social media site(s).

Information may be posted on the borough website by the Public Information Officer or designee, the Borough Administrator, and by approved Department Heads. Any other person or entity wishing to post information on the borough website will submit the information to the Public Information Officer or Borough Administrator for approval. Only submissions relating to approved borough business or activities taking place within the borough will be considered. Submissions from the following individual/groups/entities are not permitted.

1. Private persons or entities.
2. Businesses.
3. Political organizations.
4. Religious organizations.

Website post submissions will be edited for accuracy, timeliness, appropriateness, length, redundancy, and relevancy at the sole discretion of the Public Information Officer or Borough Administrator.

For website post content guidelines, refer to **APPENDIX A - Prohibited Posts and Content**

IV. Press Releases

The release of official information from the Borough of New Providence shall be coordinated through the Public Information Officer or designee.

a) Emergency Services

Emergency Services (Police, Fire, EMS) may release information directly to the press if the information being released relates to a current or ongoing emergency situation involving the borough. All non-emergency messages from emergency services will be coordinated through the Public Information Officer or designee.

b) Borough Departments

Department Heads and members of the Governing Body wishing to share official information through a press release shall coordinate the release of the information through the Public Information Officer or Borough Administrator.

c) Borough Advisory Committees

Advisory Committee Chairs or Liaisons wishing to publicize an approved borough event or other information about their committee shall coordinate the release of that information through the Public Information Officer or Borough Administrator once the event has been presented to and authorized by the Governing Body.

Authorized events must meet the following criteria:

- i. Event venue must be within the Borough of New Providence.
- ii. Event must be open to the public or all members of the community.
- iii. All proceeds must benefit a non-profit organization.
- iv. Event may not be religious or political in nature or promote same.

For press release content guidelines, refer to **APPENDIX A - Prohibited Posts and Content**

V. Electronic Bulletin Board and NPTV

The purpose of the Community Bulletin Board and NPTV is to promote authorized programs and events from New Providence non-profit organizations, the Borough of New Providence, the County or New Providence schools.

Authorized events must meet the following criteria:

- i. Event venue must be within the Borough of New Providence.
- ii. Event must be open to the public or all members of the community.
- iii. All proceeds must benefit a non-profit organization.
- iv. Event may not be religious or political in nature or promote same.

Messages from the following individual/groups/entities are not permitted:

- i. Private persons or entities.
- ii. Businesses.
- iii. Political organizations.
- iv. Religious organizations.

Requests for posting shall be directed to the Public Information Officer of the Borough of New Providence, who may be contacted via the borough's website.

Requests must be submitted at least two weeks before the preferred dates of display.

No posting shall be granted for a period exceeding 14 days. The Public Information Officer has sole discretion with the scheduling of messages. While every effort will be made to accommodate requests, there may be times where message display times will need to be modified due to the number of messages requested for those periods.

The content of the message will be reviewed by the Public Information Officer or designee. If the Public Information Officer deems the message to be inappropriate, the Public Information Officer will confer with the applicant to alter the message or to deny the request.

For message guidelines refer to **APPENDIX A - Prohibited Posts and Content**

VI. Park Banners

Public banners displayed within the borough shall be limited to; Centennial Park, Veteran's Park, the DeCorso Community Center, or the banner poles across Springfield Avenue and South Street (currently not operational). The posting of lawn signs on municipal property is prohibited.

Public banners may be used to promote programs and events from New Providence non-profit organizations, the borough, the county, or schools.

Messages from the following individual/groups/entities are not permitted:

- 1) Private persons or entities.
- 2) Businesses.
- 3) Political organizations.
- 4) Religious organizations.

Requests for banners will be made through the borough website and will pertain only to the park banners. If multiple requests are received for the same time periods, requests will be granted on a first-come basis.

VII. Overhead Street Banners

The overhead street banners installed across Springfield Avenue or South Street require approval from the County of Union. The Borough Clerk's office shall forward requests to Union County that have been approved by the borough. A Certificate of Insurance is required to be submitted by the requesting organization naming the requesting organization and the Borough of New Providence as insured.

VIII. Light Pole Banners

There are banners that hang on the light poles throughout the downtown. These banner locations are prohibited for use used by any organization other than the New Providence Business Community and the

Borough of New Providence. They may not be used to promote specific programs or events, or for fundraising or other programs related the schools, the county, or non-profit organizations.

IX. Ribbons

Commemorative ribbons may be placed on our downtown light poles. Ribbons must represent a local, county, state, or national organization. Organizations without specific ties to the Borough of New Providence will be decided on a case-by-case basis by the Borough Administrator.

Ribbons from the following individual/groups/entities are not permitted:

- 1) Private persons or entities.
- 2) Businesses.
- 3) Political organizations.
- 4) Religious organizations.

Requests to hang ribbons will be made through the borough website. If multiple requests are received for the same time periods, requests will be granted on a first-come basis.

- a) Ribbons may be installed for no more than a two-week period on the black lamp posts located in the downtown area. The downtown area is defined as Springfield Avenue from Centennial Park to the Salt Brook west of South Street and South Street from Gales Drive to Passaic Street at Elkwood Avenue.
- b) Only one group/organization may install ribbons at a time. The Borough Administrator will assign time periods for groups meeting the criteria set forth herein.
- c) All ribbons must be removed by the designated date.

VIII. Quarterly Newsletters and Annual Calendar

The Public Information Officer is responsible to create and distribute the quarterly newsletters. The information contained in these publications is provided by Department Heads and Committee Chairs to inform residents of projects, events, schedules, and other items of overall interest to the community. Newsletter submissions will be edited for accuracy, timeliness, length, redundancy, and relevancy at the sole discretion of the Public Information Officer or Borough Administrator.

The Annual Calendar is produced to provide borough residents with timely information regarding DPW programs and schedules and general borough information and resources. The information contained in the calendar is provided by Department Heads to inform residents of projects, events, schedules, and other items of overall interest to the community. Calendar submissions will be edited for accuracy, timeliness, length, redundancy, and relevancy at the sole discretion of the Public Information Officer or Borough Administrator.

For content guidelines, refer to **APPENDIX A - Prohibited Posts and Content**

IX. Smart 911

This service is an internet based high speed telephone, text and email service that can be used for both emergency broadcasts and non-emergency general and subscription-based communications.

System Control

Operation control and administration will be the responsibility of the Office of Emergency Management

(OEM) Coordinator. Only those employees who are trained in the proper use of Smart 911 and have login credentials are authorized to use the system. All messages shall receive prior approval from either the OEM Coordinator or the Borough Administrator, who will determine if a request meets the systems purpose.

All messages shall come from “The Borough of New Providence” or a borough department and not name individual employees or representatives.

System Purpose

Smart 911 emergency broadcasts may be used for but are not limited to the following:

- 1) Alerts regarding endangered and/or missing children and adults.
- 2) Providing urgent information regarding public safety with the intent to protect lives and/or property of the citizens and/or visitors of New Providence.
- 3) Neighborhood watch information.
- 4) Road closures.
- 5) Crime alerts specific to a geographic area.
- 6) Evacuations/information concerning critical incidents.
- 7) Escaped prisoners.
- 8) Weather related information.
- 9) Water related issues.
- 10) Any incident in which broadcasting the message would keep citizens from calling the Dispatch Center to request information.

Smart 911 non-emergency broadcasts may be used for but are not limited to the following:

- 1) Community event information and updates.
- 2) Garbage and/or Recycling pick up changes.
- 3) Road work updates and information.

Emergency messages

- Must be approved by the OEM Coordinator or Borough Administrator.
- Can be launched at any time.

Non-emergency “general” messages

- Must be approved by OEM Coordinator or Borough Administrator.
- Can be launched between the hours of 9 AM and 9 PM.

X. Social Media

Social media has inherent limitations because of its internet foundation. The system cannot be made secure, so it is not possible to ensure privacy, and the potential exists for any given post to be spread virally. Similarly, it is not possible to authenticate sources, and misinformation and misappropriation of identity occurs regularly, with reckless, malicious, or even criminal intent. Therefore:

- All information obtained from social media sources should be viewed skeptically.
- Borough employees should expect similar skepticism from the public, and therefore should use social media only as a supplemental method of information delivery.
- It is not the primary distribution method of any legislative or administrative decision or act by any borough elected official or employee.

- Social Media is not definitive of any official borough position or policy, although the department maintaining the site should make reasonable attempts to maintain accuracy of the information and should verify the accuracy of the information that they personally post on a social media channel.

Social media will not be used as a notification method to provide borough officials and employees or the public with legally required information.

All borough officials, employees, members of the Governing Body, and volunteers using social media, whether on borough, third party or personal sites, shall adhere to borough ethical policies and appropriately maintain the levels of confidentiality with which they have been entrusted. They must respect copyright, medical, and financial disclosure laws, and protect sensitive personal, security or operational information from release. This includes personally identifiable and personal identity information. They should not report on internal conversations or considerations at issue prior to a final decision unless given permission by borough management.

The purpose of social media is to provide accurate information through a consolidated information source, creating a more robust presence for the borough and simplifying the information search (for users) by merging and eliminating individual advisory committee social media pages. The Borough of New Providence shall have a single presence on social media sites deemed appropriate for use.

All official Borough of New Providence presence on social media sites or services is considered an extension of the borough's information networks and is governed by all policies applicable to the use of municipal computers and electronic media, as well as the municipal internet access and use guidelines, and the borough Personnel Policy.

Departments that use social media are responsible for complying with applicable federal, state and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, record retention, the Freedom of Information Act (FOIA), the Open Public Records Act (OPRA) N.J.S.A. 47:1A-1 et seq., First Amendment privacy laws, Open Public Meetings Act (OPMA), otherwise known as the "Sunshine Law" and information security policies established by the Borough of New Providence, its administrators, departments, and Governing Body. The borough maintains all social media posts, comments, and account information as a permanent archive for the official social media sites.

Employees representing the Borough of New Providence on social media outlets must identify themselves by name and when relevant, by role in the Borough of New Providence municipal government. All municipal policies are applicable to interactions on social media sites when acting in an official capacity and representing the Borough of New Providence.

The Public Information Officer or designee shall monitor content on all approved borough social media sites to ensure adherence to the Social Media Policy for appropriate use, message and branding consistent with the goals of the Borough of New Providence.

The Public Information Officer or Borough Administrator may have the authority to remove any information that violates this Social Media Policy at any time from any approved borough social media site in accordance with archiving and retention requirements. Once removed, an e-mail will be sent to the Borough Administrator's Office for notification.

For post and content guidelines, refer to **APPENDIX A - Prohibited Posts and Content**

A. Official Social Media Sites

The Public Information Officer or designee for the Borough of New Providence shall oversee all social media for the Borough of New Providence. The borough will approach the use of social media tools as consistently as possible, borough wide. No borough employee, borough elected official, vendor performing work or providing services to the borough, or volunteer may post or comment on a borough social media site.

Mayor and Council of the Borough of New Providence created advisory committees for the purpose of receiving guidance and assistance with various activities within the borough. These include, but are not limited to; New Providence Public Art Committee, Sustainability Committee, Beautification Committee and the Diversity Committee, and NP Alliance

Advisory Committees wishing to post to social media on behalf of the borough shall provide the Public Information Officer or designee – in a format prescribed by the PIO – with the necessary information, which will be posted by the Public Information Officer or designee on the borough website and then posted to official borough social media. Information may include approved activities of an advisory committee, recent projects, future meeting dates and locations, and upcoming projects of interest to the community. Once information has been posted by the Public Information Officer or designee, Advisory Committee members are encouraged to share the social media posts to other pages that they deem appropriate to help promote the information. The Borough Council Liaison to each Advisory Committee will be responsible for communicating this policy to each committee and ensuring compliance.

In addition, there are borough departments hosting social media, including the New Providence Police Department/OEM and the New Providence Recreation Department. Information that is shared via the Police/OEM Facebook page and Recreation Facebook page will first be posted on the borough’s website. Those posts on the borough’s website will automatically post to the borough’s official Facebook page, assuring the information reaches the widest audience possible. Once information has been posted by the Public Information Officer or designee, Department Heads, employees, volunteers, and Borough Council members are encouraged to share the social media posts to other pages that they deem appropriate to help promote the information.

Any social media site created by a borough employee, borough volunteer, borough official and/or borough entity remains the property of the borough, including all the followers and friends generated by the site, and may be deleted by the borough if it deems it appropriate to do so.

All site names, passwords and/or access codes or information or changes to these shall be filed with the Borough Administrator and updated within two days of any change. If the person who created the social media site leaves a borough entity, the passwords and/or access codes to the site shall be changed and the new information filed with the Borough Administrator within two days of the change.

B. Community Forums and Other Non-Official Sites

Within the “community” of New Providence, there are numerous social media sites that could appear to be official sites of the Borough of New Providence. While these sites may have a purpose from a social interaction perspective, too many times inaccurate information is provided by well-intended individuals. As it is impossible and inappropriate for borough officials and/or employees to monitor and respond to every comment on all these sites, borough employees and representatives will adhere to the following:

- 1) Do not respond or post official information on those sites, as doing so suggests that the site is an official source of borough information.
- 2) Confirm that the information is available on the borough’s website and Facebook page and then

- (only if necessary) respond to the post that the information is available on the borough's website and Facebook page and provide a link to those posts.
- 3) If you are browsing these sites and you see a common theme or issue that is raised, please contact and review the matter with the Public Information Officer or Borough Administrator. If appropriate, factual information about the issue or concern will be posted on the borough's website and Facebook page.

C. Use of Personal Facebook Accounts Relating to Borough Business

- Borough business should not be posted on personal Facebook pages. The official borough Facebook pages are monitored and archived to protect the borough from lawsuits and to comply with recordkeeping requirements and recommendations. All official Facebook posts related to borough business are posted to the Newprovnj Facebook page only by those authorized to do so. Authorized posts to the borough Facebook page may be shared to your personal page.
- Employees, appointed and elected officials, and volunteers should be sensitive to their personal posts on Facebook and recognize that, although you are posting on your personal page, many residents will be familiar with you in your role with the borough.
- As employees, appointed and elected officials and volunteers, it is inappropriate to provide any posts or comments relating to public safety issues, especially during natural disaster or large-scale incidents or events. For example, a well-intentioned post suggesting that residents call the dispatch center to report certain events could be inaccurate, overloading the call-taking capability of the center.
- As employees, appointed and elected officials and volunteers, it is inappropriate to endorse or recommend a particular vendor, business or professional service. Since many know you as an employee, appointed or elected official or volunteer, your recommendations of a local business on your personal page could be viewed as an official endorsement.
- If you are endorsing one business, you are likely slighting another.
- Employees should consult the New Providence Personnel Handbook for specific guidance on this subject.
- The borough does not archive any personal Facebook pages nor protect them from litigation. You are solely responsible for any actions taken as a result of a posting on your personal social media accounts.

D. Use of Personal Email Accounts Relating to Borough Business

- Borough business should never be communicated through personal email addresses. The official borough email addresses (ex., jdoe@newprov.us) are to be used for all communications relating to the borough or borough business. Conversely, the official borough email addresses should **not** be used for personal or political campaign messaging.

APPENDIX A

Prohibited Posts and Content

1. Profane, obscene, violent, sexually suggestive, or pornographic content and/or language or links to such materials.
2. Images or links containing minors or suspected minors in sexual and/or provocative situations. These will be reported to law enforcement.
3. Photographs or images of children without permission of their parents or guardians.
4. Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, national origin, marital status, sexual orientation, physical or mental disability or the receipt of public assistance.
5. Defamatory, racist, and anti-Semitic remarks.
6. Threats to any person or organization.
7. Solicitation of commerce including, but not limited to, advertising of any business or product for sale, with the exception of borough-sponsored events and/or items.
8. Anything political in nature, solicitation of political support or political contributions, or reference to any political position or organization.
9. Conduct in violation of any federal, state, or local law or ordinance.
10. Encouragement of illegal activity.
11. Information that may tend to compromise the safety or security of the public or public systems.
12. Content that violates a legal ownership interest, such as a copyright or other infringement on intellectual property rights.
13. Private contact information such as names, addresses, phone numbers, email addresses.
14. Personal information about an individual.
15. Spamming or repetitive content.
16. Comments from and participation of children under 18 in compliance with the Children's Online Privacy Protection Act.
17. Anything religious in nature, solicitation of religious support or religious contributions, or reference to any religious belief or organization.
18. Reference to any private interest group or activity of a private interest group.
19. Reference to a specific borough employee, volunteer, or committee member, unless that person is the recipient of an award or nomination or that person is the listed contact for a specific event or purpose.

APPENDIX B

Tips for Using Social Media Sites

- **Be Cautious** - If you are about to post information that makes you even the slightest bit uncomfortable, pause and think about it. Be smart about protecting sensitive and/or confidential borough information, as well as your own privacy. Remember that what is posted via social media is widely accessible, not easily retractable, subject to scrutiny, and will be around for a long time.
- **Post Only What You Know** - Make sure that what you post regarding borough business falls into your specific area of expertise. Don't post about borough business that you are not involved in. There are too many opportunities for misperceptions to be created if you post on subjects that you aren't completely familiar with.
- **Avoid Personal Posts About Borough Business** - In the social media environment, the lines between public and private, personal and professional are easily blurred. As referenced in the Borough of New Providence Social Media Policy, borough employees and/or elected officials are discouraged from using personal equipment and/or personal accounts to post information about borough business on either official borough social media sites or other social media sites. Doing so too easily opens the door to others perceiving personal posts as representing the official position of the borough. Keep in mind that even if you are posting about borough business using personal equipment or a personal account, what you say is subject to public disclosure laws, open meetings laws, and all other applicable laws, rules, and regulations.
- **Be Honest and Straightforward** - All posts should be accurate and should avoid being misleading in any way. Present information in posts as simply as possible. Posts that are brief and to the point leave less room for misinterpretation. If you happen to post information that misses the mark, be quick to point it out and correct it.
- **Stick to the Facts** - Post information that is based on your knowledge, rather than your opinion. Whenever possible, reference information that is available on the borough's website or is otherwise easily accessible. By sticking to the facts, you will be seen as an unbiased, trusted source of information about borough business.
- **Know the Rules** - Make sure that what you post complies with the Borough of New Providence Social Media Policy and all other applicable laws, rules, and regulations. If you have questions about using social media, check with the Borough Administrator.

Remember that whatever you post to social media sites is ultimately your responsibility.

APPENDIX C

Social Media Tips for Public Officials:

This policy establishes a “**best management practice for official social media use by public officials**” as well as guidelines for appropriate private or personal use of social media by public officials. Once a citizen becomes a public official, their expectation of privacy and private speech can become muddled as they are a public person with public exposure and responsibilities to the community and to the government organization.

Examples of public officials include elected officials and appointed officials, such as the Borough Administrator, Borough Clerk, Borough Treasurer, and Police Chief.

Bright Line Distinction

The bright line distinction is to **make sure all posts are clearly expressed as your own statements or opinions and not an official statement or position of the borough.** A disclaimer such as “views and posts are my own and do not represent the position or opinion of my employer or the Borough of New Providence,” may seem unnecessary, but it is specifically insisted upon in this context, or in some form otherwise approved by legal counsel. Further, those voluntarily appearing in images on social media should not be wearing uniforms or insignia of the borough, without the express written permission of the Borough Administrator. Obviously, those images obtained in public view (i.e., working in the street) while wearing a borough uniform or insignia is an exception.

Example of Social Media Disclaimer:

Views and posts are my own and do not represent the position or opinion of my employer or the Borough of New Providence.

Public Officials should take care to be extremely limited to their activities on social media.

Unlike employees or volunteers, they must make it clear that they are only participating in social media as a private citizen, their messages and posts are not in any official capacity, and the borough recommends they avoid expressing any information, details, answers to questions, conversations, corrections, or anything related to the Borough of New Providence on their private social media posts and messages. To disseminate information about anything to do with the borough, including private opinions, it is better that the information be requested to be posted on an official Borough of New Providence social media account and should not be disseminated through a Public Official’s private account without the express written permission of the Borough Administrator or Borough Council. Only the Borough Administrator or Borough Council can waive this requirement.

Campaigns and political activities on social media

Borough Department Heads and employees are prohibited from expressing any public opinions on social media about any federal, state, local, or school district political issue or any Borough Public Official or Borough Public Official candidate. This is necessary to maintain the trust and confidence of Borough Council and the citizens of the community who we serve. Accepting such an appointment by the borough implies your willingness to limit your rights to private expression and social media is not considered a form of private expression. These guidelines have an equal impact on the use of social media for campaigns and political activities.

Official political campaigns on social media:

If you are a candidate or someone representing a candidate or official for public elected office, please follow the following rules:

- So that there is no misunderstanding, if a Borough Public Official, candidate, or someone representing a candidate or official establishes an official political social media presence on behalf of the Public Official, it is required that the account or name on the social media profile be the group representing the Public Official rather than the Public Official himself/herself. For example, if Council Member Mickey Mouse is running for State Senate, the profile might be called Citizens to Elect Mickey Mouse, or the Committee to Elect Mickey Mouse, or Mickey Mouse for State Senate, but not just Mickey Mouse, nor Council Member Mickey Mouse.
- When in doubt, the Borough Attorney will issue an advisory opinion to the Borough Public Official, candidate or someone representing a candidate or official offering advice as to how the political campaign should be identified on social media.

Operation of Advisory Committees

SOP #102-09-002

I. Purpose

- a. This procedure will outline the roles and responsibilities of advisory committees, oversight, authority, and reporting requirements.

II. Policy

- a. It shall be the policy of the Borough of New Providence that all Advisory Committees are responsible to the Mayor and Borough Council.
- b. Advisory Committees are created as needed for specific purposes.
- c. The chairperson and members of the Advisory Committees are appointed annually for a one-year term.
- d. **Once the work of the advisory committee has been concluded, the committee shall be disbanded.**

III. Roles and Responsibilities

- a. **Chairperson** – The chairperson shall be responsible for the overall operation and functioning of the committee. The chairperson shall schedule meetings, prepare agendas, and coordinate resources necessary for the committee.
- b. **Committee Member** – Members shall support the chairperson and work on projects as assigned by the chairperson. Members shall provide input and advice on matters where they have particular expertise.
- c. **Borough Council Liaison** - Shall provide periodic reports to the governing body concerning progress of the committee. The Borough Council Liaison consults with the Borough Administrator relating to resources necessary for the operations of the committee.

IV. Procedure

- a. Members of advisory committees shall create a mission statement for the work of their committee that shall be reviewed and approved by the Mayor and Council. Members shall work as a team to achieve the goals as set forth in the mission statement.
- b. Individual committee members may not contact Borough staff directly without first consulting with the Borough Administrator.
- c. Public events offered by the committee require Council approval.
- d. Individual committee members may not contact outside entities, such as officials from other municipalities or Union County, without first consulting with the Borough Administrator.

V. Expenditure of Municipal Funds

- a. Due to explicit financial requirements for the expenditure of municipal funds all purchases toward the activities or functions of the advisory committee requires consultation and authorization from the Borough Administrator.

VI. Reporting

The Borough Council Liaison shall provide periodic reports to the Mayor and Council on the work of the committee.

Purpose

- a. This procedure will outline the process to be followed whenever a community event is proposed by a citizen or Borough Council Advisory Committee that may be of overall interest to the community.

Definitions

- a. **Citizen** – A member of the community who is not affiliated with any Borough Council Advisory Committee.
- b. **Borough Council Advisory Committee** – A duly appointed committee appointed to advise the council on matters of interest, including but not limited to: Public Art Committee, Diversity Committee, Emergency Management Committee, Beautification Committee.
- c. **Community Event** – Any event that will occur on Borough property and/or require financial or personnel resources or involves a Borough Council Advisory Committee of the Borough of New Providence.

Policy

- a. It shall be the policy of the Borough of New Providence that all requests for a community event to be sponsored by or involve Borough Council Advisory Committees or personnel resources of the Borough shall be approved by the Borough Council. Events shall not support any individual business, political party, or religious organization or be political or religious in nature.

Procedure

- a. All requests for a community event shall be submitted to the Borough Administrator as outlined above. If the event recommendation is by a private citizen, the Borough Administrator shall consult with the Council Liaison to the applicable advisory committee best aligned with the proposed activity.
- b. If the Borough Administrator and Council Liaison agree that the request by a citizen warrants further consideration, the request will be referred to the chairman of the best aligned Council committee.
- c. If the proposed event involves a business within the Downtown Improvement District or the Business and Professional Association and requires the use of public property or resources, the proposal will be advanced in accordance with these procedures by the Business Community Manager.
- d. The advisory committee shall consider the following factors when reviewing requests:
 - i. Does this request reflect an event or activity that has an overall appeal to the citizens of New Providence or a particular subset of our residents?

- ii. Does this event or activity conflict with, detract from or otherwise dilute the value of any other events already scheduled.?
 - iii. Does the event warrant expenditure of borough resources - financial or otherwise?
- e. If the advisory committee is proposing the event or is recommending the event suggested by a private citizen, the committee shall prepare a report outlining the details of the event, such report shall at minimum include:
 - i. A description of the event to include the proposed date, time, and location.
 - ii. Whether this will be a “free” event or if charges to event participants will apply.
 - iii. If other than Borough property is required, whether permission has been granted from the property owner to conduct the event at that location.
 - iv. Borough personnel resources (such as Administration, Community Activities, Police, Fire, Rescue Squad, or DPW) required for the planning, execution, and follow-up for the event.
 - v. Borough funds necessary to conduct the event.
 - vi. Any fundraising efforts to support the cost of the program or to raise money for the entity and the target of said fundraising; general population, business community or other entities.
 - vii. For the avoidance of doubt, all communications (written or spoken) is limited between the Advisory Committee Chairperson, Council Liaison, and Borough Administrator. No other exparte communications is permissible.
- f. The report will be listed on a council agenda for discussion lead by the Council Liaison for the committee. The following actions may occur:
 - i. The Borough Council may accept the proposal as presented by the advisory committee;
 - ii. Reject the proposal;
 - iii. Modify the proposal with conditions.
- g. The actions of the Council as outlined above shall be memorialized in a resolution to be adopted by the Borough Council.
- h. The Council Liaison shall advise the advisory committee of the decision. If approved, the event will fall under that advisory committee’s purview, and an employee of the Borough will be assigned to coordinate the event. However, any staff involvement requires the approval of the Borough Administrator. At no point will private citizens approach Borough employees or engage in planning activity, including but not limited to, the creation of purchase orders and scheduling of Borough facilities or resources.

Council Liaison Responsibilities

SOP #102-09-003

I. Purpose:

- a. To establish a policy outlining the roles and responsibilities of council members assigned as liaisons to various advisory committees and boards.

II. Role

- a. The role of the council members assigned as a liaison is to serve as a conduit for information between the Borough Council and the Advisory Committee or Board.
- b. The Council Liaison should describe the purpose of the committee and guide the development of the goals and mission of the committee. The council liaison shall review the mission statement of their committees with the council for concurrence.
- c. The Council Liaison should provide updates as necessary to the Borough Council about the activities of the committee. Changes desired should be discussed with the Mayor and Borough Council before implementation.
- d. A Council Liaison has no unilateral authority to approve action that otherwise requires action of the Borough Council.

III. Responsibility

- a. Ensure a proper transmittal of all communications, requests, and questions by the group and to ensure that responses are provided.
- b. Transmit all necessary budget information.
- c. Review and take appropriate action on vouchers where appropriate.

IV. Procedures

- a. At the initial meeting of a council liaison with a new committee or as a newly designed committee liaison, the council liaison shall:
 - i. Review the goals and mission of the committee.
 - ii. Determine the current status of the committee in relation to the mission set for the committee.
- b. The council liaison shall:
 - i. Provide guidance, support and resources of the government for the achievement of the committee's goals.
 - 1 Providing government resources must be coordinated through the Borough Administrator to assure there are no disruptions to the work force. Council members and committee members or

chairpersons should work through the Borough Administrator for assistance of professional staff.

2 Where established, share the position or perspective of the Borough Council on matters pending before the committee.

1. A Council member may not assert a position of the Borough Council that has not been discussed and agreed upon by the entire governing body.

c. The council liaison should not:

- i. Serve as the chair of the committee. It is the responsibility of the committee chair to set the agenda and direct and control the meeting.

V. Sharing of Information

- a. Members of the Borough Council may become aware of facts or information that fall under the purview of another committee or liaison. It is incumbent on all Council Members to share information across committee lines to ensure that decisions are made based on disclosure of all relevant information.

Email and Internet Code of Conduct Policy

Employee Handbook

Access to the Internet has been provided to public employees for the benefit of the Borough of New Providence and its residents. It allows employees to connect to information resources around the state, the country and the world. While on the job every employee has a responsibility to use the Internet responsibly and in a productive manner. To ensure that all employees are responsible, productive Internet users, the following guidelines have been established for using the Internet.

A. Confidentiality, Privacy and Monitoring

All Borough electronic systems, including e-mail, Internet connections and instant messaging, are the property of the Borough. All documents, information and data created, stored and/or copied to the Borough's computer system are the property of the Borough and may not be copied or in any form transmitted to any third party other than in the ordinary course of business on behalf of the Borough. Employees using the Borough's computer systems are cautioned that e-mail and internet systems do not provide complete confidentiality and Borough employees have no right to privacy when they use Borough systems. The Borough has the right to access, monitor and disclose the contents of any file or electronic message composed, sent received or viewed on Borough computer systems for any business purpose, including but not limited to breaches of security, violations of Borough policy or other computer system or e-mail misuse. Except for police personnel, all computer passwords and login names must be submitted to the Borough Administrator. No codes may be used that are unknown to the Borough Administrator. For police personnel, all computer passwords and login names must be submitted to the Police Chief. No codes may be used that are unknown to the Police Chief.

All communication of employees on behalf of the Borough must be done through the email account assigned to Borough employees. Employees should be aware and understand that the use of personal e-mail accounts, texts and other transmissions including those made on personal, password protected, web-based accounts to engage in Borough business may result in those personal accounts being subject to the provisions of the Open Public Records Act (OPRA) and/or other statutes pertaining to access to government records

B. Acceptable Uses of the Internet

Employees accessing the Internet are representing the Borough. All communications must be in accordance with the law and should be for professional reasons. Employees are responsible for seeing that the Internet is used in an effective, ethical and lawful manner. Databases may be accessed for information as needed for Borough business. Email may be used for business contacts.

C. Unacceptable Uses of the Internet

The Internet should not be used for personal gain or advancement of individual views, except such limited use as may be permitted by the New Jersey Employer-Employee Relations Act or other applicable law. Solicitation of non- Borough business or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the Borough network or the networks of other users. It must not interfere with employee productivity.

D. E-Mail Communications

All employees are responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. All messages communicated on the Internet should have the sender's name attached. No messages will be transmitted under an assumed name. Users may not attempt to obscure the origin of any message. A signature of name, title, and contact number should be included in e-mail communications. Information published on the Internet should not violate or infringe upon the rights of others. No abusive, profane or offensive language may be transmitted through the system. Employees are prohibited from expressing personal opinions by accessing the Borough's Internet names and connections, except such limited use as may be permitted by the New Jersey Employer-Employee Relations Act or other applicable law.

Notwithstanding the Borough's right to read and retrieve any electronic mail messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Unless authorized by the Borough Administrator, employees are not permitted to retrieve or read e-mail messages that are not sent or copied to them. Any exception to this policy must receive prior approval from the Borough Administrator. Employees should not attempt to gain access to another employee's messages without the latter's permission.

E. Instant Messaging

Use of the internet and/or Borough of New Providence computer system for personal purposes or reasons unrelated to the work of the Borough is prohibited, except such limited use as may be permitted under the New Jersey Employer-Employee Relations Act or other applicable law. All users of instant messaging in any form (web-based, application, mobile), on any Borough owned equipment must have approval of the Borough Administrator.

Any use of the Internet and/or the Borough's computer system may not interfere with the conduct of the Borough's business or interfere with one's own or another employee's performance of his/her job duties.

Employees who have Borough issued Smart Phones must follow the guidelines for communications as explained under Internet Code of Conduct, and Instant Messaging.

Misuse of Instant Messaging, the Borough's computer system, and Borough issued mobile phones is grounds for disciplinary action up to and including termination of employment.

F. Software

To prevent computer viruses from being transmitted through the system, there will be no unauthorized downloading of any software. All software downloads will be done directly through the Information Technology Department, as authorized by the Borough Administrator. All requests are to be submitted via email to the Borough Administrator.

G. Copyright Issues

Copyrighted materials belonging to entities may not be transmitted by Borough employees on the Internet. If authorized by the copyright holder, one copy of the copyrighted material may be downloaded for an employee's own personal use in research. Users are not permitted to copy, transfer, rename and/or delete information or programs belonging to other users unless given express

permission to do so by the owner. Failure to observe copyright or license agreements may result in disciplinary action by the Borough and/or legal action by the copyright owner.

H. Work Product Ownership

The Borough retains legal ownership of the work product of all employees. Work product includes: written and electronic documents, audio and video recordings, system code, and any concepts, ideas or other intellectual property developed for Borough of New Providence regardless of whether the intellectual property is actually used by the Borough. No work product created while an employee is employed or contracted by Borough of New Providence can be claimed, construed or presented as their property, even after their employment with the Borough is terminated or the relevant project completed. If an employee requests use of a document created by him/her, the release of said document shall be with the written authorization of the Borough Administrator.

I. Security

All messages created, sent or retrieved over the Internet are the property of Borough of New Providence. The Borough reserves the right to access and monitor all messages and files on the computer system as deemed necessary and appropriate. The confidentiality of any messages should not be assumed. Even when a message is erased, it is possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality. All communications, including text and images, can be disclosed to law enforcement or other third parties without prior consent of the sender or the receiver.

J. Harassment

Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's or group's race, religion, national origin, physical attributes, sexual preference, or other protected characteristic may be transmitted.

K. Violations

Violations of any guidelines listed above will be presented to the department Supervisor, Human Resources Officer and/or Borough Administrator. It may result in disciplinary action up to and including termination. If necessary, the Borough will advise appropriate legal officials of any illegal violations.

Section 27. Personal Blogging and Social Network Policy.

Social networking, both professional and personal, is a popular way to connect with friends, foster relationships and create a complex group of online networks and online communities. However, these new communication and networking opportunities also create new responsibilities for those who engage in social networking. Employees who choose to use or contribute to online media are not only impacting their personal image, but may be potentially impacting the image of the Borough. The purpose of this policy is to provide reasonable guidelines for online behavior for employees of the Borough.

General Rule

When communicating in social media, you act at your own peril. Employees must never engage in communication which discloses confidential information. Also, remember that your own reputation is at risk - what you say or do, even if not otherwise connected to the Borough, may be seen by others who will make judgments about you based upon what you place online. Your position in the Borough could thus be impacted by your personal internet activities. This *Internet Postings Policy* applies, but is not limited, to use of the following multimedia and social networking websites:

- a) Media such as, but not limited to, Facebook, Twitter, MySpace, LinkedIn, You-Tube, etc.;
- b) Websites and Blog Site(s) including Personal Blog(s);
- c) Wikis such as Wikipedia and any other site(s) where text can be edited or posted; and
- d) Social bookmarks such as Digg and Delicious.

All of these activities on these sites are referred to as "Internet postings" in this Policy.

Please be aware that a violation of this policy may result in disciplinary action up to and including termination of employment by the Borough.

Think before you type! Common sense is the best guide if you decide to post information that is in any way related to the Borough, its residents or your employment. If you are unsure about information to be disclosed in any particular posting, please contact the Borough Administrator or Human Resources Officer.

You are personally responsible for all online activity conducted with a Borough email address and/or which can be traced back to the Borough's domain name, and/or which uses the Borough's resources. This includes activity conducted on personal social networks that reference your affiliation with the Borough or your status as an employee of the Borough. You are not to engage in communication therein which is critical or injurious to the Borough, its citizens, fellow employees or suppliers. Failure to comply will result in discipline, up to and including termination. Outside of employment (i.e. in your capacity as a citizen), you can still be subject to employment discipline. However, under the Federal and State Constitutions, you generally (but not always) have the right as a citizen to freedom of speech and to address matters of public concern. In addition, as an employee, you have certain protected special rights under the New Jersey Employer-Employee Relations Act. If you identify yourself as a Borough employee in any manner on any internet posting or blog, comment on any aspect of the Borough's business or post a link to the Borough, you must include the following disclaimer in an *openly visible location*: "the views expressed on this post are mine and do not necessarily reflect the views of Borough or anyone associated/affiliated with Borough." Please be aware that the term "internet postings" is not limited to blog postings, it also includes comments, videos and images. When posting your point of view, you should neither claim nor imply you are speaking on behalf of the Borough, unless you are authorized in writing by Borough Administrator to do so.

Do not use the Borough's logos or trademarks in your postings without express permission from the Borough. Furthermore, you should comply with copyright, privacy, fair use and other applicable laws.

You are also liable for postings which contain material misrepresentations about the Borough. These types of posts are prohibited under this policy.

You are also liable for postings which include confidential or copyrighted information, such as music, videos, text, etc., belonging to third parties. These types of posts are also prohibited under this policy.

If a member of the news media or blogger contacts you about an Internet posting that concerns Borough's business, immediately bring this to the attention of Borough Administrator. Also, please be respectful when responding on behalf of the Borough to negative posts.

Your Internet postings should not violate any other applicable Borough policy, including, but not limited to, the following: ***Anti-Harassment Policy, Non-Discrimination and Equal Employment Opportunity Policy, and E-Mail and Internet Code of Conduct Policy.***

You agree that the Borough shall not be liable, under any circumstances, for any errors, omissions, loss or damages claimed or incurred due to any of your Internet postings.

Consistent with the foregoing guidelines and in accordance with applicable law (if any), the Borough may request, in its sole and absolute discretion, that you temporarily or permanently confine your website, web log or other commentary to topics unrelated to the Borough if it believes this is necessary or advisable to ensure compliance with laws or regulations.

Failure to comply with these requests may lead to discipline up to and including termination; and if appropriate, the Borough may pursue any and all legal remedies available against you.

Misuse Of Borough Property

Section 48. Misuse of Borough property.

- A. No Borough of New Providence employee (including elected or appointed officials) shall use or attempt to use his/her privileged access to Borough equipment, services or information for his own benefit or the benefit of others.
- B. No Borough employee (including elected or appointed officials) shall remove or in any way aid and abet the removal of any supplies, materials, goods or equipment belonging to the Borough of New Providence from its offices, garages, maintenance buildings, storage or other locations for personal use unless such removal has been authorized by the Administrator or the Mayor and Council.
- C. Any employee reasonably suspected of having violated this provision shall be subject to investigation. If as a result of the investigation such violation is determined to have occurred,

the employee is subject to disciplinary action, up to and including discharge, as well as restitution and/or criminal prosecution.

- D. In the event that a Borough employee is involved in an incident which results in damage to Borough property, the matter will be investigated by the appropriate Department Head. In the event of a finding of employee misconduct or negligence, the employee will be subject to disciplinary action up to and including discharge.

Section 49. Non-Discrimination.

The Borough of New Providence is desirous of promoting and maintaining a working environment in which all employees are treated with respect and dignity. Discrimination and harassment based upon an individual's civil rights are prohibited under federal and state law and will not be tolerated. The Borough is an equal opportunity employer, which means that decisions regarding the hiring and terms and conditions of employment are made without reference to matters involving a person's civil rights, except in those areas where the law provides exemptions or exceptions. If an employee believes that he/she has been subjected to unlawful civil rights discrimination (including retaliation for so reporting or objecting to same), the employee shall immediately report it to the Borough Administrator. The Borough Administrator will undertake an appropriate investigation and advise the employee of the results of the investigation. Employees determined to have engaged in unlawful civil rights discrimination are subject to discipline, up to and including discharge from employment.

Section 50. Harassment Policy.

- A. Harassment and Sexual Harassment. Definitions and Examples:

1. Definition of Harassment and Examples.

- (a) Civil Rights laws make it illegal to discriminate against or harass an employee because of sex, creed, race, ancestry, religion, color, national origin, physical or mental disability, marital status, age, gender, genetic testing, blood trait, liability for service in the armed forces, veteran status, gender identity or expression, civil union status, domestic partnership status, affectional or sexual orientation, or any other civil right protected by federal, state or local law. Harassment is the intentional creation of a hostile or intimidating environment based upon any one or more of these areas.
- (b) Harassment may involve severe and/or pervasive conduct. Severe conduct is conduct sufficient to alter the work environment, even though it may occur only once. Pervasive conduct is a persistent pattern of harassment.
- (c) Harassment encompasses a broad range of physical, psychological, written or verbal behavior, and includes, but is not limited to, the following:
 - physical or mental abuse
 - offensive jokes or slurs

- offensive and uninvited verbal, graphic (including any electronic or digital display or printout), visual or physical conduct by one individual towards another;
- obscene messages
- images or communications obtaining libelous, defamatory or fraudulent materials
- ethnic or racial slurs
- anything that may be considered disparaging or harassing of others based on race, national origin, gender, religion, age, disability or other status protected by Civil Rights laws

2. Definition of Sexual Harassment and Examples.

- (a) Sexual Harassment is a particularly insidious form of workplace harassment. Civil Rights laws make sexual harassment illegal, whether caused by supervisors or co-employees.
- (b) Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, and constitutes harassment when:
 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- (c) It is not possible to identify each and every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment include, but are not limited to, the following:
 - unwelcome requests for sexual favors
 - lewd or derogatory comments or jokes
 - comments regarding sexual behavior, or about the body of another individual
 - sexual innuendo or other vocal activity such as catcalls or whistles
 - obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial materials (whether documentary, digital or electronic) of a sexual nature
 - continuing to express sexual interest in a person after being informed that that interest is unwelcome

- retaliating against an individual for refusing a sexual advance or reporting an incident of possible sexual harassment
- offering or providing favors or employment benefits, such as promotions, favorable evaluations, or favorable assigned duties or shifts, etc. in exchange for sexual favors
- any unwanted physical touching, assault, or impeding of movement

B. Workplace Harassment, Including Sexual Harassment, Is Expressly Prohibited.

It is the policy of the Borough to provide a work environment that is free of harassment/sexual harassment. As such, harassment will not be tolerated and is strictly prohibited. Any form of workplace harassment/sexual harassment will be treated as a disciplinary matter.

C. Victims And Witnesses Are To Report All Instances Of Harassment And Sexual Harassment.

Employees who are victims of, or witnesses to, workplace harassment/sexual harassment must report it immediately to the Borough Administrator or Borough Clerk. In addition to this formal avenue for reporting harassment/sexual harassment, employees who are victims or witnesses are encouraged to report harassment and sexual harassment to any supervisor. An employee is not obligated to report harassment/sexual harassment to a superior who is engaging in the harassment. In such instance, the employee must report to the superior's supervisor, any other supervisor, and/or to the Borough Administrator or Borough Clerk.

D. Investigation Of Harassment And Sexual Harassment Complaints.

All reported complaints of harassment/sexual harassment will be promptly and thoroughly investigated. All reported complaints of harassment/sexual harassment will be dealt with as confidentially as possible, consistent with the obligation to conduct an investigation. Upon conclusion of any investigation, the Borough will take any steps it deems necessary to enforce this policy, correct any issues, and/or prevent future instances of harassment.

E. Responsibilities of Supervisors and Department Heads.

When a report of harassment is made to a supervisor, the supervisor shall provide any factual information he has obtained in a written report which shall be forwarded to the Borough Administrator.

The Department Head shall also forward any factual information he has about the matter in writing to the Borough Administrator.

Any supervisor or Department Head who witnesses discrimination or violation of this policy shall immediately report it to the Borough Administrator.

F. No Retaliation For Reporting Unlawful Discrimination, Harassment Or Sexual Harassment Complaints.

No employee shall suffer any job detriment or retaliation at the hands of the employer for reporting unlawful discrimination, harassment or sexual harassment. If a person reporting discrimination, harassment or sexual harassment believes that he/she has been for that reason subjected to retaliation, the person should immediately report the retaliation in the same manner in which he/she reports discrimination, harassment or sexual harassment, but may bypass the person who is retaliating.

G. Disciplinary Action For Unlawful Discrimination, Harassment And Sexual Harassment.

Participating in workplace unlawful discrimination, harassment or sexual harassment by any employee will result in disciplinary action up to and including termination of employment. Employees should also be aware that, under the law, employees may be individually liable, including legally and financially responsible, for unlawful discrimination, harassment or sexual harassment. Furthermore, supervisors, even though not causing discrimination, harassment or sexual harassment, may be individually liable for failing to receive complaints of unlawful discrimination, harassment or sexual harassment and/or failure to act upon such complaints.

H. Training On Harassment And Sexual Harassment And Dissemination of Policy.

The Borough Administrator or his/her designee is responsible for providing training on unlawful discrimination and training on harassment/sexual harassment. At least annually, the Borough Administrator or his/her designee shall advise supervisors as to their responsibilities to report/prevent unlawful discrimination, harassment and sexual harassment. In addition, at least annually the Borough Administrator or his/her designee shall disseminate to all employees the Borough's policy against unlawful discrimination, harassment or sexual harassment. The Borough Administrator or his/her designee shall also be responsible to check that procedures are in place for reporting unlawful discrimination, harassment or sexual harassment, that such procedures are known by employees, and that they are effective.

I. Questions.

Please contact the Borough Administrator or the Borough Clerk if you have any questions about this policy.

Section 54. Protection and Safe Treatment of Minors.

The Borough is charged with protecting the health, safety, and welfare of all its citizens, including children under the age of 18. To that end, the Borough is firmly committed to protecting children under the care and supervision of the Borough from all forms of physical, mental, sexual and emotional abuse. The Borough is committed to establishing and implementing safeguards to eliminate opportunities for abuse of children entrusted to the care of the Borough. The procedures outlined below shall apply to all officials, employees, and volunteers of the Borough.

Recruitment and Hiring of Employees and Vetting of Individuals Volunteering Their Time

1. All prospective employees and volunteers shall undergo a thorough and complete background check, including, but not limited to, a fingerprint identification check, credit check, motor vehicle record check, reference check (personal and professional), and a check of the Megan's Law directory for New Jersey and any other State where the applicant previously resided. ***Written documentation of the background check shall be maintained by the Borough in perpetuity.***
2. Background checks that disclose any negative or questionable results must be reviewed and approved by the Borough ***prior to*** the individual being hired and/or working with minors. ***Provisional hiring is not permitted.***
3. All prospective employees and volunteers must complete the training adopted by the Borough ***PRIOR TO*** starting employment or volunteer service. ***In addition to completing the training course adopted by the Borough ,*** all volunteer coaches shall complete the Rutgers SAFETY Clinic course (*Sports Awareness for Educating Today's Youth*™) which is a three-hour program that meets the "Minimum Standards for Volunteer Coaches Safety Orientation and Training Skills Programs" under (N.J.A.C. 5:52) and provides partial civil immunity protection to volunteer coaches under the "Little League Law" (2A:62A-6 et. seq.)
4. The Borough shall ***annually*** re-check and document the Megan's Law directory for New Jersey to make certain that current employees are not listed.
5. Once employed, authorized Adults who are employed are required to notify the Borough Administrator of an arrest (charged with a misdemeanor or felony) or conviction for an offense within 72 hours of knowledge of the arrest or conviction.

Program Procedures

The following policies shall apply to **all programs** offered by, sponsored by or affiliated with the Borough. As an essential element of compliance with the overall objective of protecting and addressing the safe treatment of minors, the Borough shall:

- a. Establish a written procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program. In addition, the Borough shall provide information to parents or legal guardians detailing the manner in which the participant can be contacted during the program.

- b. Make certain that all program participants provide a ***Medical Treatment Authorization form*** to the Borough .
- c. Implement and adopt a ***“Code of Conduct”*** for volunteer and paid staff members which, ***at a minimum***, will include the following:

<i>Code of Conduct</i>

- Staff members shall not transport children in their own vehicles, unless written authorization from the child’s parent or guardian has been received.
- Members of the staff shall not be alone with children they meet in the programs outside of the camp. This includes babysitting, sleepovers, and inviting children to their home.
- Staff members shall, at all times, be visible to other staff members while supervising minors. Any exceptions require a written explanation before the fact and approval of the Program Director.
- Staff members will refrain from intimate displays of affection towards others in the presence of children, parents and staff.
- Staff members are required to refrain from texting, and posting or checking any of the social media outlets while they are working or volunteering. The only exception is for texting for the purposes of communicating with another staff member or parent regarding a programmatic issue pertaining to a child.
- Staff members are prohibited from buying gifts for program participants.

Procedures for Law Enforcement Officers

Law enforcement officers of the Borough frequently interact with minors in a variety of ways. It is important to establish guidelines to assist law enforcement officers in being aware of how to act and react in these circumstances. To that end, the Chief of Police or their designee of the Borough shall formulate a written policy addressing the safe treatment of minors for consideration and approval by the governing body for law enforcement officers who interact with minors.

Reporting Suspected Child Abuse/Neglect

In light of the importance and priority placed on safeguarding the health and safety of minors, it is critically important that suspected cases of child abuse and neglect are reported as soon as possible. **As a government official, employee or volunteer, you are legally required to report suspected child abuse. This requirement includes all governmental officials, employees and volunteers.**

It is recommended that, whenever possible, officials, employees and volunteers report the suspected abuse to both the NJ Department of Children and Families and law enforcement at the same time, which is known as “dual reporting.”

For Employees or Volunteers of Programs Conducted by the Borough

Immediately report suspected cases to the Program Director in charge.

The Program Director shall immediately notify the Borough Administrator and document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

1. **Who:** The child and parent/caregiver’s name, age and address and the name of the alleged perpetrator and that person’s relationship to the child.
 2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
 3. **When:** When the alleged abuse/neglect occurred and when you learned of it.
 4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
 5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
- After documenting all of the facts surrounding the alleged abuse, the Program Director shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the supervisor’s role to make a decision on whether a case should be reported. All cases shall be reported.

For Volunteer Coaches or Other Volunteers in Charge of Programs Sponsored by or Affiliated with the Borough.

The Volunteer shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

1. **Who:** The child and parent/caregiver’s name, age and address and the name of the alleged perpetrator and that person’s relationship to the child.
2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
3. **When:** When the alleged abuse/neglect occurred and when you learned of it.
4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.

5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

After documenting all of the facts surrounding the alleged abuse, the Volunteer shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. The information shall also be reported to the Borough Administrator.

For Officials and Department Heads Who Witness or Become Aware of Alleged Cases of Abuse or Neglect

The Officials and Department Heads shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

1. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
3. **When:** When the alleged abuse/neglect occurred and when you learned of it.
4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

After documenting all of the facts surrounding the alleged abuse, the Officials or Department Heads shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. The information shall also be reported to the Borough Administrator.

For Law Enforcement Officers

Immediately report any suspected or alleged cases of abuse or neglect to the County Prosecutor.

Important Information Regarding Reporting Suspected Abuse Under NJ Law

The following guidelines have been established under New Jersey law, for those reporting suspected or alleged cases of abuse or neglect. The Borough encourages all officials, employees, and volunteers in programs operated by the Borough or affiliated programs or activities to report suspected cases of abuse with the following in mind.

- i. *Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.*
- ii. *However, any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.*
- iii. *When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and Family Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.*

Questions about this policy should be directed to the Borough Administrator.

Receipt and Acknowledgment

It is your responsibility to familiarize yourself with the Code of Conduct for Members of New Providence Municipal Voluntary Boards, Commissions or Committees. If you do not understand any portion of the Code of Conduct or its attachments, please contact the Administrator for further guidance.

I, _____, have received a copy of the Code of Conduct for Members of New Providence Municipal Volunteer Boards, Commissions or Committees ("Code"). I understand that the Code of Conduct describes policies governing harassment and government ethics that are applicable to New Providence's Boards, Commissions or Committees. I agree to abide by these policies.

Member's Signature

Date

Print Name