

**STAFFING STUDY
OF THE
HOBOKEN POLICE DEPARTMENT**

**An analysis of the review by the
Division of Local Government Services
State of New Jersey**

Prepared for:



HOBOKEN PBA LOCAL 2

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INTRODUCTION

This document is the final report for the analysis of the staffing levels and organizational structure of the Hoboken Police Department by the Division of Local Government Services (DLGS) State of New Jersey conducted by Northeast Labor Consultant's Inc.

One of the many difficult decisions facing communities and public safety concerns has to do with police staffing issues. Determining how many patrol officers are needed can often become a most difficult decision. Staffing issues often become political when mayors, community leaders and city councils get involved. There comes a time when municipal officials and police administrators must weigh the impact that police operations have on their capacity to deal with the problems of the community and the impact it will have on the members of the police force. Hopefully, this report will find a balance between the two.

On September 10, 2008, the Local Finance Board placed the City of Hoboken under State Supervision pursuant to N.J.S.A. 52:27BB-54 et. seq. ("Article IV"), specifically N.J.S.A. 52:27BB-55(6), a copy of which is attached hereto as Appendix A, after a judicial determination that "... [the City's] gross failure to comply with the Local Bond Law, N.J.S.A. 40A:4-1 et. seq., the Local Budget Law, N.J.S.A. 40A:4-1 et. seq. or the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et. seq., which failure substantially jeopardizes the fiscal integrity of the municipality." The Supervision was renewed on September 9, 2009 for an additional year after the City's Council again failed to introduce and adopt an appropriate balanced budget. The Local Finance Board's Resolution granted broad statutory powers to the Director of Division of Local Government Services. See Appendix B.

Pursuant to Article IV, the City appointed a State-approved Fiscal Control Officer (the “State Fiscal Monitor”). The State Fiscal Monitor has broad powers under the above statutes which include, but are not limited to, establish a municipal budget, tax levy, negotiate contracts with labor unions, appoint and dismiss City employees to the extent permitted under N.J.S.A. Title 11 and any collective bargaining agreements in effect on behalf of the City. See Appendix C.

The Hoboken Policemen’s Benevolent Association Local No. 2 retained the services of Northeast Labor Consultants Inc. to conduct a staffing study of the police department, specifically the rank and file after the mayor and city council defeated a resolution on March 17, 2010 to adopt the Memorandum of Understanding agreed upon by the State Fiscal Monitor and Hoboken PBA Local 2 dated January 13, 2010.

It is interesting to note that the officials of the City were quick to disregard the agreement signed by the State Fiscal Monitor that they hired, but were eager to accept the findings of a previous subordinate.

This report provides the project team’s evaluation and analysis of the operations, staffing, and organization structure. Our analyses focused on a wide range of issues including staffing, deployment and organization. Specifically, the scope of work for this project included:

- Detailed evaluation of the current demand for law enforcement services by the methodology utilized by the DLGS, “calls for service” and “alternative staffing/minimum staffing”.
- Evaluate how staff resources in the Department are deployed and utilized.
- Evaluate current operations and opportunities to improve the delivery of services to the community.
- Evaluate the feasibility of alternative approaches to providing police services to the City of Hoboken.

To develop this analysis Northeast Labor Consultants Inc. conducted extensive interviews and collected detailed data in an effort to develop a comprehensive understanding of the operations of the Department and to set the stage for this assessment. This included the following:

- An interview with the PBA President to understand key background issues which frame this study and the scope of work.
- Interviews with other members of the Hoboken Police Department to continue this background process.
- Interviews with selected line staff with unique roles and responsibilities.
- Collection and review of data from a wide range of sources, both electronic (e.g., CAD) as well as statistical reports.
- Review of key documents including budgets, policies and procedures, collective bargaining agreements and other documents.
- Review of factors such as, geography, traffic, seriousness of calls, and time needed to answer calls.
- Review the impact of leave practices to determine the relief factor so that officer availability for duty can be measured.

PROJECT TEAM

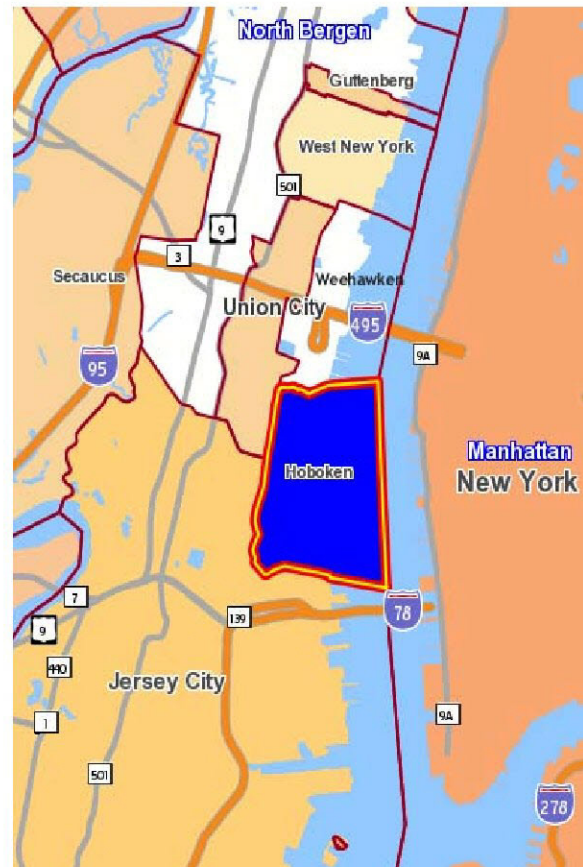
The main author of this study has over 30 years of combined experience in law enforcement, labor relations, staff development, job classification, employee benefits, budgeting, policy development and organizational development acquired through elected and appointed positions in labor organizations and local government. He has Certificates from Rutgers University Labor Relations and Interest Arbitration and Public Employee Relations Commission. He has the perfect marriage of labor and management experience holding the positions of President of Jersey City's Police Rank and File and Supervisor's Unions for more than fifteen years. He also has eight years combined service of being Jersey City's Director of Public Works with a budget over 11 Million dollars, Jersey City's

Police Chief and Acting Police Director with an annual budget over 82 Million dollars and more than 950 total police employees.

Depending on the project and study, Northeast Labor Consultants, Inc. utilizes input from various professional individuals in addressing the various aspects of the project. Individuals with a Bachelor of Science in Accounting and Finance, a Certified Financial Services Auditor, Bachelor of Arts in Geosciences/Geography with a MA in Urban and Basic Education, a former Chief of Police from Volusia County, Florida and prominent Labor Attorneys had input for this assessment.

CITY OF HOBOKEN-AN OVERVIEW

Hoboken was formed from North Bergen in 1849 and is one of twelve communities that are located in Hudson County, which is one of twenty-one counties in the State of New Jersey. Hoboken comprises of a land/water area of 1.28/070 square miles and is considered to be one of the largest transit hubs in the entire United States. It is bordered by Weehawken to its north, Union City to north/west and Jersey City to its south/west. To the east it is situated on the Hudson River across from midtown Manhattan.



There has been an ongoing renaissance with the developments of Maxwell Place Condos, Constitution Court Condos, the W Hotel, 333 River Street Apartments, the Wiley Building, 800 Jackson Street Condos, 77 Park Avenue Apartments and

the Northwest developments such as, Monroe Center, a mixed-use community of condominiums, retail, office and artists' space.

Hoboken is now at the geographical center of the revitalization of the Hudson River's west bank, often referred to as the "Gold Coast."

MAJOR EMPLOYERS LIST

Company Name	Address	Phone	Number of Employees
Academy Bus Tours Inc.	1515 Jefferson Street	201-420-7000	250
A & P	614 Clinton Street	201-795-1783	101
Applied Housing Management Co. Inc.	1401 Washington Street	201-420-0157	130
Ciber Inc.	5 Marine View Plaza	201-795-3601	110
CIC International LTD	5 Marine View Plaza Ste 310	201-792-1800	98
Grey Line Intl, Hudson Transit	1500 Clinton Street	201-714-9445	125
Hoboken Board of Education	1115 Clinton Street	201-356-3600	120
Hoboken University Medical Center	308 Willow Ave.	201-418-1000	3362
Hopes	124 Grand Street	201-656-3711	113
Hudson Sewing Inc.	1500 Hudson Street	201-795-5200	300
John Wiley & Sons Inc.	111 River Street	201-748-6000	500
Marsh USA Inc.	121 River Street	201-284-3000	1500
Mindlance Inc.	80 River Street Ste 4a	201-386-5400	225
Mizuho Securities USA Inc.	111 River Street	201-626-1000	180
NJ Transit Corp.	1 Hudson Pl.	201-772-2222	700
Shop Rite of Hoboken	900 Madison Street	201-792-6070	185
Stevens Institute of Technology	1 Castle Point Terrace	201-216-5000	500
Sumitomo Trust & Banking Co. USA	111 River Street	201-420-9470	156
TTI Team Telecom International	2 Hudson Street	201-795-3883	400

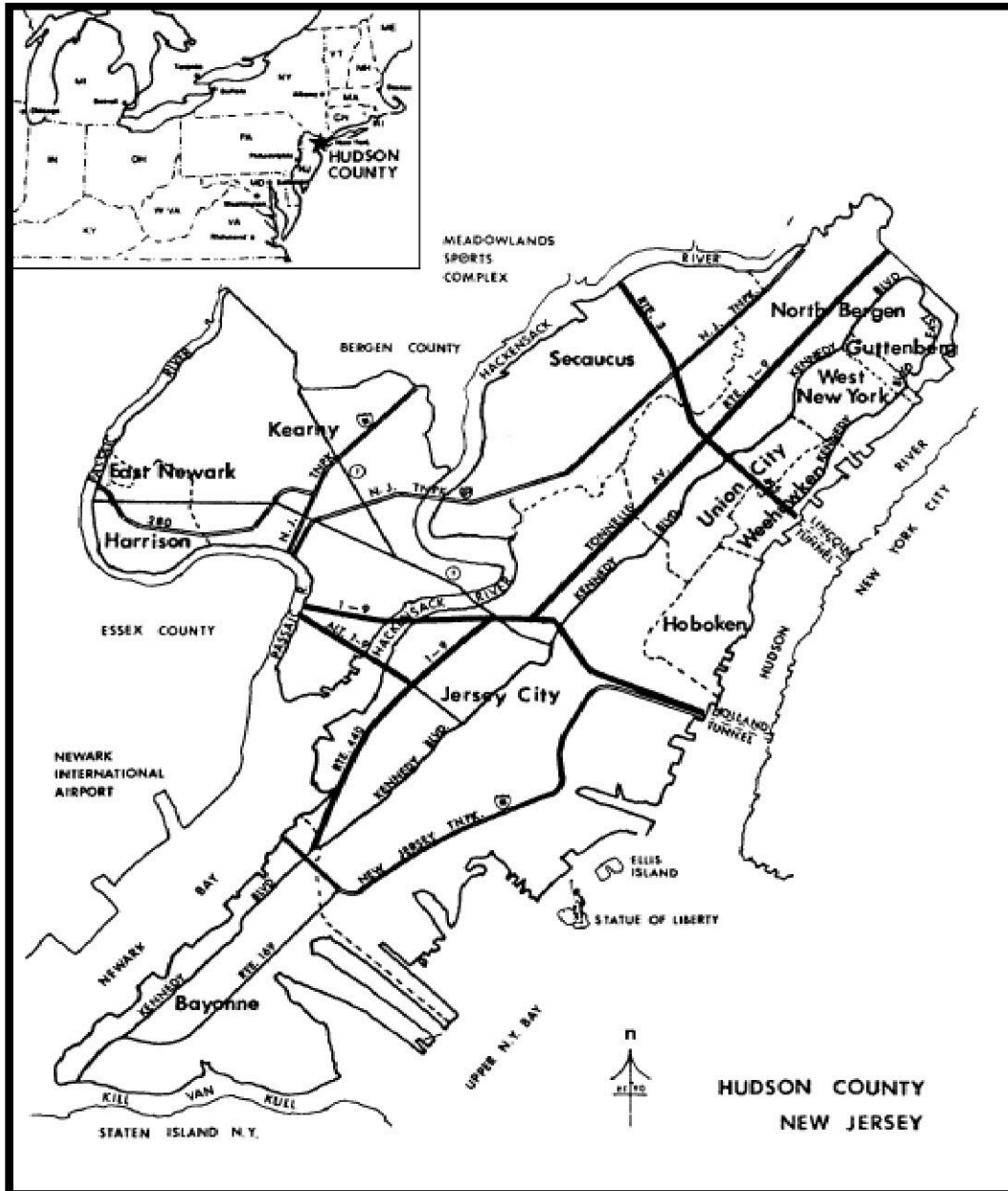
Source: Hudson County Economic Development Corporation November 2009 and Hoboken PBA #2

While the revival was going on the City began to draw new residents and employers. Many of them are artists and professionals fascinated by Hoboken's proximity to New York and its Victorian architecture along with its nightlife attractions, such as, the world-class W Hotel and one-hundred and sixty-three restaurants, taverns and clubs¹.

In addition to its nightlife, Hoboken offers the following facilities, events and entertainment:

- Movies Under the Stars Summer Outdoors Film Series
- Church Square Park
- Columbus Park
- Hoboken Farmer's Market
- Hoboken Historic Houses Tour
- Hoboken International Film Festival
- Hoboken Arts and Music Festival
- Hoboken Secret Garden Tour
- St. Patrick's Day Parade and Festival
- Mile Square Theatre Company Baseball Inspired 1 Act Plays
- Feast of St. Anthony
- Feast of St. Anne
- Elysian Park-the last remnant of Elysian Fields
- Hudson River Waterfront Walkway-"The River Walk"
- 9/11 Memorial on Pier A to remember the 39 citizens lost that day
- Stevens Tech Ice Skating Rink
- HOPE 5K Race
- Hoboken Police Department 5K Race
- Steven's Tech NCAA Events
- Hoboken University Medical Center 5K Race

...and if that's not enough you can easily go to midtown and downtown New York City, Newark International Airport, Ellis Island, the Statue of Liberty, Liberty State Park, Liberty Science Center, Stevens Institute of Technology and the Meadowlands, which are all conveniently located within minutes via its mass transit network.



Hoboken features many attractions, developments, and a unique transportation system. Its proximity to major sites and events makes Hoboken a desirable place to live for singles and families. CNN.com ranked Hoboken number one in 2007 and 2008 for the best place to live in for single people thirty and over. Hoboken also has the highest income per person based on 2008 tax returns according to NJBIZ.com.², which has ranked it number one in the State of New Jersey's wealthiest large municipalities.

ADMINISTRATION

The City of Hoboken was incorporated in 1855, and currently operates under a Mayor/Council form of government. The mayor is the chief executive who is responsible for administering the charter and ordinances and general laws of the City. He/she may participate in Council deliberations, vote to break ties on ordinances or resolutions and can veto ordinances subject to a 2/3 override by the Municipal Council. The Municipal Council is composed of nine members, six of whom are elected from the City's six wards and three of whom are elected at large. The Municipal Council operates in accordance with the Optional Municipal Form of Government ("Faulkner Act"), N.J.S.A. 40:69A-1 *et seq.*

TRANSPORTATION

Within the City of Hoboken, you have a major selection of choices on how to travel. The Hoboken Terminal is a key hub for transfer points for New Jersey commuters. The Hoboken Terminal is served by more than 280 daily NJ Transit trains, 546 daily PATH trains, 394 daily Hudson-Bergen Light trains and more than 300 daily NJ TRANSIT buses³. Below is a list of mass transit services that are available in Hoboken.

- New Jersey Transit Bus Lines
- New Jersey Transit Commuter Rail System
- New Jersey Hudson-Bergen Light Rail System
- Port Authority Trans-Hudson (Path) System

- NY Waterway Ferry Service

In addition to the above there are also private and community based buses.

Hoboken 2009 Terminal Daily Boarding

PATH⁴

Average Weekday	27,688
Average Saturday	13,209
Average Sunday	8,941
Average Holiday	12,033

The Hoboken terminal handles 8.3 million passengers per year, even more than Jersey City, the State's 2nd largest city.

NJ TRANSIT⁵

Average per day 18,111

More than 50,000 people use the terminal daily for all services.

EDUCATION

Hoboken's school district is a Type II school district, with an independent legal entity administered by a nine member Board of Education elected by the voters of the school district. The school system is comprised of variety of school types, which include:

- Public
- Private
- Charter

In addition, Hoboken is also home to Stevens Institute of Technology known as a premier private coeducational institution focused on research and

entrepreneurship committed to exploring the frontiers of engineering, science, and management.

A **charter school** is a public school operated under a charter granted by the State Commissioner of Education. The school is operated independently of the municipality's "District" Board of Education, and has its own Board of Trustees, which are responsible for the operation of the school.

A **private school** is a school, as defined, that is owned or operated by a private person, firm, association, organization, or corporation, rather than by a public agency.

A **public school** means a school, under college grade, which derives its support entirely or in part from public funds.

See table on the following page.

SCHOOLS IN HOBOKEN

NAME OF SCHOOL	LOCATION	PHONE	STUDENTS
SCHOOLS OF HIGHER EDUCATION			
STEVENS INSTITUTE OF TECHNOLOGY		201-216-5000	5934
CHARTER SCHOOLS			
ELYSIAN CHARTER SCHOOL	301 GARDEN ST	201-876-0102	272
HOBOKEN CHARTER SCHOOL	158 4th ST	201-963-0222	270
PRIVATE or RELIGIOUS SCHOOLS			
ALL SAINTS EPISCOPAL DAY SCHOOL	707 WASHINGTON ST	201-792-0736	144
HOBOKEN CATHOLIC ACADEMY	555 7TH ST	201-963-9535	264
MUSTARD SEED SCHOOL	422 WILLOW AVE	201-653-5548	196
STEVENS COOPERATIVE SCHOOL	301 GARDEN ST	201-792-3688	209
THE HUDSON SCHOOL	601 PARK AVE	201-659-8335	203
PUBLIC SCHOOLS			
A. J. DEMAREST ALT SCH	158 FOURTH ST	201-356-3741	70
HOBOKEN HIGH	9th & CLINTON STS	201-356-3701	540
JOSEPH F BRANDT NO 2	215 9th ST	201-356-3691	259
SALVATORE R CALABRO NO 4	310 JEFFERSON ST	201-356-3671	162
THOMAS G CONNORS	201 MONROE ST	201-356-3681	388
WALLACE NO 6	1100 WILLOW AVE	201-356-3651	713
TOTAL STUDENTS PRIVATE & PUBLIC EXCLUDING STEVENS TECH			3690
Source: State of New Jersey Department of Education 2008-2009			

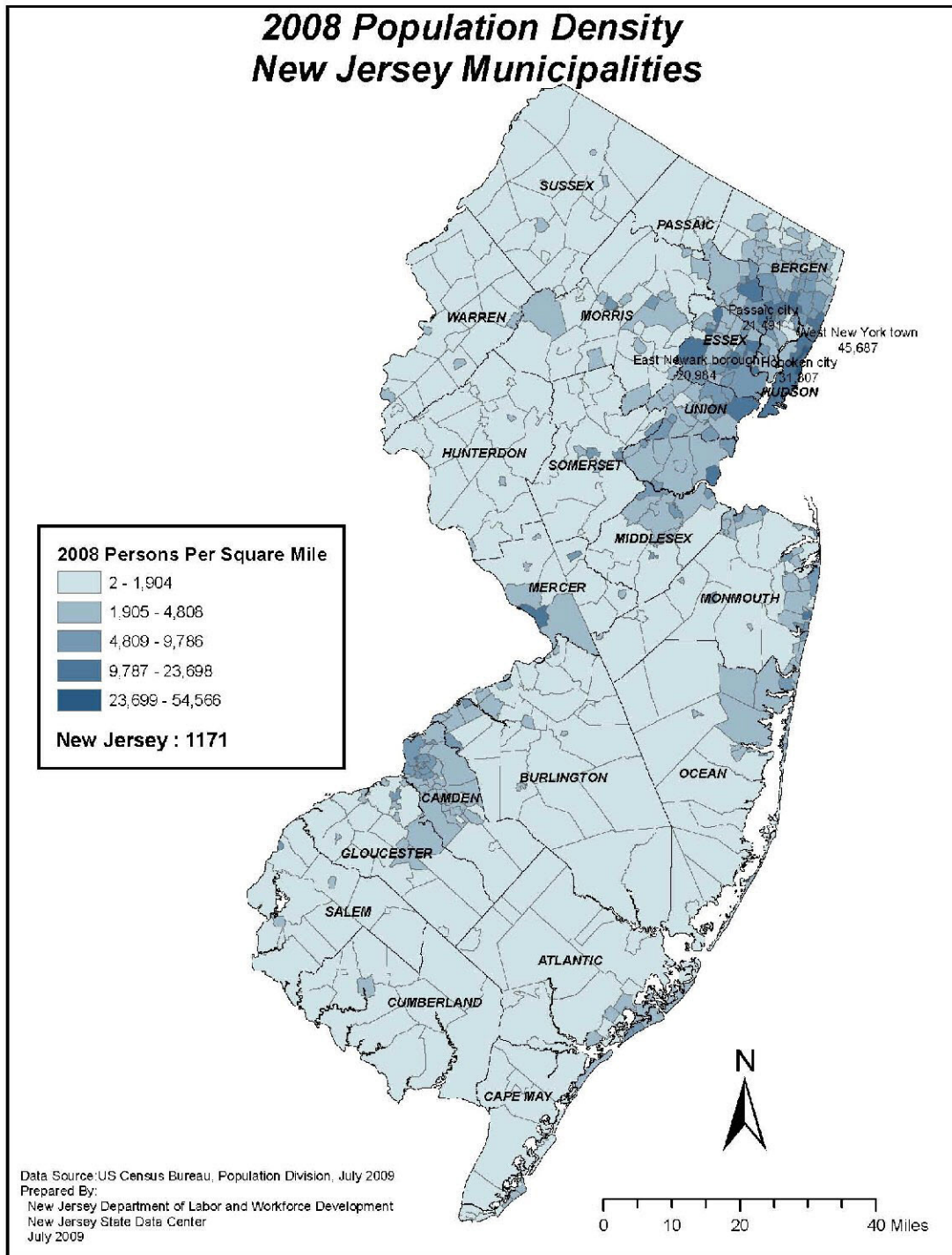
POPULATION

According to the DLGS report, there are 38,577 residents located in Hoboken. This number is clearly understated as determined by the inaccuracies in attaining census figures and the reluctance of many individuals to officially register. It is generally accepted that the actual number of residents is much higher than what is reported. According to some researchers the actual number of inhabitants is thought to be upwards of 45,000. As outlined in this report, Hoboken continues to grow at a fast pace with remarkable growth in its housing development since the last census was taken in the year 2000. In addition to its population growth, the City is experiencing unprecedented increases in corporate growth, at a pace greater than most other jurisdictions its size. Its transient population has increased at unprecedented rate as well.

Hoboken has 1,171 persons per square mile as of 2008. It is located in the State that is the most densely populated in the nation. Five of the most densely populated municipalities in New Jersey are right here in Hudson County, with Hoboken being ranked 4th.

New Jersey's Most Densely Populated Municipalities: 2000 and 2008					
Municipality	County	Persons per square mile		Rank	
		2000	2008	2000	2008
Guttenberg	Hudson	56,012	54,566	1	1
Union City	Hudson	52,984	49,104	2	2
West New York	Hudson	44,995	45,687	3	3
Hoboken	Hudson	30,239	31,807	4	4
Cliffside Park	Bergen	23,848	23,698	5	5
Passaic	Passaic	21,804	21,491	7	6
East Newark	Hudson	23,330	20,984	6	7

Source: New Jersey Department of Labor and Workforce Development July 2009.



Estimates of Resident Population by Municipality: Hudson County, 2000-2008

County/Municipality	1-Jul-08	1-Jul-07	1-Jul-06	1-Jul-05	1-Jul-04	1-Jul-03
Hudson County	595,419	592,364	595,220	598,496	601,430	604,526
Bayonne	57,448	57,317	58,256	59,480	60,259	60,561
East Newark	2,138	2,152	2,194	2,243	2,289	2,319
Guttenberg	10,528	10,498	10,611	10,794	10,923	10,987
Harrison	15,201	14,013	13,802	13,941	14,050	14,188
Hoboken	40,577	40,164	39,467	39,573	39,861	39,367
Jersey City	241,114	240,036	239,401	237,616	237,181	238,045
Kearny	36,746	36,953	37,653	38,464	39,198	39,661
North Bergen	55,270	55,600	56,671	57,209	57,542	58,154
Secaucus	15,372	15,243	15,416	15,499	15,544	15,656
Union City	62,183	62,101	63,293	64,588	65,644	66,240
Weehawken	12,370	12,319	12,522	12,816	13,081	13,253
West New York	46,472	45,968	45,934	46,273	45,858	46,095

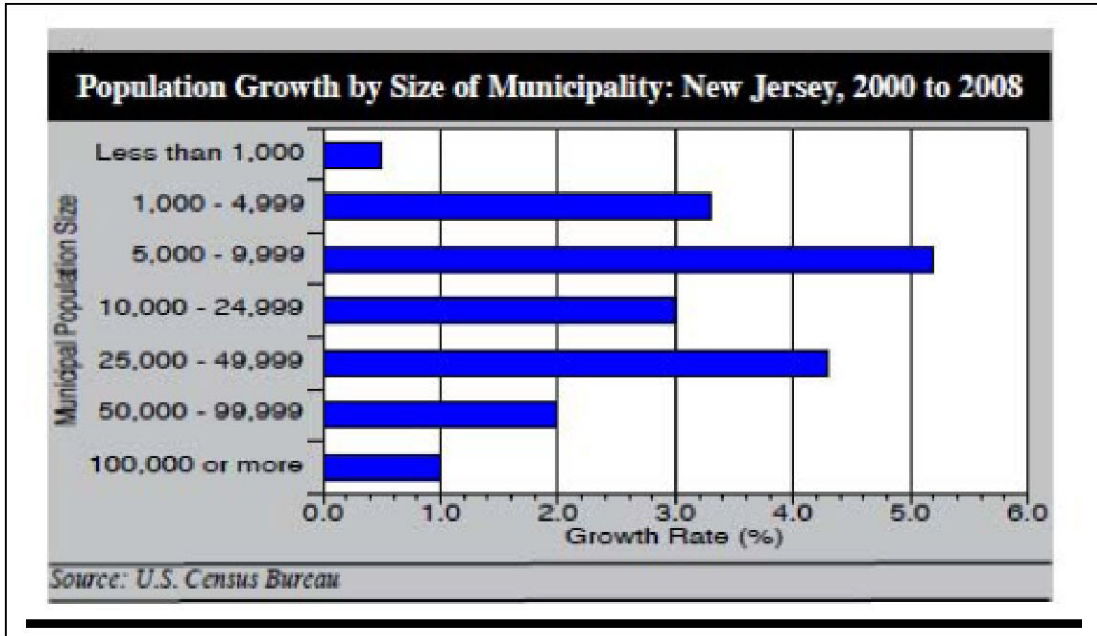
County/Municipality	1-Jul-02	1-Jul-01	1-Jul-00	1-Apr-00	
				Estimates Base	Census
Hudson County	608,623	612,847	609,484	608,975	608,975
Bayonne	61,282	61,921	61,831	61,842	61,842
East Newark	2,350	2,377	2,376	2,377	2,377
Guttenberg	11,025	11,077	10,856	10,807	10,807
Harrison	14,307	14,458	14,425	14,424	14,424
Hoboken	39,377	39,313	38,707	38,577	38,577
Jersey City	239,054	240,557	240,051	240,055	240,055
Kearny	40,116	40,524	40,499	40,513	40,513
North Bergen	58,752	59,121	58,272	58,092	58,092
Secaucus	15,807	15,947	15,928	15,931	15,931
Union City	66,584	67,080	67,063	67,096	67,088
Weehawken	13,324	13,484	13,485	13,493	13,501
West New York	46,645	46,988	45,991	45,768	45,768

Source: US Census Bureau, Population Estimates Program 2008

Hoboken Housing Characteristics	Estimate	Percent
Total housing units	23,066	
Occupied housing units	21,093	91.4
Owner-occupied housing units	7,262	34.4
Renter-occupied housing units	13,831	65.6
Vacant housing units	1,973	8.6
Owner-occupied homes	7,262	

Source: U.S. Census Bureau, 2006-2008 American Community Survey

**Small Municipalities Grew Faster Than
 Their Larger Counterparts**



This total overall effect of housing, transportation, density and corporate enhancements has certainly moved the population of Hoboken well beyond its last census report.

PROFILE OF HOBOKEN POLICE DEPARTMENT

LEGAL AUTHORITY

The legal authority for a police department is authorized under N.J.S.A. 40A:14-118. The statute provides in part, "... any such ordinance shall, in a manner consistent with the form of government adopted by the municipality and with general law, provide for a line of authority relating to the police function and for the adoption and promulgation by the appropriate authority of rules and regulations for the government of the force and for the discipline of its members ." The Hoboken municipal council has established in accordance with the above a Division of Police with a Table of Organization and a Police Chief under the following:

ARTICLE II Division of Police

§ 59A-8. Establishment of Division. [Amended 12-4-2002 by Ord. No. DR-76; 8-17-2005 by Ord. No. DR-201; 4-19-2006 by Ord. No. DR-248]

- A. A Division of Police in the Department of Public Safety is hereby established in and for the City of Hoboken, which shall not exceed the following force:

<i>Rank/Position</i>	<i>Number</i>
Chief	1
Captain	8 (until June 30, 2006) 6 (effective July 1, 2006)
Lieutenant	17
Sergeant	33
Police Officer	120
Administrative Secretary	1

- B. All personnel constituting the Division of Police heretofore and in service prior to July 1, 1986, are hereby continued in their employment and in their respective ranks or position and made a part of the Division of Police hereby established, with all rights to which they are now entitled as to years of service and pension.

§ 59A-9. Police Chief.

There is hereby created and established the position of Police Chief, who shall also serve as head of the Division. The Police Chief shall be appointed in accordance with Title 11A, Civil Service, of the Revised Statutes of New Jersey by the Director of

the Department of Administration. The duties and powers of the Police Chief are vested in state statutes, rules and regulations and city ordinances.

§ 59A-10. Bureaus. [Amended 12-4-2002 by Ord. No. DR-76]

The Division of Police shall include but not be limited to the following bureaus:

- A. Bureau of Investigations.
- B. Bureau of Inspection Services.
- C. Bureau of Identification.
- D. Bureau of Patrol.
- E. Bureau of Public Housing.
- F. Bureau of School Patrol.
- G. Bureau of Traffic and Transportation.
- H. Bureau of Training, Planning and Operations.

OVERVIEW

The Hoboken Police Department (HPD) provides a wide range of law enforcement services that include primary patrol, crime prevention and suppression, arrest and processing, criminal investigations, and traffic enforcement. This descriptive profile of the HPD provides information regarding the current organization and operation of the HPD. Information contained in this profile was gathered through interviews of HPD personnel, review of available documents and data collection from the HPD. This information was collected during the period of February – April 2010.

To provide law enforcement services, the HPD consists of the following:

- Chief of Police
- Inspectional Services
- Administrative Services
- Investigative Services

- Patrol Operations
- Traffic Enforcement Bureau
- Communications Bureau
- Anti-Crime Unit

ORGANIZATION AND STAFFING LEVELS

As of February 25, 2010 HPD has (167) budgeted full-time equivalent (FTE) positions. Employees are deployed within the following areas, as shown below:

Bureau / Unit	Sworn	Civilian
Chief of Police	1	1
Inspectional Services	3	0
Administrative Services	14	3
Investigative Services	21	1
Patrol Operations	103	0
Traffic Enforcement	11	0
Communications Bureau	0	8
Anti-Crime Unit*	1	0
TOTAL	154	13
*12 sworn are accounted for in patrol		

The organizational deployment chart below provides a summary of the current personnel in the HPD and shows the number of personnel for each Bureau and classification.

ORGANIZATIONAL DEPLOYMENT OF THE POLICE DEPARTMENT

Organizational Unit	Chief	Captain	Lieutenant	Sergeant	Police Officer	Detective	Civilian	Total
Chief's Office	1						1	2
Inspectional Services			2	1				3
Anti-Crime			1					1
Administrative Services								
Training/Planning/Operations			3	1		2		6
Bureau of Identification		1	1	1		2	3	8
Alcoholic Beverage Control			1			1		2
Taxi Code Enforcement						1		1
Investigative Services								
Detective Bureau			1	3		10	1	15
Anti-Vice			1	2		4		7
Patrol Operations								
Patrol*		3	7	19	63			92
Community Services			1	2	7	1		11
Traffic Enforcement			1	1	9			11
Communications Bureau							8	8
TOTAL	1	4	19	30	79	21	13	167

*2 police officers are assigned to Hudson County Prosecutors Office, 1 police officer is on military leave.

JOB RESPONSIBILITIES

The HPD has promulgated a listing of various job responsibilities in the Department Rules and Regulations Manual. It appears that the job descriptions are complete and comprehensive, and parallel New Jersey Department of Personnel specifications.

The tables below provide a summary of the primary roles and responsibilities of the various personnel within the HPD:

Staffing by Classification	Key Roles and Responsibilities	
CHIEF	1	A. The Police Chief is responsible for training, instruction and assignment of all police personnel.
		B. He shall be the administrative officer of the department.
		C. He shall organize and control all resources of the department and be responsible for their care and safekeeping.
		D. He shall develop the organizational structure of the department and shall integrate related activities under the control of intermediate supervisors holding them responsible for the effective performance of such duties.
		E. He shall be responsible for the investigation and adjudication of all complaints concerning performance of services or duties performed by members of the department.
		F. He shall prescribe the table of organization for his department subject to the approval of the Mayor and Council.
		G. He shall maintain a constructive relationship with the media and the public.
		H. He shall be responsible for the employment and dismissal of all special police officers and supervise their training to insure the proper and lawful performance of their duties.
		I. He shall report annually to Director of Public Safety.
		J. He shall enforce all laws and ordinances falling within the jurisdiction of the police department.
		K. He shall faithfully and promptly obey and cause all personnel of the police department under him to obey all rules, regulations, and orders.
		L. He shall maintain the discipline and efficiency of the police department.

	M.	He shall ensure the supervision of the police activity and working conditions.
	N.	He shall exercise such executive authority and supervision of department work, as he deems necessary.
	O.	In case of riot, insurrection or threat thereof, he shall take command of the police department in person and direct their movements and operations in discharge of their respective duties.
	P.	He shall be responsible for the maintenance of a daily police attendance record in which each member shall record his name, rank, and time of reporting and leaving duty, complaints, and matters pertaining to the police department, as well as all telephone calls.
	Q.	He shall establish procedures for the hearing and determination of charges of violation of department rules and regulations by any member of the department, in accordance with Civil Service rules and regulations.
	R.	He shall have and exercise all of the functions, powers, and duties of a department head as prescribed by the Administrative Code and the Ordinances of the Department.

Staffing by Classification		Key Roles and Responsibilities
CAPTAIN	4A.	Analyzes and properly assigns the work of his unit providing for the proper protection of persons and property, the prevention of crime, enforcement of law and the apprehension, incarceration, and prosecution of lawbreakers.
	B.	Provides sufficient supervision to assure that the work of his unit is carried out in an efficient manner.
	C.	Delegates such of his powers as may be deemed necessary to enable subordinates to properly carry out their duties.
	D.	Performs sufficient inspection services to see that all ranks of his command are properly and effectively performing assigned work.
	E.	Recommends or institutes changes as necessary.
	F.	Investigates, or causes to be investigated, complaints regarding police service or alleged infractions of rules and regulations; makes recommendations regarding disposition of same, and, in minor infractions, disciplines
	G.	Is responsible for police facilities and equipment; maintains or causes to be maintained necessary records and files; does related work as required subordinates.

Staffing by Classification		Key Roles and Responsibilities
LIEUTENANT	19	A. Analyzes and properly assigns the work of his unit.
		B. Provides police assignments and instructions necessary to assure that the work of the Unit or Squad is carried out in the most efficient manner
		C. Delegates such of his powers as may be deemed necessary to enable subordinates to properly affect their duties.
		D. Inspects the work of his unit or squad to assure that work standards are adhered to.
		E. Initiates and directs criminal and non-criminal investigations; assures that accountability is maintained.
		F. At such times as emergent action is required takes such actions as are necessary to meet the emergency; makes or causes to be made, all notifications necessary to same.
		G. Prepares and directs the preparation of reports suitable to the required accounting for each police action; does related work as required.

Staffing by Classification		Key Roles and Responsibilities
SERGEANT	30	A. Assigns and instructs subordinates in police patrol methods and procedures, investigation practices, and related law enforcement problems. Provides training as needed.
		B. Directs criminal and non-criminal investigations; makes investigations regarding improper police services or actions.
		C. Supervises technical aspects of some police operations.
		D. When necessary, takes proper police action against law violators.
		E. Visits and inspects police patrol units, assignments, and posts; noting and correcting or reporting any conditions which require police attention.
		F. Directs the preparation of reports and maintains necessary reports and records; does related work as required.

Staffing by Classification		Key Roles and Responsibilities
DETECTIVE PLAINSCLOTHESMAN	21 A.	Shall intelligently and thoroughly investigate each assignment, initiating the investigation by prompt contact with the complainant.
	B.	Shall keep detailed day-to-day records of his investigations, acquainting supervisors and interested units with information developed.
	C.	Uses all legal means at his disposal to detect and solve crime and prosecute offenders, thoroughly investigating information received from any source.
	D.	Must study and apply sound investigative techniques and improve his efficiency by attention to: Use of records and reports; Conduct of interviews; Cultivation of informants; Development of perceptive abilities; and Proper collection, identification, analysis, preservation and presentation of evidence.
	E.	Shall prepare all cases in a manner, which insures the best possible presentation in court.
	F.	Shall learn the rules of evidence, court procedure, and the art of testifying, which make for an effective witness. He shall also cooperate with the prosecution in trial preparation.
	G.	Notwithstanding his assignment he shall provide an immediate response to an emergent or observed need for police service.
	H.	When from time to time he shall be called upon to serve in a uniformed capacity he shall be governed by all rules pertinent to his regular assignment and those governing uniformed police officers.

Staffing by Classification	Key Roles and Responsibilities
POLICE OFFICER 79	<p>A. Shall exercise authority consistent with the obligations imposed by his oath of office and in conformance with the policies of the department.</p> <p>B. Is accountable to his superior officers and is responsible for obeying all legitimate orders.</p> <p>C. Shall coordinate his efforts with other members of his shift and the department, and shall communicate to his superiors and co-workers, all information necessary to achieve the maximum of department objectives.</p> <p>D. Shall report for duty and all other assignments punctually at specified times, physically fit, neatly and properly groomed, and with prescribed equipment.</p> <p>E. Shall familiarize himself with administrative policy and procedures and within his area of responsibility provide service necessary for the: Prevention and suppression of crime; Protection of life and property; Apprehension and prosecution of offenders; Preservation of the peace; Enforcement of regulatory measures; and Provision of miscellaneous field services.</p> <p>F. Shall conduct himself in accordance with high ethical standards, on and off-duty, and shall, by study and observation, become familiar with laws and ordinances and improved techniques and ideas which will enable him to improve his performance.</p> <p>G. Shall maintain all equipment assigned to him in functional and presentable condition.</p> <p>H. Shall thoroughly familiarize himself with his post or zone. Shall be familiar with all public businesses, offices, and their entrances, exits, skylights, fire escapes, and other possible means of escape. While making security checks of doors, he shall familiarize himself with the locations of safes and night-lights. Changes in night-lights will be particularly noticed.</p> <p>I. Shall, during the tour of duty, continuously patrol every part of his post or zone giving attention to and frequently rechecking locations where the crime hazard is great. As far as possible, he shall not patrol his post or zone according to any fixed route or schedule but shall alternate frequently and backtrack in order to be at the location least expected.</p>

	J.	Shall, when a door or window is found open under suspicious or unusual circumstances on any tour of duty, make a thorough investigation and determine, if possible, whether a burglary or other crime has been committed and whether the door or window can be secured. He shall, if necessary, summon assistance to examine the premises and to secure such doors and windows. He shall notify his immediate superior and, if possible, the property owner. Under circumstances indicating that an intruder is still inside a building, the officer discovering it should immediately summon assistance and then stand guard. When the assistance arrives, he may enter and search the building.
	K.	Shall, when the occasion demands it, courteously but firmly question persons on the public streets as to their names, addresses, reason for being on the street, and other matters relative to the circumstances. In all cases, good judgment and discretion should be used in making a decision to arrest.
	L.	Shall familiarize himself with his assigned areas and provide a diligent patrol, inspecting public and licensed premises.
	M.	Shall give particular attention to places where vice violators might congregate. They shall use every lawful means to suppress the illegal activities of such persons, prosecute them and require all such establishments to be conducted in accordance with municipal ordinances and State laws and shall report all violations.
	N.	Shall, as motorized and foot police officers, be charged with the enforcement of all provision of local and State traffic codes. Failure to take appropriate action in traffic violations cases is considered neglect of duty.
	O.	Shall carefully investigate all complaints on or near his post or zone, which are brought to his attention by citizens. He shall take suitable action in those cases, which come under his jurisdiction and inform interested parties of the laws or ordinances relative to the particular complaint or incident. If the legal remedy of the complaint lies outside of the jurisdiction of the Police Department, he shall advise the complainant accordingly and refer him to the proper authority.
	P.	Shall, when assigned to motorized patrol, pay strict attention to all regular radio transmission. When they fail to hear any radio transmissions or time signals for a period not to exceed 15 minutes, they shall immediately call the dispatcher for a special test. If, after three attempts, he fails to receive an acknowledgment, he shall immediately contact the desk officer by telephone. In case of radio trouble, the officer shall notify his immediate supervisor and dispatcher of the nature of the trouble.
	Q.	Shall conduct a thorough investigation and report clearly and concisely all facts concerning incidents or crimes which occur and of which he has knowledge during his duty tour, or which he may observe or become involved in while off duty.

	R.	Shall insure the civil treatment and observance of rights of all coming under the scope of his authority.
	S.	Does related work as required.

It should be noted that at the present time, the City of Hoboken has a Director of Public Safety in addition to the Chief of Police. There has been some controversy of having both positions in a police department. A sworn Chief of Police heads the majority of police agencies in New Jersey.

The main thrust of the problem is that the Police Chief and the Public Safety Director/Director of Police will have differing views of police management and therefore, an unwillingness to work together. Also, some Public Safety Directors overstep their bounds in what they believe are their legal rights and functions as the Department Head.

There are notable differences in each title and that there is a real and very major distinction between being responsible to lawful oversight, and being beholden or subject to political pressures. In a notable case, Louis Jordan (Asbury Park Police Director) versus Attorney General Peter Harvey, the Assignment Judge Feinberg noted that:

“Thus, regarding the enforcement of criminal law and, perhaps as importantly, the establishment of policies and priorities for the police function, there is a potential that a police director may exhibit a greater sense of duty or loyalty to those municipal officials who have appointed him than he would do to the Attorney General.”
Jordan v. Harvey, p. 16 (N.J. Superior Court, Law Division, 2004).

For example, a civilian “director” can not perform the following functions:

- Police duties including conducting motor vehicle stops.
- Engage in patrol activities.
- Answer calls for service.
- Stop or detain individuals.
- Wear a uniform or badge.
- Carry a firearm without a permit.
- Operate a motor vehicle that is equipped as a police car including police band radios.
- Powers of arrest.
- Can not give direct orders to individual police officers.

Some of the functions that a civilian “director” can perform are:

- Examine the operations of the police department.
- Examine the performance of any officer.
- Provide for the health, safety or welfare of the municipality in an emergency situation.
- Have the Chief of Police report at least monthly on the operation of the police force.
- May adopt policies, rules and regulations.
- Determine the internal structure of the police department.
- Approve the expenditure of money.

The core responsibilities of the Police Chief were previously outlined.

In short, the main responsibility of the Chief of Police is the day-to-day operations of the department, while the Public Safety Director is responsible for the finances.

The decision to place or keep a civilian at the head of a police department needs to be looked at very carefully with the full understanding that it may pose risks to the effective, efficient, and impartial administration of law enforcement in the community, especially if the two individuals can not agree on the policies of the department.

CRIME IN HOBOKEN

UCR Statistics - Background Information

Crime and the perception of crime are important issues in assessing the delivery of police services. To provide the reader with a better understanding of the crime picture, we present a brief introduction on the national source of crime data, the Federal Bureau of Investigation's Uniform Crime Report (UCR).

The Uniform Crime Report (UCR) Program is a nationwide cooperative venture of more than 17,000 cities, county, and state law enforcement agencies, which voluntarily report data on crimes brought to their attention. Although the principal objective is to compile a set of criminal statistics for use in police administration, operation and management, the UCR Program data has become one of the leading social indicators of crime. The statistical base includes seven original Index Crimes, collectively referred to as Part I Offenses. They are murder, rape, robbery, aggravated assault, burglary, theft and motor vehicle theft. Arson was later added by Congressional mandate in 1984. These eight offenses, the first four of which are violent, were selected to comprise the Crime Index for several reasons:

- Seriousness
- Frequency of occurrence
- Pervasiveness in all geographic areas of the country
- Likelihood of being reported to police

Part II Offenses encompass all other reportable classifications outside those defined as Part I. They are, other assaults, forgery and counterfeiting, fraud, embezzlement, stolen property (buying, receiving, possessing), vandalism. Weapons (carrying, possessing), prostitution and commercialized vice sex offenses, drug abuse violations, gambling, offenses against the family and children, driving under the Influence, liquor laws, drunkenness, disorderly

conduct, vagrancy, all other offenses, suspicion, curfew and loitering Laws (Persons under 18) and runaways (Persons under 18).

Notwithstanding the ongoing effort to maintain high reporting standards, the uniformity and validity of UCR data are still open to questions. The accuracy and reliability of the data depend on many variables: chief among these are the accuracy of each department's incident reporting procedures, organization of each department's incident reporting system, pressure both in the department and the community to reduce crime, and human and mechanical error in compilation of the data and level of experience and training of personnel for UCR data reporting. More often than not, actual crime rates are higher than that reported on the UCR statistics.

One problem with UCR statistics is that they rely upon crime reported by victims of crime. Not all citizens report crimes, sometimes because they are afraid to contact the police or perhaps because they believe the police can not do anything about the offense or offender. Even when reports are made, they are often filtered through a number of bureaucratic levels. Foreigners are reluctant to report crime for a multitude of reasons, the most obvious of which is that they fear deportation if it is discovered that they are here illegally. Therefore, the crime rate may be higher than that reported to the UCR system.

Another problem with the UCR comes from the fact that certain kinds of crimes are rarely reported, if at all. These include "victimless crimes," or crimes, which by their nature, involve willing participants. Victimless crimes include those such as drug use, drug sales, prostitution, gambling, white-collar crime, and high-technology crimes. Hence, a relatively large amount of criminal activity remains unreported in the UCR, while the types of crimes actually reported may paint a distorted image of actual criminal activity in Hoboken.

Because of the importance of UCR in determining personnel deployment and developing strategies to prevent crime, the integrity of the UCR program in a police department is nonetheless vital. It must be recognized that many variables influence the number of reported crimes, including, socioeconomic and cultural conditions; education, recreation and religion of the victim and alleged actor; the stability of the population; and tourism, business activity, and other factors.

HOBOKEN CRIME

The most recent crime figures for the State of New Jersey are for the year 2008. The 2009 data will be released later this year. Although overall crime has dropped since 2004, there were 227,177 Index offenses in 2008, a 3 percent increase compared to 2007. The crime rate of the state was 26.2 victims for every 1,000 permanent inhabitants, an increase of 4 percent compared to 2007. A total of 18,994 Crime Index offenses were reported to the police of Hudson County during 2008, a 3 percent increase compared to 2007 matching the state level. The crime rate for Hudson County was recorded at 31.8 victims for every 1,000 inhabitants; an increase of 4 percent compared to the previous year or 21.4% higher than the state average⁶.

Hoboken, on the other hand, managed to have a one-half percent decrease in crime rate per thousand in 2008 over 2007.

Its rate of 29.2 is 11.5% higher than the state's average, but is 8.18% lower than Hudson County's. The tables and charts on the following page outline the Part I Offenses in comparison to the State of New Jersey and Hudson County.

PART I OFFENSES

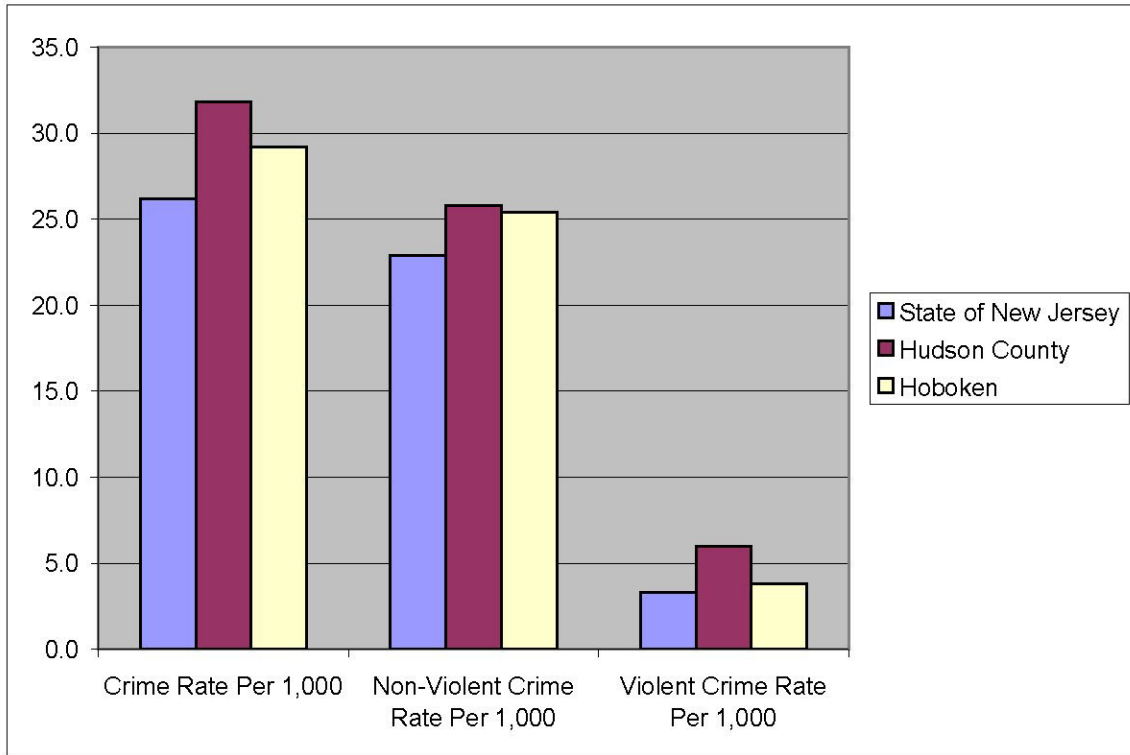
2008	Murder	Rape	Robbery	Aggravated Assault	Total Violent Crime
State of New Jersey	376	1,090	12,694	14,121	28,281
Hudson County	35	80	1,871	1,593	3,579
Hoboken	1	3	60	92	156

2008	Burglary	Larceny	Motor Vehicle Theft	Total Non-Violent Crime
State of New Jersey	40,132	138,644	20,120	198,896
Hudson County	3,506	9,798	2,111	15,415
Hoboken	217	701	112	1,030

2008	Crime Index Total	Violent Crime	Non-Violent Crime
State of New Jersey	227,177	28,281	198,896
Hudson County	18,994	3,579	15,415
Hoboken	1,186	156	1,030

Source: Uniform Crime Report State of New Jersey 2008

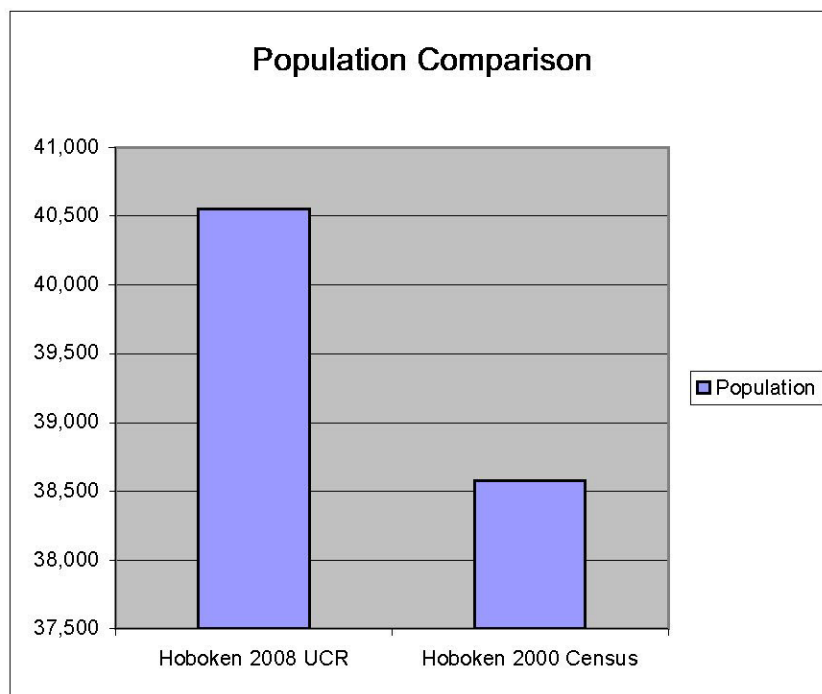
CRIME RATE PER THOUSAND COMPARISON



2008	Crime Rate Per 1,000	Non-Violent Crime Rate Per 1,000	Violent Crime Rate Per 1,000
State of New Jersey	26.2	22.9	3.3
Hudson County	31.8	25.8	6
Hoboken	29.2	25.4	3.8

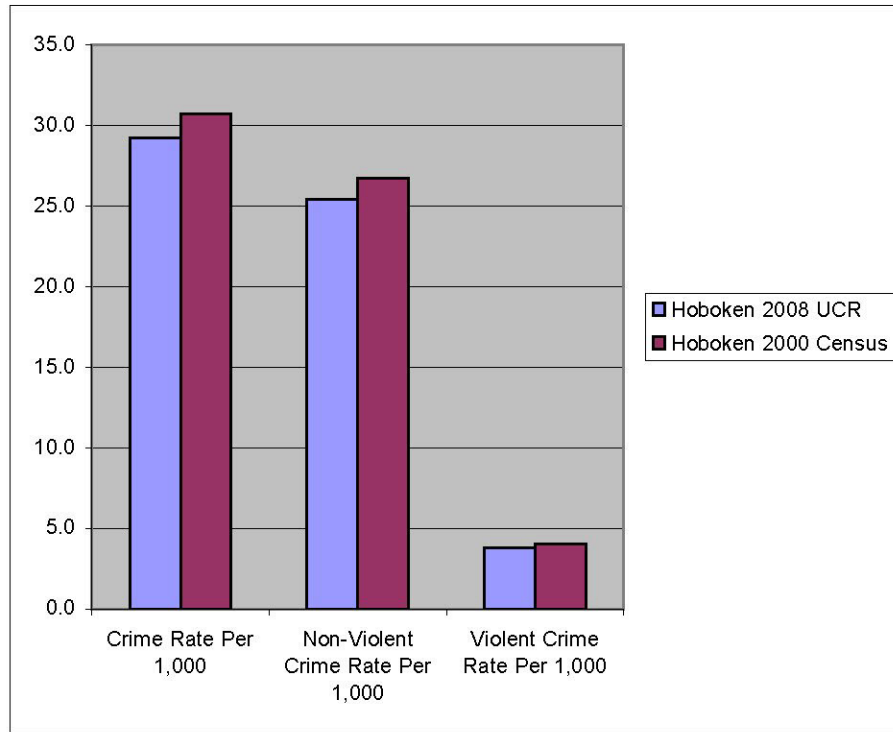
Source: Uniform Crime Report State of New Jersey 2008

Since the DLGS considers crime statistics in their evaluation along with population when determining staffing needs for the HPD, it should be brought to the reader's attention that in the DLGS report, the author states the population of Hoboken is 38,577 using the 2000 US Census Report. When the DLGS computes the crime rate per thousand it uses the population of 40,551 as stated in the New Jersey Uniform Crime Report (UCR). The chart and graphs below and on the next page show the difference when using different population statistics.



Population	
Hoboken 2000 Census	38,577
Hoboken 2008 UCR	40,551
Difference of	-1,974

CRIME RATE PER 1,000 RESIDENTS



POPULATION COMPARISON	Crime Rate Per 1,000	Non-Violent Crime Rate Per 1,000	Violent Crime Rate Per 1,000
Hoboken 2000 Census	30.7	26.7	4.0
Hoboken 2008 UCR	29.2	25.4	3.8
Increase	1.5	1.3	0.2
Percentage Increase*	5.14%	5.12%	5.26%

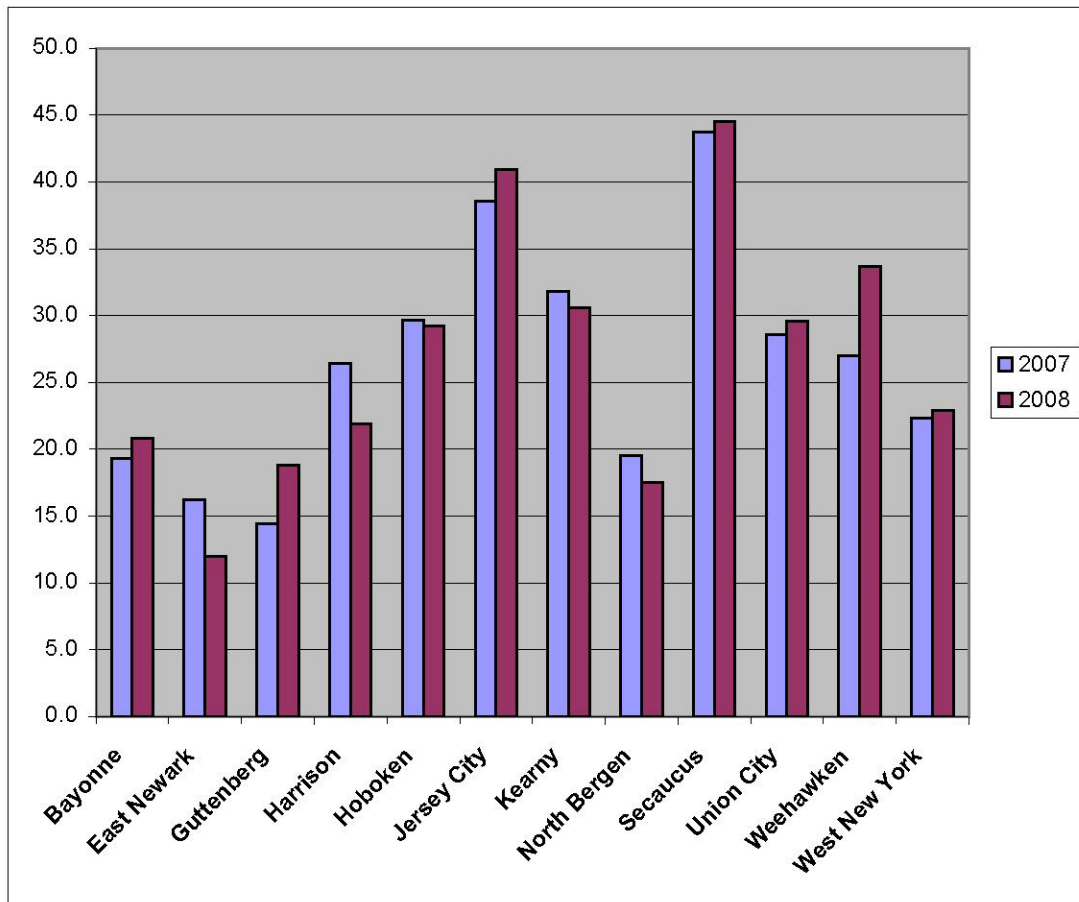
*Dividing the increase by 2008 UCR Crime Rate gives you the percentage.

The above graphs and charts show that if the DLGS were using the 2000 US Census Report, crime per 1000 residents would have **increased more than five percent**.

This is brought to the attention of the reader to show the inconsistencies in the data used in the DLGS report.

The graph and tables that follow are provided to show the comparison of Hoboken and the rest of the municipalities in Hudson County and those municipalities that are comparative in population. The data was obtained from the Uniform Crime Report State of New Jersey 2008.

**HOBOKEN COMPARED TO THE REST OF HUDSON COUNTY
2007 - 2008 CRIME RATE PER 1000 RESIDENTS**



HOBOKEN AND OTHER HUDSON COUNTY MUNICIPALITIES

HUDSON COUNTY MUNICIPALITY	YEAR	CRIME INDEX TOTAL	VIOLENT	NONVIOLENT	Crime	Violent	Nonviolent	Population
Bayonne	2007	1,137	190	947	19.3	3.2	16.1	57,886
	2008	1,206	209	997	20.8	3.6	17.2	
East Newark	2007	36	5	31	16.2	2.3	14	2,174
	2008	26	2	24	12	0.9	11	
Guttenberg	2007	154	39	115	14.4	3.6	10.7	10,601
	2008	199	46	153	18.8	4.3	14.4	
Harrison	2007	368	45	323	26.4	3.2	23.2	14,152
	2008	310	39	271	21.9	2.8	19.1	
Hoboken	2007	1,183	158	1,025	29.7	4	25.7	40,551
	2008	1,186	156	1,030	29.2	3.8	25.4	
Jersey City	2007	9,338	2,456	6,882	38.6	10.2	28.5	242,389
	2008	9,913	2,315	7,598	40.9	9.6	31.3	
Kearny	2007	1,210	109	1,101	31.8	2.9	29	37,295
	2008	1,143	119	1,024	30.6	3.2	27.5	
North Bergen	2007	1,114	104	1,010	19.5	1.8	17.6	56,146
	2008	985	120	865	17.5	2.1	15.4	
Secaucus	2007	680	25	655	43.7	1.6	42.1	15,385
	2008	684	24	660	44.5	1.6	42.9	
Union City	2007	1,829	407	1,422	28.6	6.4	22.2	62,715
	2008	1,859	341	1,518	29.6	5.4	24.2	
Weehawken	2007	342	30	312	27	2.4	24.7	12,441
	2008	419	27	392	33.7	2.2	31.5	
West New York	2007	1,034	197	837	22.3	4.2	18	46,425
	2008	1,064	181	883	22.9	3.9	19	

COMPARISON BY POPULATION

2007/2008	2007 Population	2008 Crime Index Total	2008 Violent Crime	2008 Non-Violent Crime	2008 Crime Rate Per 1,000	2008 Violent Crime Rate Per 1,000	2008 Non-Violent Crime Rate Per 1,000	2007-2008 Total Police Officers
Hoboken	40,551	1,186	156	1,030	29.2	3.8	25.4	156
Atlantic City	39,684	3,598	671	2,927	90.7	16.9	73.8	374
Belleville	34,044	932	118	814	27.4	3.5	23.9	111
Bloomfield	44,398	1,278	106	1,172	28.8	2.4	26.4	133
Hackensack	43,062	1,326	148	1,178	30.8	3.4	27.4	114
Irvington	56,920	4,382	1,203	3,179	77	21.1	55.9	191
Kearny	37,295	1,143	119	1,024	30.6	3.2	27.5	115
Linden	39,372	1,531	157	1,374	38.9	4	34.9	134
Millville	28,459	1,575	238	1,337	55.3	8.4	47	83
New Brunswick	50,534	2,951	327	2,624	58.4	6.5	51.9	138
Orange	31,290	1,744	327	1,417	55.7	10.5	45.3	114
Plainfield	46,486	2,001	461	1,540	43	9.9	33.1	149
Perth Amboy	48,868	1,352	216	1,136	27.7	4.4	23.2	119
Sayreville	42,351	815	83	732	19.2	2	17.3	92
Vineland	58,505	2,854	344	2,510	48.8	5.9	42.9	155

If anything is to be learned from the above charts and graphs, it is that you can not rely on them to help you dictate what size of a police force you should have. The DLGS report stated, "In determining the staffing needs of the Police Department, DLGS staff considers crime statistics in their evaluation." However, nowhere in their report does the DLGS state what type of weight or value factor do they apply to the crime statistics. Analyzing the above numbers you will notice that municipalities, such as, Atlantic City which is smaller in population and have a larger police force is more than triple the crime rate per 1000 residents and almost triple the non-violent rate of Hoboken.

Irvington, for example is larger in population and police force size and yet it is still double the crime rate of Hoboken. But then, Perth Amboy, which is larger in population, but smaller in police staffing, has a lower crime rate per thousand.

There are many factors that cause the nature and type of crime to vary from place to place. UCR statistics include only jurisdictional population figures along with reported crime and other arrest data. Using the UCR statistics to help one determine a size of a police force is missing the more important factors as stated earlier in this report.

The FBI in their reports lists the following additional criteria in conjunction with the UCR reports to determine how one municipality may be fairing against another:

- ❑ Population density and degree of urbanization of the locality and its surrounding area
- ❑ Variations in composition of the population
- ❑ The number of residents versus the "policing population," i.e., residents plus daily commuters, transients, tourists, shoppers, etc.
- ❑ Economic conditions
- ❑ Modes of transportation and highway systems
- ❑ Cultural conditions
- ❑ Family conditions with respect to divorce and family cohesiveness;
- ❑ Climate
- ❑ Effective strength of law enforcement agencies
- ❑ Administrative and investigative emphases of law enforcement
- ❑ Policies of other components of the criminal justice system, i.e., prosecutorial, judicial, correctional, and probational

Stated earlier the attitude of a community's residents toward crime and their crime reporting practices are known to have an effect on the number of crimes coming to law enforcement attention.

As we begin to analyze the DLGS findings for the workweek and the staffing levels of the HPD more inconsistencies will become evident leading to the flaws in the DLGS conclusions.

WORKWEEK AND WAGES

COMPARISONS

The assessment of the HPD by the DLGS in their report on page 13 states the following:

“The assessment of HPD was conducted through data collection, on-site observation of police personnel, interviews, research, reviews of relevant literature, statutes, regulations and nationally accepted standards of police organization, comparative evaluation of police industry standards, meetings, analysis of data, and experience of DLGS staff.”

Throughout this report many of the mistakes and omissions that were erroneously addressed in the DLGS review of the HPD will be brought to light. It appears that the DLGS was set on a certain level of police staffing and was working backwards in order to reach the goal that they wanted to attain and believed the administration expected.

When gathering and analyzing data you need to make sure that you have all the information that is required to make a sound judgment. You should ask yourself if any additional information would cause you to change your mind about the decision you are making or would provide the additional information needed to make a decision. This is the repetitive part of a workload analysis, but you should pursue it if it would lead you to a different conclusion.

One must remember that while existing data may appear on the surface to be accurate, they aren't as accurate as you think. Depending on who is initially gathering the data and the concept they use may be different from another individual logging the same information. Clearly this can be seen in the “Calls for Service” (CFS) as each dispatcher may log a call received under a different category or forget to log the call at all as will be explained later in this report.

This author believes that if the DLGS staff looked closely at the data they gathered, they would have realized the errors in their conclusion.

One issue that this author agrees on is the cost factor involving the wages and salaries of the public safety personnel in a municipal budget. The administrators of Hoboken have been very consistent over the years in keeping the police budget in check. With a consistency in the 16% range and less than what it was in 2001-2002 it remains between the mean and median averages of 16.4%-18.2% based on the data supplied by the U.S. Census Bureau.

See the table below and on the following page.

HOBOKEN MUNICIPAL BUDGET FOR POLICE

Year	2010	2009	2008
Total Budget	\$99,835,721	\$124,540,907	\$92,688,727
Police Budget	\$15,622,092	\$16,040,000	\$15,108,850
Percentage	15.65%	12.88%	16.30%

Source: Hoboken adopted budget data

MUNICIPAL BUDGETS FOR POLICE PROTECTION

NEW JERSEY			General Revenue (\$1,000)		General Expenditure	
City	Total Employment	Total Payroll (\$1,000)	Total	Taxes	Total* (\$1,000)	Police Protection %
Atlantic City	1,799	7,339,771	158,385	105,889	164,757	24.20%
Bayonne	2,534	9,055,493	192,343	102,343	184,903	9.50%
East Orange	(NA)	(NA)	283,986	68,976	278,933	7.30%
Elizabeth	1,601	6,457,736	162,231	69,285	139,231	23.30%
Garfield	(NA)	(NA)	66,739	26,009	61,514	9.70%
Hackensack	474	2,182,860	54,362	41,336	58,001	18.90%
Hoboken	(NA)	(NA)	78,704	20,751	73,119	17.60%
Jersey City	3,658	14,966,667	442,683	120,840	396,502	21.30%
Kearny	397	1,906,743	67,222	30,186	49,724	25.20%
Long Branch	456	1,470,318	49,693	21,075	42,870	16.30%
Millville	299	987,890	24,047	8,440	22,234	21.90%
Newark	(NA)	(NA)	678,095	163,752	636,597	17.80%
New Brunswick	6,253	13,516,530	190,300	45,026	196,927	6.20%
Passaic	(NA)	(NA)	79,553	37,481	76,986	18.60%
Paterson	2,096	7,084,983	174,915	72,656	185,269	19.00%
Perth Amboy	549	2,188,421	61,357	20,869	57,313	19.20%
Rahway	(NA)	(NA)	34,628	19,303	39,872	20.10%
Sayreville	302	1,280,907	39,975	16,366	34,384	23.90%
Trenton	(NA)	(NA)	390,832	51,806	410,068	7.20%
Union City	(NA)	(NA)	203,055	37,385	203,803	7.20%
Vineland	814	2,691,570	52,472	18,313	50,812	17.80%
West New York	(NA)	(NA)	120,548	33,144	127,770	7.80%
Total %						360.00%
Mean Average						16.40%
Median Average						18.20%

*Includes amounts not shown separately.

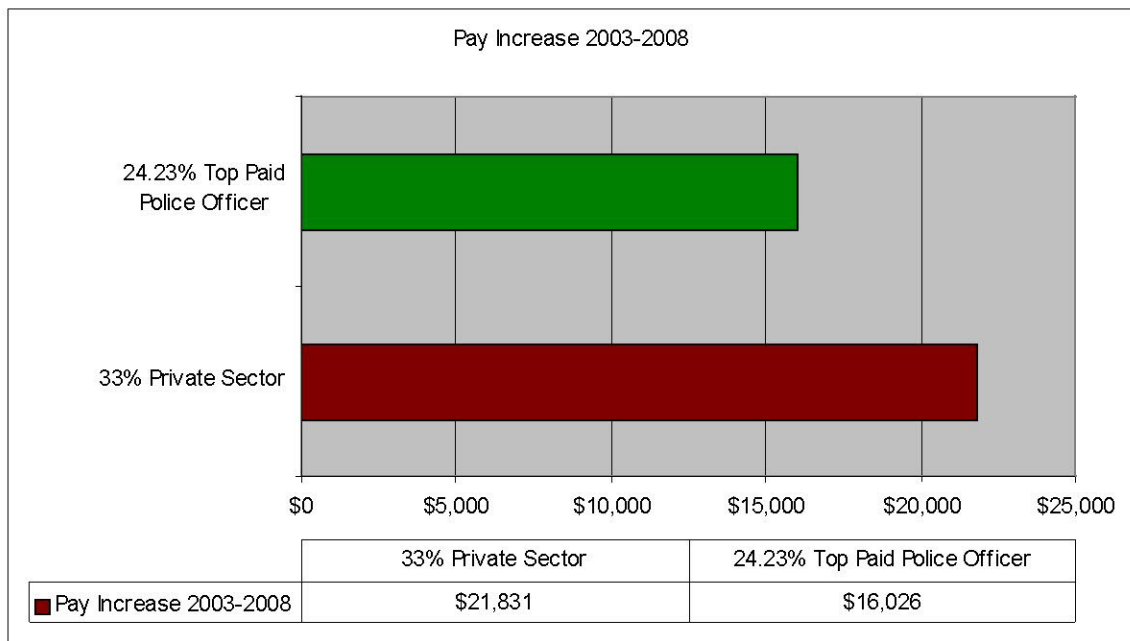
Source: County and City Data Book: 2007 U.S. Census Bureau

Based on the DLGS report on page 18, the average salary of a police officer is \$67,925.76, according to the 2009 Hoboken budget data that they used. According to the New Jersey Department of Labor and Work force Development Report dated February 2010 they state the following:

“In 2008, Hudson County’s annual average private sector wage was the third highest in the state. Over the 2003-2008 period, the county’s wage rose by **\$16,614 or 33.0 percent**, faster than the state’s 19.5 percent. The largest single-year wage increase for the county occurred in 2006 (6.8%).”

During the same time frame (2003-2008) utilizing the 3.9 percent pay increase for 2008, which the City Council rejected, the members of Hoboken PBA Local #2 would have only received a **24.23 percent pay increase or a total of \$16,026** based on a top paid police officer.

If the police officers had received the same pay percentages (33.0%) as the private sector, they would have received an increase of \$21,831. However, the police officers fell behind **\$5805** in wages. See the chart below.



Wages by occupation for the local area are \$7,325 - \$7,425 higher than stated in the DLGS report even with a calculated average of 3.9 percent pay increase for 2008⁷. See the table below.

2008 WAGES BY OCCUPATION AND LOCAL AREA

Wages for Police and Sheriff's Patrol Officers						
Location	Pay Period	10%	25%	Median	75%	90%
New Jersey	Hourly	\$21.90	\$29.19	\$37.43	\$44.73	\$49.54
	Yearly	\$45,600	\$60,700	\$77,900	\$93,000	\$103,000
Hoboken*	Hourly			\$33.93		
	Yearly			\$70,575		
Newark-Union, NJ-PA	Hourly	\$23.01	\$29.91	\$37.48	\$44.03	\$48.72
Metropolitan Division	Yearly	\$47,900	\$62,200	\$78,000	\$91,600	\$101,300

*DLGS report page 18 average salary with 3.9% increase for 2008

National Data Source: Bureau of Labor Statistics, Occupational Employment Statistics Survey

State Data Source: New Jersey Wage Information

Comparing HPD with the State of New Jersey mean (average) wages, the HPD is still behind \$4,825 even with the rejected "Memorandum of Understanding" (MOU), a copy of which is attached hereto as Appendix D.

See the table below and on the following page.

Police and Sheriff's Patrol Officers		
Top Paying States		
State	Hourly Mean Wage	Annual Mean Wage
New Jersey	\$36.25	\$75,400
Hoboken*	\$33.93	\$70,575

*DLGS report page 18 average salary with 3.9% increase for 2008
 U.S. Bureau of Labor Statistics Division of Occupational Employment Statistics

QUICK FACTS FOR NEW JERSEY	
Population*	8,707,739
Number of Law Enforcement Agencies**	546
Police Officers per 100,000 Population**	408
Average Annual Salary (Patrol)***	\$75,400

* U.S. Census Bureau, 2009 Population Estimates

** Uniform Crime Report State of New Jersey 2008

*** Bureau of Labor Statistics, 2008

On January 13, 2010 the City of Hoboken (the “City”) and PBA Local 2 (the “PBA”) signed a Memorandum of Understanding (MOU), which stated in part the following:

The salaries for all officers and ranks shall be increased as follows:

- (a) 3.9% retroactive to and effective as of January 1, 2008
- (b) 3.9% retroactive to and effective as of January 1, 2009
- (c) 2.3% effective on January 1, 2010
- (d) 2.3% effective on January 1, 2011

Even though Judith Tripodi, the Fiscal Monitor at the time signed the MOU the City Council rejected the MOU on March 17, 2010. It is believed that the DLGS report at the time was a major factor in the Council making that decision. However, if the Council had done their homework they would have known that the MOU was appropriate in comparison to what State Arbitrators were issuing for that time frame.

The total percentage increase was 12.4 percent for the term of the MOU, which was retroactive to January 1, 2008 and expiring on December 31, 2011. The total average increase for the time frame between January 1, 2008 and December 31,

2010 by State Arbitrators was 10.48 percent. Coupled with the 2.3 percent for January 1, 2011, which the PBA was willing to accept the total would have been 12.78 percent or 0.38 percent higher than what the PBA agreed to.

See table below.

PUBLIC EMPLOYMENT RELATIONS COMMISSION SALARY INCREASE ANALYSIS INTEREST ARBITRATION 1/1/1993 - 4/21/2010					
Time Period	Total # of Awards Issued	Substantive Appeals Filed W/PERC	Average of Salary Increase All awards	Number of Reported Voluntary Settlements	Average Salary Increase of Reported Vol. Settlements
1/1/2010 - 4/5/2010	21	2	3.00%	62	2.93%
1/1/09 - 12/31/09	16	5	3.75%	45	3.60%
1/1/08 - 12/31/08	15	2	3.73%	60	3.92%
1/1/07 - 12/31/07	16	1	3.77%	46	3.97%
1/1/06 - 12/31/06	13	3	3.95%	55	4.09%
1/1/05 - 12/31/05	11	0	3.96%	54	3.94%
1/1/04 - 12/31/04	27	2	4.05%	55	3.91%
1/1/03 - 12/31/03	23	2	3.82%	40	4.01%
1/1/02 - 12/31/02	16	0	3.83%	45	4.05%
1/1/01 - 12/31/01	17	0	3.75%	35	3.91%
1/1/00 - 12/31/00	24	0	3.64%	60	3.87%
1/1/99 - 12/31/99	25	0	3.69%	45	3.71%
1/1/98 - 12/31/98	41	2	3.87%	42	3.77%
1/1/97 - 12/31/97	37	4	3.63%	62	3.95%
1/1/96 - 12/31/96	21	2	4.24%	35	4.19%
1/1/95 - 11/31/95	37	0 ²	4.52%	44	4.59%
1/1/94 - 12/31/94	35	0 ²	5.01%	56	4.98%
1/1/93 - 12/31/93	46	0 ²	5.65%	66	5.56%

¹Does not include awards on appeal.

²Includes only settlements in impasses for which an arbitrator was assigned.

Source: State of NJ Public Employment Relations Commission

In addition to the PBA agreeing to a lesser percentage pay increase they were willing to give the CITY other cost saving programs, such as:

- The prescription drug program co-pay that was to be increased by 66.6 percent for generic and 100% for brand name.
- A 40 percent reduction in Terminal Leave Days for all new employees commencing in 2010.
- A major change in Health Insurance Plans.

These three contractual changes would have saved the CITY hundreds of thousands of dollars per year.

I believe the CITY should seriously take another look at the MOU that was initially agreed upon by the parties.

PBA CONTRACT

Before going any further in analyzing the DLGS report pertaining to the work schedule and staffing of the police department, four important issues must be brought to the attention of the PBA.

They are as follows:

- There is no lunch period enumerated in the contractual agreement
- There is no differential pay for the rank of Detective
- There is no salary adjustment for reporting ten minutes early prior to the start of each officer's respective tour of duty
- Overtime payments are being calculated on an improper hourly rate

LUNCH PERIOD

There is no designated “Article” that refers to the length of time for a meal period that a police officer is entitled to in the present contractual agreement between the CITY and the Hoboken PBA.

The HPD “Manual of Rules and Regulations” dated January 8, 2008 section 3:2.8 states the following:

“All meals are to be within the officer’s post or within assigned off duty areas, subject to modification by the commanding officer. Meals shall be eaten with reasonable dispatch when in public view.”

The City of Hoboken “Employee Handbook” adopted by Resolution of the City Council on October 15, 2003 section 503 states the following:

Meal Breaks — Full-time employees will receive a paid, duty-free meal break of sixty minutes.

Scheduling of Meal Breaks — Scheduling of meal breaks must be approved by the Department Director and/or supervisor in accordance with the needs and requirements of the department. Meal breaks must normally be taken in the middle of the employee's workday. Unless otherwise directed, an employee may leave the work-site during the meal break.

Union Employees - An employee who is a member of a collective bargaining unit is not covered by the Meal Breaks provisions set forth above and should refer to the applicable collective bargaining agreement.”

Nowhere in any CITY document, resolution or collective bargaining agreement does it state the length of time for a meal period to be enjoyed by a police officer or on patrol. This issue should be addressed in future contract negotiations. Language should be added to the agreement that is comparable to other City employees.

It should be noted that firefighters on various holidays are guaranteed a two-hour meal period. If they do not receive the designated time off they shall be compensated with a cash stipend of 1½ times their hourly rate for the two hours.

DIFFERENTIAL PAY FOR THE RANK OF DETECTIVE

Police officers that are assigned as detectives in the HPD receive no stipend for this assignment. This is fairly unusual as in most police agencies throughout the State there is a differential in the pay scale. Atlantic City has a differential pay for police officers that serve in the capacity of detective of three percent based on their salary. Jersey City one of Hoboken's neighbors receives a stipend of \$3,535.00 more than a police officer.

The HPD Organizational Deployment Chart effective February 25, 2010 has twenty-one detectives listed. There is no designated clause for additional pay for the rank of detective. The CITY is benefiting with an annual savings of \$74,235.00 based on the average stipend that a Jersey City police officer receives for this rank.

HPD Organizational Deployment Chart	
Detectives	21
Savings*	\$3,535.00
Total Savings	\$74,235.00

* Average stipend for a detective based on Jersey City's rate for 2008.

The PBA should make the payment of a stipend for the rank of detective a topic in their next negotiating session.

REPORTING TEN MINUTES EARLY

The present contractual agreement between the CITY and the PBA on page 15 labeled:

ARTICLE X- WORK DAY AND WORK WEEK Section 3 states the following:

“All other personnel are subject to a flexible hourly starting time. Employees shall report for duty ten (10) minutes prior to the beginning of their respective tour of duty.”

The above Article in the PBA contract is unusual to say the least. Generally speaking an employer must pay a police officer for all hours worked. This includes all of the time that a police officer is required to be on duty, or on an employer's premises, or at a prescribed work place and all the time during which the employee is permitted to work. Clearly members of both unions are directed to report to their work premises ten minutes prior to their shift without compensation. These directed work minutes are in addition to the eight-hour tour of duty and therefore should be counted as overtime savings.

By using Chart “A” of the DLGS report located on page 18 it was determined that there was 104 police officers making an average salary of \$67,925.76. The overtime rate was calculated by dividing the annual salary by 2080 hours multiplied by one and half times.

The chart on the following page details the “savings” that the members of PBA are generating for the CITY.

SAVINGS GENERATED BY THE PBA	
	PBA
Number of Affected Members	104
Minutes per Tour of Duty	10
Tours per Year	199
Total Minutes	206,960
Total Hours	3,449
Salary	\$67,925.76

Avg. Hourly Rate	\$32.66
Avg. Overtime Rate	\$48.98
Savings to The CITY per Year	\$168,932.02

Based on a 25-year career of all affected police officers the donated savings will be \$4,223,301.00. This amount is determined by using the overtime rates based on the DLGS average salary, without taking into consideration any future pay increases.

\$4,223,301.00
Donated in Man Hours
By PBA Members

It is suggested that this issue be brought to the PBA attorney's attention to determine how the union would want to proceed in regards to the above matter.

IMPROPER COMPUTED OVERTIME PAYMENTS

The last issue that should be addressed by the PBA is the incorrectly calculated overtime that was paid to its members.

In reviewing pay stubs that were provided for this report, this author realized that the overtime payments were being calculated on 2080 hours of service, although the majority of the PBA members work 1825 hours annually. It is standard practice that all overtime payments are based on the employee's annual hours worked in a year. Even the author of the DLGS report utilized the hourly rate based on 1825 hours in computing his calculations.

Providing examples of existing contracts within the municipality of Hoboken, it is clear that the overtime rate is based on the employees with the least amount of time worked annually. Below are Articles taken from the various municipal employees unions.

HOBOKEN MUNICIPAL SUPERVISORS ASSOCIATION

ARTICLE XV- OVERTIME, SECTION 3 reads as follows:

“...all overtime shall be paid at the rate of 1½ times the regular hourly rate in the pay period following the **overtime worked based on a thirty-five (35) hour workweek for forty (40) hour workweek.**”

HOBOKEN UNIFORMED FIREFIGHTERS ASSOCIATION (UFA) LOCAL 1078

ARTICLE XXI- OVERTIME, SECTION 21.1 reads as follows:

“...the overtime rate of 1½ times the regular hourly rate **based on a forty (40) hour work week** shall continue.”

This is in lieu of the forty-two (42) hour workweek that firefighters work over their eight (8)-workweek cycle.

HOBOKEN UNIFORMED FIREFIGHTERS ASSOCIATION (UFA) LOCAL 1078

ARTICLE XXIV- OVERTIME, SECTION 24.1c reads as follows:

“The premium overtime rate shall be **based on a forty (40) hour workweek**”

This is in lieu of the forty-two (42) hour workweek that firefighters work over their eight (8)-workweek cycle.

Based on the above information it is suggested that the PBA contact their labor attorney to discuss what cause of action they should proceed with. The table below provides an estimated amount of money owed based on \$355,426⁸ being

paid annually for the past three years. If the PBA were to pursue this issue they should calculate the proper salaries and overtime for the time frame. The table below is based on the average salary utilized in the DLGS report. The calculations used only apply to the PBA.

OVERTIME UNDERPAYMENT*

Average Salary \$67,925.76			
Total Overtime Paid per Year \$355,426.00	Annual Hours	Avg. Hourly Rate	Avg. Overtime Rate
	1,825	\$37.24	\$55.86
	2,080	\$32.66	\$48.99
Difference in Hourly Rate			\$6.87
Overtime Paid to PBA Members**	\$337,654.70	Total Amount Underpaid \$142,044.12	
Hours Paid For	6,892		
Difference in OT	\$6.87		
Money Owed per Year	\$47,348.04		
Multiplier by Years	3		

*Overtime underpayment based on police officers salary determined by DLGS

** According to the PBA 95 percent of overtime was paid for police officers.

Based on the above calculations the PBA members have been underpaid \$142,044.12 for the past three years in overtime payments by the CITY.

CONTINUATION OF THE ANALYSIS OF DLGS

The DLGS report continues with an abundance of mistakes. Starting on page 17 the report states that Uniformed Patrol squads work 8 hour shifts, five days on, two days off, then four days on, 3 days off which result in a 1824-hour base work year. However, if this were true, the schedule of the Uniformed Patrol squads total hours worked would have been 1880 hours (235 days rounded off times 8 hrs). Neither the schedule nor the length of time is accurate as described by the DLGS.

Stated earlier in this report and defined by their contractual agreement, the Uniformed Patrol Squads work 8 hours and 10 minutes or 8.17 hours per day. Their work schedule is a steady 5 days on, followed by 3 days off for a total of 228 workdays or 1863 hours per year.

Chart "A" on page 18 of the DLGS report outlines that there are 104 Police Officer's that work the Uniformed Patrol schedule. However, in analyzing the HPD Organizational Chart that was provided to the DLGS they would have noticed that only 61 Police Officers work the described schedule. The DLGS then continued to state that the hourly rates for Police Officers are \$37.24 per hour. Once again, the DLGS was provided information and data from the City. In speaking to all the individuals they stated they spoke to, I find it difficult to believe that they didn't ask anyone how the hourly rate was computed.

Using the DLGS average salary for Police Officers the table below computes the hourly rates at the different annual work hours for the year.

HOURLY AND OVERTIME RATES

Hoboken	Police Officer
Salary	\$67,925.76
Hours	1824
Hourly Rate	\$37.24
Hours	2080
Hourly Rate	\$32.66
Difference in Rate	\$4.58

As you can see from the table above, there is a difference in the hourly rate of \$4.58.

When you look at the Charts that the DLGS provided on page 19, every one has several mistakes.

- **Chart B** has the wrong number of personnel, the wrong yearly hours and the wrong hourly rates.
- **Chart C** has the wrong number of personnel and wrong hourly rate.
- **Chart D** has the wrong addition of 60 and 42 (DLGS states this equals 132). It also contains the wrong hourly rates.
- **Chart E** has the wrong addition of 70 and 42 (DLGS states this equals 132). It also contains the wrong hourly rates.

Coupled together with the errors of the 71 personnel, the wrong hourly rate and the length of the workday in the Uniformed Patrol, the DLGS made drastic mistakes in it's calculations.

Based on these misguided calculations the DLGS states on page 17 that there is a loss of 38,500 hours of productivity and expressed in dollars that it costs the City approximately \$1,700,000 per year or \$10,758 per officer. By inference, the DLGS stated the City could potentially "save" the lost salary by going to a 40-hour workweek. It further stated that the City must also compute the cost of the "five additional hours" for the officers involved and to raise this issue in labor negotiations.

If the calculations of the DLGS were correct and the City wanted to negotiate with the PBA for the additional hours to be worked, which has a price tag according to the DLGS of \$10,758 per officer, it would be a 15.84 percent increase for the PBA for **one** year. Keep in mind the City rejected a 12.4 percent increase for four years.

In order to meet its objectives, the DLGS then proceeded to calculate a massive reduction in the police force. It appears that the author of the DLGS report in

addition to all the erroneous calculations is missing one major factor in determining workweeks and hourly pay. Police Officer's are paid on an annual salary. Whether the Police Officer works a 2080-hour work year or an 1825-hour work year they receive the same salary. They are not paid on an hourly basis. The computation of determining the hourly rate is strictly used for overtime and retirement benefits.

The DLGS is also misguided the City into believing that Police Officers do not work a 40-hour workweek. All Police Officers work five straight days of 8 or more hours per day, totaling 40 or more hours for the five-day cycle. What the Uniformed Patrol Squads work is a 8 day workweek cycle instead of the standard 7 day work week cycle. Thereby, creating less workweek's in a year than the standard 52. Only after multiplying the 8-hour day by the amount of days worked due to the 8-day work cycle do you come up with less than the standard 2080 hours for the year.

The table on the following page will give you some guidance into the comparison of how many days and hours the Police Officers of Hoboken work in relationship to other municipalities in Hudson County.

COMPARISON OF POLICE WORK SCHEDULES IN HUDSON COUNTY

Hudson County	Patrol Work Schedule On-Off	Hours Per Day	Work Week Cycles	Total Days Off In A Year	Total Days Worked In A Year	Total Hours Worked Per Year	Plus/Minus Hours Less Than Hoboken	Plus/Minus Days Less Than Hoboken
Bayonne	4-4	9.5	45.63	183	183	1739	-125	-45
Guttenberg	4-2, 4-3,4-3	8	18.25	146	219	1752	-111	-9
Harrison	3-3	10	60.83	183	183	1830	-33	-45
Hoboken	5-3	8.17	45.63	137	228	1863	0	0
Jersey City	5-3, 5-2	8	24.33	122	243	1947	84	15
Kearny	4-2	8	60.83	122	243	1947	84	15
North Bergen	4-2, 4-4, 4-2	8	18.25	146	219	1752	-111	-9
Secaucus	4-2	8	60.83	122	243	1947	84	15
Union City	4-3, 4-3, 4-2	8	18.25	146	219	1752	-111	-9
Weehawken	4-3, 4-3, 4-4	8	16.59	199	166	1327	-536	-62
West New York	4-2, 4-3, 4-4	8	17.38	156	209	1668	-195	-19

*Total days off and worked may be higher/lower than 365 due to rounding.

There are seven municipalities where the Police Officers work less days and hours than the HPD. The members of the HPD are ranked 8th in time off and 4th in most time worked.

The next table will compare how many “productive” hours other municipal union employees in Hoboken work. This table is in no way intended to discredit the other hard working professionals in Hoboken. It merely is a comparison of total hours worked over the course of one year. Sick time was not included in this analysis as its numbers vary according to individuals. The numbers used are actual hours and days that all employees of the respective unions receive.

See table on the following page.

EMPLOYEES' WITH 20 OR MORE YEARS OF SERVICE					
Employees' hired after July, 1994					
Municipal Employee Union	Hoboken PBA #2 Uniform Patrol	Hoboken Municipal Supervisors Association (White Collar)	Hoboken Municipal Supervisors Association (Blue Collar)	Hoboken Municipal Employees' Association (White Collar)	Hoboken Municipal Employees' Association (Blue Collar)
	5 Days On	5 Days On	5 Days On	5 Days On	5 Days On
Work Schedule	3 Days Off	2 Days Off	2 Days Off	2 Days Off	2 Days Off
Hours Worked Per Day	8.17	7	8	7	8
Work Week Cycle	45.63	52	52	52	52
Days Worked In A Year	228	260	260	260	260
Hours Worked In A Year	1,863	1,820	2,080	1,820	2,080
Minus Vacation Days	30	26	26	26	26
Minus Holidays*	0	14	14	14	14
Total Days Worked	198	220	220	220	220
Hours Worked Per Year	1,618	1,540	1,760	1,540	1,760
Meal Period Hours**	0.5	1	1	1	1
Minus Total Meal Hours	99	220	220	220	220
Total Productive Hours	1,519	1,320	1,540	1,320	1,540
% More or Less		15%	-1.40%	15%	-1.40%

Numbers are rounded

* PBA Uniformed Patrol does not receive 14 holidays as stated by DLGS.

** PBA members are credited with a 30-minute meal period although it is not outlined in the contract.

Data supplied by PBA from contractual agreements with the City of Hoboken.

It is quite obvious from the table above that the HPD is right in line with other municipal employees for productive hours worked in a year. In fact, two of the unions work 15 percent less hours than the Police Officers although they report to work on 22 more occasions.

Another example is the comparison of Police Officers and Firefighters hours and reporting for tours of duty. Once again, it is reiterated by this author that this is no reflection upon the profession of the Firefighters who put their lives in harms way on a daily basis. The example given is purely to describe and test the DLGS mathematical formula that they applied to their analysis of the HPD.

Police Officers and Firefighters make a comparable salary. For the purposes of this illustration, this author applied the average salary that was determined by the DLGS for the Police Officers. The only change that was made was converting the hourly rate of the Police Officers based on 2080 hours per year instead of using 1824 hours that was the incorrect amount utilized by the DLGS.

Presently, Police Officers in Uniformed Patrol work 1863 hours a year and report for work 228 times. In comparison, Firefighters work 2184 hours per year and report to duty 91 times. Therefore, Firefighters have 137 fewer appearances than Police Officers. By applying the DLGS theory to 81 Firefighters the City could potentially “save” \$2,899,091.25 and the Firefighters would enjoy the benefit of working 359 less hours than their present work schedule.

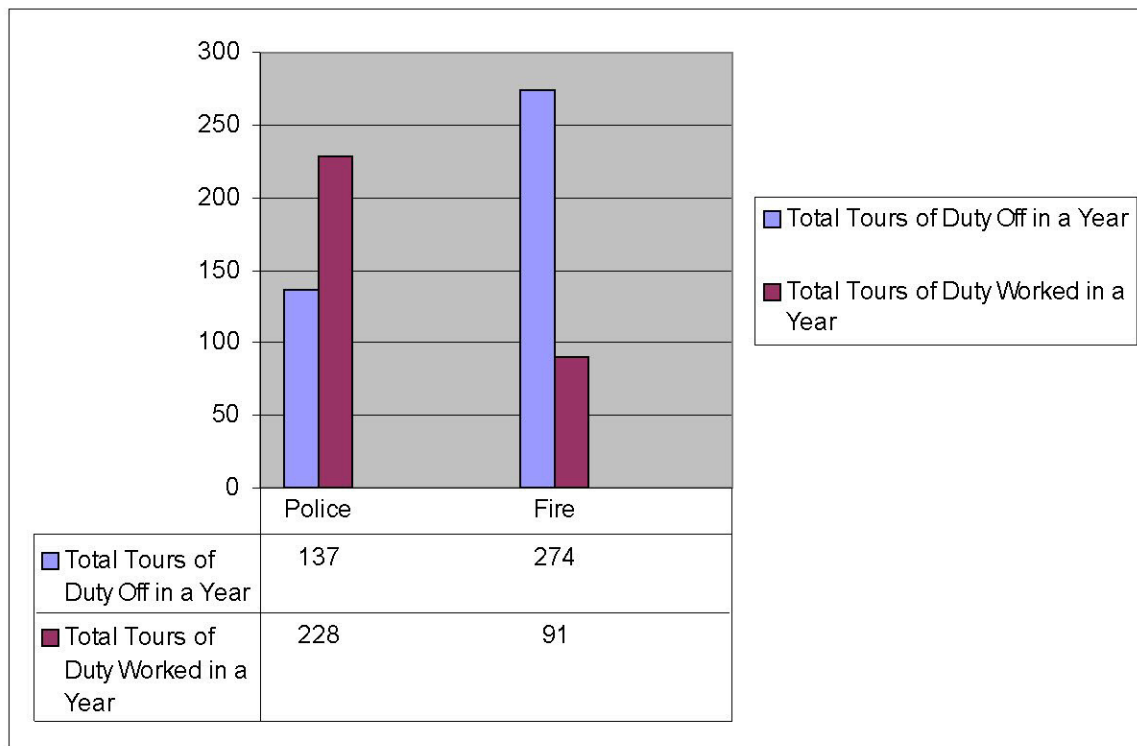
The table and chart below and on the following pages outlines the potential “savings”.

Average Salary of Police and Fire*		
Hoboken	Police	Firefighters
Salary	\$67,925.76	\$67,925.76
Hour	\$32.66	\$32.66
Tour of Duty	\$261.25	\$783.76

*Based on DLGS report.

PRESENT WORK SCHEDULES OF POLICE AND FIREFIGHTER						
Hoboken	Work Schedule On-Off	Hours Per Day	Work Week Cycles	Total Tours of Duty Off in a Year	Total Tours of Duty Worked in a Year	Tours of Duty Less Than Police
Police	5-3	8.17	45.63	137	228	
Firefighter	42 Hours Per Week Over a 8 Week Work Cycle	24	6.5	274	91	-137

**COMPARISON OF DAYS OFF AND WORKED
 POLICE OFFICERS AND FIREFIGHTERS**



Converting Firefighters Schedule to Police Officers Schedule					
Firefighters New Work Schedule 5 On 3 Off	Hours Per Day	Work Week Cycles	Total Tours of Duty Off in a Year	Total Tours of Duty Worked in a Year	
NEW Schedule	8	45.63	137	228	
OLD Schedule	24	6.5	274	91	
Additional Tours Worked				137	
Salary	\$67,925.76	Hour	\$32.66	Hours Worked	
		Day	\$261.25	Old	2184
New Tours			137	New	1825
"Save" Lost Salary	Per FF		\$35,791.25	Less Hrs	359
"Save" Lost Salary	81 FF		\$2,899,091.25		

Firefighters will work 359 less hours per year based on an 8-hour day.

All other police and firefighters assigned to other units and divisions work a 40-hour workweek.

Numbers are rounded.

The final comparison in using the DLGS theory of providing the City with potential "savings" is analyzing the annual salary of Hoboken City Council members. Based on the introduction of City Ordinance No. Z-20, dated October 21, 2009, signed by the Acting Mayor, Dawn Zimmer, establishes the salaries of the Mayor, Council and Department Heads. It states in Section 2 the following:

"The annual salary for a member of the Hoboken City Council, effective July 1, 2009, shall be \$24,130. The annual salary for the Hoboken City Council President, effective July 1, 2009, shall be \$26,541. All members of the Hoboken City Council shall be entitled to receive equivalent health care benefits as are set forth in the current collective bargaining agreement between the City and the Hoboken Municipal Supervisors Association but shall not receive longevity pay or any other benefits."

Based on the above, the City Council members enjoy health benefits that usually only apply to full time workers. This cost factor alone amounts to over \$100,000. It is also interesting to note, that the Council Members almost make the same

salary as the Director of Public Safety who works on a full time basis overseeing the Police and Fire Departments.

The table below indicates that the City “loses” approximately 2.5M in man-hours in calculating the 168 hours a year versus a 2080-hour work year. As per the theory of the DLGS, by inference, the City could potentially “save” the lost salary by adopting an Ordinance that requires the Council Members to work a 40-hour workweek.

APPLYING THE DLGS THEORY TO THE COUNCIL MEMBERS					
City Council Members	Hours Per Meeting*	Council Meetings	Total Hours Worked	Hours Worked	
				Old	New
	7	24	168	168	2080
				Increase	1912
Average Salary	\$24,397.89	Avg. Per Hr.	\$145.23		
		Hours			
"Save" Lost Salary	Per Council Member	1912	\$277,679.76		
"Save" Lost Salary	9 Council Members	17208	\$2,499,117.84		

* Includes time attending other meetings, such as Public Safety meetings.

Total meetings and length of time data provided by PBA

It is clear as outlined by the many charts and graphs shown throughout this report that the theory of the DLGS is very misleading. To reiterate the major point of this section, all city employees in the various unions are paid on an annual basis. They are not paid by the hour. The calculation of the hourly rate is only used to establish the overtime rate. Whether an employee works 1820 hours a year or 2184 hours a year, they are all paid on an annual basis.

Mayor Dawn Zimmer states on:

<http://zimmerforchange.com/index.php?page=display&id=6> that she wants city employees to work a 35 hour workweek. It is clear that they do.

STAFFING AND METHODOLOGIES

INTRODUCTION

It is not unusual for staffing reports to appear around budget time mostly as justification for reducing or increasing personnel, which often questions the validity of the report. As municipalities look to tighten their budgets during a downturn in economic times, one of the first things they look at is the Public Safety budget due to the high cost of staffing for wages and salaries. In contrast when the economy is good the municipalities are looking to hire more police officers.

Anyone who has experience in Public Service knows how many miles of paved roads need to be maintained, potholes to be filled and trees to be planted. You can even determine how many dwellings need to be protected from fires and how often the streets need to be cleaned. However, determining how many radio cars and foot patrols need to be allocated is more problematic. Policing presents different challenges. There are many variables that impact crime, and the response to crime, which has been mentioned in this report. Law enforcement services may be hard to measure, as many aspects involve intangibles, such as the potential reduction in crime from community policing patrols. However, with the proper use of detailed analysis, supported by historical call data the police executive can get a better picture of how to meet community goals.

One of the first things a municipality has to do is determine the general philosophy of the agency. They should do this in conjunction with the community, the Department Heads and the Leadership of the Police Unions. Decisions need to be made regarding the amount of time needed for proactive police work, the percentage of officers' time to be spent on calls for service, and the amount of time spent on administrative tasks. All these have a direct impact on staffing costs, which will be funded by the community.

This author suggests, that the agency make a careful study of what the demands for their services are and develop operational goals that will meet not only the demands for service, but allow sufficient staff time to pursue proactive work. Mayor Dawn Zimmer embraces the concept of increased use of foot patrols and other community policing techniques in order to reduce crime and improve public safety. Once this is established, then the police executives and managers can calculate the staff resources necessary to achieve those goals.

The next step is to simply establish the desired goal of the internal benchmarks. The DLGS project team failed to do this and established a staffing level without having prior benchmark comparisons from past years.

Once the police executives have all the data collected and analyzed, the agency will still need to make a decision on its comfort level in implementing what the information demonstrates.

STAFFING AND CALLS FOR SERVICE

As of February 25, 2010, the HPD had 154 sworn personnel with 60 police officers assigned to the Uniformed Patrol Bureau of which 9 police officers are assigned to the Anti-Crime Patrol. The HPD divides its patrol area into 3 District Patrol cars with 2 officers assigned in each and 1 City Wide car with 1 police officer assigned. The Uniformed Patrol Bureau also maintains 28 walking posts in addition to 6 walking posts assigned to Community Policing Bureau. The walking posts are covered when there are enough police officers to cover the District Patrol Cars.

The Police Department maintains an 8 Squad System with Police Officers working a steady 5 days on then 3 days off. There are 3 tours of duty with 8-hour lengths. The reporting times are as follows:

- 0001 – 0801 Hrs. Day Tour
- 0801 – 1601 Hrs. Evening Tour
- 1601 – 0001 Hrs. Midnight Tour

The HPD provides a variety of services to citizens. The types of services performed by police officers and the level at which they perform these services are a function of departmental policy and the enforcement needs of the community.

The number of calls for service to a police department is the most comprehensive measure of service needs in a community. A call is simply a citizen request for service to which an officer is dispatched to provide assistance. In most instances, a police officer is sent to provide the initial citizen assistance. On occasion, a sergeant or detective might be assigned to a call, but usually these personnel are only called for serious incidents that require additional personnel or special expertise.

The HPD has seen a steady increase in the number of calls for service since 2004. It is anticipated that the number of service calls will continue to rise because of the increase in the City's population, housing, and service needs. The figures reflected below represent the number of calls for service:

YEAR	NUMBER OF CALLS FOR SERVICE
2004	47,797
2005	51,173
2006	63,266
2007	62,923
2008	69,470
2009	67,897

The HPD has experienced an **unprecedented 42.05 percent increase in calls for service**. With Police Officers spending more time answering calls for service it leaves them with little or no time for proactive-uncommitted patrol.

The staffing levels of the HPD have remained stable for more than ten years. The combination of increasing demands for service without a corresponding increase in patrol staffing brings with it inherent problems, such as, less patrol time, less visibility for general deterrence of criminal activity and traffic violations, no bicycle patrols, no school resource officer, no dedicated DUI or traffic safety enforcement. This is due to the amount of time required to effectively handle the call, either on the scene or elsewhere, and or the time necessary in responding to headquarters to complete the required paperwork that may be associated with the call. In addition, police officers are required to complete state and county mandated paperwork requirements that also contribute to less police presence and availability on the streets. For example, in addition to arrest, property, investigation, accident and supplemental reports, other report requirements now include the use of force, vehicle pursuit, carjacking, domestic violence, bias-incident, mandatory bail release forms, victim/witness and missing persons forms. Departments such as HPD even require additional forms for their record-keeping systems. Along with requisite reporting requirements, mandatory bi-annual training requirements significantly impact the amount of time an officer is out on patrol.

ALLOCATION OF TIME

Several factors contribute to the effectiveness of the patrol force. First, the patrol force must be adequately staffed. This means that there must be a sufficient number of patrol officers on duty at any given time to respond promptly to citizen complaints, crimes in progress, traffic accidents, and similar demands. Second, the patrol force must be distributed, both temporally and geographically, in a

manner consistent with service demands. Service demands typically vary in frequency from hour-to-hour, from day-to-day, and among different sections of the community. Third, uniformed officers must have sufficient time to engage in target-oriented patrol strategies for the prevention of crime and the control of traffic. Studies have shown that random preventive patrols add very little to deter crime. Hence, it is necessary for uniform patrol officers to identify crime and traffic problems, and to focus attention upon these problems.

Patrol work is labor-intensive. It is necessary to address the question of whether there are adequate personnel resources to accomplish the work that must be done. The structure of police work is different from much of the work done by other municipal and private sector employees. Police officers do not perform specific tasks every moment that they are on duty. To ensure that officers are available to answer emergency calls, a certain amount of “non-dedicated” time must be built into their work schedule. The International Association of Chiefs of Police (IACP) has assigned four categories to help analyze a police officers patrol activities. They are:

- Reactive: answering calls-for-service and responding to accidents;
- Proactive – Self-Initiated and Community-Oriented Policing: traffic enforcement, field interrogations, motorist assists, community-oriented policing (COP);
- Proactive – Uncommitted Patrol: patrol on uncommitted time;
- Administrative: office time, vehicle maintenance, mealtime, etc.

DLGS on page 23 of its report states the following:

“The accepted rule for utilization of time spent by patrol officers is one third of time is spent answering calls (obligated time), one third of time is used for administrative responsibilities and one third is "unobligated" time. This

ratio is derived from best practices taught at the Northwestern University Center for Public Safety.”

Although the common practice is to divide the time equally among obligated time, unobligated time and administrative time this is **not** what the Northwestern University Center for Public Safety or the IACP staff recommends. Below is the direct quote for the Policing Style/philosophy of the IACP:

“Police agencies should consciously choose a policing style, recognizing that modifications have direct effect on staffing requirements. Agencies coping with budget constraints can choose to reduce uncommitted, prevention-focused time, thus expanding the time committed to response to calls. This strategy reduces patrol-staffing requirements, which may risk public safety. **Alternatively, agencies can choose to be more proactive, allocating, for example, 40%, 45%, or 50% to of each officer's time to crime prevention, problem solving, community relations, and other proactive activities. This strategy intensifies (increases) manpower requirements. The IACP management survey staff prefers this more proactive approach to policing.**”

COMMUNITY POLICING

The current administration under Mayor Zimmer has committed to the community that she will support increased use of foot patrols and other community policing techniques in order to reduce crime and improve public safety. **However, this commitment can not be realized under the DLGS suggested staffing levels.**

Confusion exists on what constitutes community policing. Some suggest community policing is simply a re-labeling of activities we did years ago or what we are doing today, such as foot patrol, bicycle patrols, stop-walk-talk, and mini police stations. However, community-policing programs should not only encompass recasting basic police strategies, but should require major revisions

in basic police philosophies and managerial style. The central premise of community policing is that the police and public need to be more active and collaborative in enhancing public safety. In order to achieve this goal, a police department must first have a sufficient number of officers to deploy to undertake this community-policing endeavor. If officers are routinely responding to calls and responding back to headquarters to file reports, very little time is left to interact with the community. Usually, one finds contemporary community policing revolving around the following programmatic components:

- Community based crime prevention
- Reorientation of the delivery of police services
- Increased police accountability, presence, and decentralized command

A **community based crime prevention** effort goes beyond the traditional neighborhood watch programs or community meetings. It involves organizing neighborhoods and promoting an increased cooperative spirit of neighbors working together to resolve community problems on a continuous basis. People who learn about personal and home security from police officers are better informed. However, without continuing interaction, the memory of this educational experience will gradually fade.

Reorientation of patrol activities requires the police to move away from their preoccupation with and limiting concentration on the crime-fighting and crook-catching model of policing. The reliance of random patrol and rapid response needs to give way to a more active involvement by patrol officers in “getting to know” individual citizens. The patrol officer must build mutual trust between the citizen and himself.

One effective method of getting officers to better understand their neighborhood is to encourage foot patrol and problem solving. Foot patrol experiments, such as

those in New Jersey have generally reduced fear of crime by controlling the “signs of crime and disorder” (e.g., vandalism, rude and boisterous behavior, loud music, etc.)

The HPD has adopted and applied the **problem oriented policing** style, commonly known as (POP). This program addresses the problems that create these crimes and calls. POP calls for the police to gather substantially more facts from a wide variety of sources (outside as well as inside the department) and to enlist the support of public and private agencies and individuals in addressing the problems in a community.

Herman Goldstein, who first described the concept of problem-oriented policing, has developed a list of tasks on which a Chief of Police should focus to build a problem-oriented police agency:

- Focus on the problems of concern to the public
- Zero in on effectiveness as the primary concern
- Be proactive
- Be committed to systematic inquiry as the first step in solving substantial problems
- Encourage use of rigorous methods in making inquiries
- Make full use of data in police files and the experience of police personnel
- Group like incidents together so they can be addressed as a common problem
- Encourage a broad and uninhibited search for solutions
- Be committed to taking some risks in responding to problems
- Acknowledge the limits of the criminal justice system as a response to problems

In evaluating other departments with successful POP programs, the following characteristics appear:

- The department has a stated policing philosophy of service delivery that involves the community
- The Chief of Police practices an open door and management style
- The department has a written statement of its organizational values
- The department has implemented a management by objectives process
- The patrol officer has freed up time through various differential police response strategies
- The department has an active crime analysis function

Based on the above lists, one can surmise that implementing problem-oriented policing is a major commitment by Chief Anthony P. Falco, Sr. Despite the good intentions of the administration to conform to community policing principles and problem-oriented policing goals, downsizing the Police Department to the suggested DLGS levels would make it impossible to maintain an effective community policing program or continue to achieve the POP goals at the present time putting this program in jeopardy.

FACTORS INFLUENCING POLICE STAFFING

Proper allocation of resources is one of the most critical problems facing a police agency. The allocation question is critical for three basic reasons: considerations of efficiency and economy; the allocation problem has a fundamental relationship to crime repression, preventive patrol, and investigative efficiency; and, proper allocation and distribution of resources is an important factor in police morale, which in turn affects productivity.

Police staffing levels must be directly linked to the level of service a local government believes is necessary to provide adequate police services for its citizens. In public safety, seconds can mean the difference between life and death – and the clock starts ticking when a person dials 9-1-1.

As with most public policy decisions, information on workload must be matched with potential results that can be achieved by hiring various levels of staff. Simple ratios that compare the number of police employees per 1,000 population in local jurisdictions are not sufficient for making staffing decisions and it is one that the IACP believes is totally inappropriate as a basis for staffing decisions. This author concurs. It is useful, as the Bureau of Justice Statistics states, “To help local agencies in other ways, including historic perspective on staffing trends across all US law enforcement, and in conducting long term staffing trend analysis, locally, regionally and nationally.”

We believe that a rational basis for staffing a police agency begins at the curbside. Patrol is the most vital police service. Patrol officers are usually the first to respond to citizen calls for service and provide comfort and security to crime victims. Compared with other parts of the department, patrol officers also conduct most of the initial criminal investigations, make most of the arrests, do more traffic enforcement and accident investigations, and give most of the crime prevention advice to citizens. The number of patrol officers needed creates the framework for the staff needed for other functions.

STAFFING LEVEL METHODOLOGIES

There are many methods that have been given attention over the years in attempts to determine the proper patrol staffing needs in relationship to a police officers workload and calls for service. According to the DLGS, the IACP has developed a scientific approach to the distribution of patrolling staffing levels and

the DLGS has used that approach in determining the staffing size of the HPD. In addition to the IACP approach, the DLGS also states the models taught by Northwestern University for Public Safety. However, in a communication that this author has received from Phil Lynn, Manger, IACP, Mr. Lynn states the following:

“The IACP doesn’t subscribe to any formula, such as, a rate per population to determine policing needs. This is done on an individualized department basis by our management services group after a complete analysis of the department and the community.”

The dissection of the two methodologies utilized by the DLGS will be addressed later on in this report.

Eight models are listed below along with a discussion of the strengths and weaknesses of each.

1. **Officers per thousand population.** This measure is sometimes mistakenly offered as a basis for determining the overall staffing of a police agency. The measure ignores population characteristics, such as the number of the poor or vulnerable who generally have the greatest need of police services. Funding an average number of officers for each 1,000 people ignores actual service demands. Taking the resident population as a base also ignores the needs for police service in areas with large numbers of commuters and visitors, such as in Hoboken. This measure also does not take into account police response time to priority calls. Overall, the measure is a rough indicator of what a community has already decided to spend on law enforcement, and not what it needs.

According to the Bureau of Justice Statistics (BJS) municipalities with a population of 25,000 to 49,999 and all size communities have an average of 1.8-2.5 full time officers per 1000 population.

It is generally accepted that the term “police officer”, means a patrol officer who is actually available to respond to calls, and excludes administrative or supervisory police officers.

Based on the above information and shown in the table below HPD falls within this guideline.

Hoboken	YEAR	POPULATION	POLICE OFFICERS ONLY*	POLICE OFFICERS PER 1000
			As of 4/12/2010	
	2007			
	2008	40,551	79	1.9

Source: Hoboken PBA #2*

2. **Officers per 300 housing units.** This method is also mistakenly used to determine staffing size. It has some of the same drawbacks as the police officers per population model. The measure ignores population characteristics, such as, the number of the poor or vulnerable who generally have the greatest need of police services. It also doesn't take into account household size or vacancies.

Based on the U.S. Census Bureau 2006-2008 American Community Survey, there are 23,066 housing unit in Hoboken. Dividing this number by 300 equals 76.88. Thereby, as shown by the table on the following page, HPD is almost exactly in line with this method.

Hoboken 2006-2008	Housing Units	POLICE OFFICERS ONLY	Current POLICE OFFICERS ONLY
	23,066	77	79

3. **Levels of reported crime.** This measure has some face validity. However, crime problems represent only a fraction of the service demands placed upon law enforcement agencies. Public safety agencies in a community are the only services available to everyone on a 24-hour a day, 7-day a week basis. Non-crime related calls usually account for more than half of the calls for police service, even in large cities.

Therefore, it is possible that a community can have citizen expectations for service that are much higher than reported crime rates.

4. **Numbers of calls for police service.** This measure provides a more complete picture of patrol workload. However, counting the total number of calls ignores differences among calls. Some calls take more time to complete than others, and some calls require more than one police unit to respond.
5. **Assigning numerical weights to different categories of calls for service.** A few police agencies have attempted to account for differences among calls by assigning numerical weights to different categories of calls for service. This approach seems "scientific." However, the weights are generally very subjective and tend to reflect policy decisions that have already been made rather than an objective measurement of workload. The weights also fail to account for multiple unit responses. They also do not take into account response time to priority calls.

6. Measuring time spent by patrol officer on calls for service and other work.

Most police funding goes toward staff salaries. As in any other labor-intensive business, time is money in policing. Methods that base staffing on the amount of police time needed to respond to citizen calls for service come closer to measuring patrol workload accurately than the methods previously mentioned. Information on how time is spent is typically captured with the use of Computer Aided Dispatch (CAD) systems that may account for time spent on officer-initiated activity, administrative duties, and other tasks. This method relies heavily on the input of the dispatcher and does not take into account calls not time stamped or the error of the dispatcher logging in all units at the scene.

7. Patrol Beat Design. This method is a hybrid of the previously mentioned methods, together with designing patrol districts to minimize response times. The method assumes that a patrol unit assigned to one of the districts will handle most of the calls there and become familiar enough with the beat to be an effective crime fighting force.

This method has several problems. First, attempts to make areas of equal size (to reduce response time) invariably do so at the expense of creating workload imbalances among the beats. Second, patrol beats are usually treated as fairly constant work units, regardless of time of day or day of week, which promotes the wasteful notion of staffing a district by a single car regardless of temporal workload variations. Third, unless they are deployed in extremely remote locations, patrol units can spend almost as much time in adjacent districts as their own. The units routinely have to provide cover for nearby beat officers, and then they are often out of their district when calls come in, so other units must respond to their calls of an urgent nature.

8. **Modeling the flow of calls for service.** This is the most advanced method available for measuring patrol workload and staffing needs. It involves use of computerized mathematical models that employ queuing theory to determine the effects of a variety of factors on patrol performance. Such models can project potential response times to emergency and urgent calls as well as levels of uncommitted patrol time that will be available at various times of the day. The models are typically based on information about call rates, the priority of calls, the time spent on those calls, the number of units sent to them, the distance they have to travel, and average travel times at various times of the day and days of the week. These models not only help to assess staffing needs, but they can also be used to test potential new deployment levels in new or current areas before plans are actually implemented.

As you can see from above, the business of policing is unpredictable. The DLGS used a combination of various methods, but lacked careful and focused attention in analyzing and entering the data that will affect an entire community.

In providing traditional police services, police agencies employ a variety of models. However, determining the optimum or most desirable number of police officers has remained an elusive goal for those making funding decisions. The decisions by municipal, county, and state officials are based on a wide range of considerations. While there are a myriad of factors affecting police staffing, a number are identified as follows:

- Political commitment by the governing body
- The availability of funding
- The quality of justification by the police department
- The philosophy and judgment of the governing body
- Recent crime patterns

- The volume of complaints from residents about quality and quantity of service
- Computerized allocation models, generally associated with workload
- Use of new programs to justify additional personnel
- Growth of the community
- Decisions relative to taxing levels, i.e. raise, lower or retain levels
- Response times
- Clearance rates for Index Crimes

As mentioned throughout this report the range of service in the average police department varies according to the management style and philosophy of the chief executive, departmental policies, priorities of the governing body and municipal manager, and community expectations.

AVAILABILTY FACTOR

When setting the foundation and determining whether a new or present work schedule or the staffing of the patrol force it is imperative for the police administrator to determine if there are enough employees for staffing the required positions. One of the common practices utilized by the police departments is the “Availability Factor” (AF). In simple terms, the determination of the AF involves calculating the number of hours in a work year and subtracting from it the number of “known” days absent for any reason. The remainder is then divided into the original number of hours in a year.

There are several categories that are used in factoring the AF. They are, but not limited to Vacation, Holidays, Sick Leave, Personal days and unpredictable hours. This author uses the categories taught by the New Jersey Division of Criminal Justice in addition to the categories that are consistent with the Field Operations Division of the International Association of Chief of Police (IACP), the

standards for Law Enforcement Agencies, Commission on Accreditation for Law Enforcement Agencies (CALEA), and the Northwestern University Center for Public Safety.

The chart below depicts the **Police Officer availability according to the DLGS**.

Hoboken Police Department			
OFFICER AVAILABILITY			
Patrol Schedule		DAYS	HOURS
Base year	8 hr days	365	2920
Scheduled days off		137	1096
Scheduled work days		228	1824
Vacation		19.6	156.8
Sick		9.9	79.2
OJI		0.58	4.64
		0	0
Training		0.63	5.04
Blood/PT		2.06	16.48
Holidays		14	112
Average Availability		181.23	1450

It is important to note that the DLGS utilized the above chart to help them determine the staffing levels of the HPD for the “Minimum Staffing Level Methodology” and the “Calls for Service Method”. This baseline in conjunction with the two methods they used set up their results for failure.

The first time you measure anything you are establishing a starting point for future measurements. This starting point, or baseline measurement, brings meaning to your measures by providing a comparison point. Without a base-line you can’t make judgments about numeric measures or properly interpret the meaning of a measurement. Since the DLGS established the baseline for the HPD, they did not use any other measure to compare it to.

Since real information is not in the baseline, but in the comparison of the baseline to another measure of the same workload, the DLGS certainly could have used other DLGS audits from other Police Agencies comparative in size and density or simply do more measurements within the HPD of previous years, which this author prefers. However, they did neither and inputted wrong data into the formulas associated with the methods they used.

There are three types of averages and people are often imprecise in their use of the term. They are:

- The arithmetic mean
- The median
- The mode

The DLGS basically used the arithmetic “mean” when doing their calculations in taking measurements of time.

The “mean” is the sum of all numbers in a series divided by the number of numbers in the series. For example, the table on the following page shows the “mean” of sick days is 11.86.

See table on the following page.

Hoboken Police Department	
OFFICER SICK LIST	
	DAYS
Police Officer A	1
Police Officer B	3
Police Officer C	5
Police Officer D	8
Police Officer E	11
Police Officer F	24
Police Officer G	31
Total	83
Average "mean"	11.86

The “median” is the other type of average that can be useful in an analysis. It is the number in the middle of a data series. If the series consists of an odd number of values, the median is easy to find: there will be an even number of values both above and below it. Using the above table, the number 8 would be the median. If the series consists of an even number of values, you simply add the two numbers in the middle and divide by 2 to get the median value. For example, using the table once again, if 8 and 11 were the two numbers in the middle of an even-numbered series, the median would be 9.5

The third type of average is the “mode”. The mode is simply that value that appears most often. This sort of average is usually not used in analyzing police work.

The DLGS by using the “average” to determine the officer availability, particularly in sick time, comes up with an inaccurate amount of time that a police officer was out because of illness.

The reason for this is because of the outliers, or values that are considerably higher than the other values in the series. During the time frame that the DLGS performed their study there were a total of 1,564 sick days that were taken.

However, 47.5 percent or 743 days of the sick time taken can be attributed to just 10 police officers.

The DLGS makes a point to state that police officers receive a stipend of \$1500.00 for perfect attendance. Based on the DLGS standards an average of 9.9 days per year are taken off for sick time, so a police officer who does not utilize the time actually saves the city \$1,449.41, according to the hourly rate determined by the DLGS.

Remember, once again that while existing statistics or data that the DLGS use on the surface appears to be accurate, they aren't as accurate as one would think. According to the DLGS, every police officer on average took off 9.9 sick days. If this was true not one police officer would receive the stipend of \$1500, but yet 45 percent of the police department did.

Another miscalculation by the DLGS was that they used the entire department in determining the AF. It is standard practice used by the IACP and Northwestern University Center for Public Safety models that all data elements gathered for the DLGS should have only included officers assigned to the Uniformed Patrol Bureau. All other units (Administration, Bureau of identification, Juvenile, etc.) must be excluded from the analysis. Police officers outside of the Uniformed Patrol Bureau will not have an impact on the AF (or often referred to as the relief factor) if they are not used for that function. It is obvious that the Chief of Police and officers above the ranks of Sergeant are not being assigned for "Calls for Service".

In addition, the DLGS also noted that police officers assigned to patrol receive 14 holidays. This is not true. Thereby, one would have to increase the AF by 112 hours for this mistake.

Besides the errors outlined on the previous pages, the DLGS did not take into account 2 officers that are assigned out of the patrol bureau to the Hudson County Prosecutors Office and 1 officer who is on military leave for six months for the time period that the DLGS evaluated. Both of these categories are recommended by Northwestern University Center for Public Safety.

Using the appropriate categories with the proper times, other than the sick relief factor (due to lack of ranks associated with sick days provided to this author), the chart below reflects the AF for the officers.

OFFICER AVAILABILITY CHART CORRECTED

Hoboken Police Department			
OFFICER AVAILABILITY			
Patrol Schedule		DAYS	HOURS
Base year	8 hr days	365	2920
Scheduled days off		137	1096
Scheduled work days		228	1824
Vacation		19.6	156.8
Sick		9.9	79.2
OJI		0.58	4.64
Assigned Out		2.88	23.04
Training		0.63	5.04
Blood/PT		2.06	16.48
Military Leave		0.72	5.76
Average Availability		191.63	1533

Even when using the DLGS overestimated days off for sick time, the Hoboken police officer works 84 percent of the time. In the United States, it is common for a police officer to actually work about 80 percent of the hours for which he/she would be scheduled. According to Northwestern University Center for Public Safety, police agencies whose officers work an 8-hour shift typically have a shift

relief factor in the range of 1.60 to 1.90. Hoboken falls within this range with a 1.90 availability factor.

Based on the previous table the DLGS underestimated the AF for the Uniformed Patrol Officers by 83 hours or 5.72 percent.

CALLS FOR SERVICE

The single most important factor in determining the size and number of personnel is the number and nature of calls for service. If the patrol officers are required to conduct comprehensive investigations in every criminal incident reported to the HPD, respond to non-criminal incidents, allocate a certain amount of patrol time to preventive patrol, as well as, handle other tasks as may be assigned then certainly a large number of officers are needed.

The volume of calls for service is frequently used as a basis to measure the increasing workload in police departments; however, there is no standard definition of what constitutes a call for service. Police managers vary in their counting and classification of calls. For example, in some police agencies that process 911 emergency calls, these calls are counted as calls for service. The 911 calls for fire departments and emergency medical services are also counted as calls for service, but the police may never respond to those calls.

Secondly, focusing on calls for service completely ignores the time of occurrence. For example, it is certainly desirable to have an officer available to take a call at 7:00 AM for the resident discovering vandalism or other type of crime/incident. However, if the crime occurred at 3:00 AM, one should consider whether the crime could have been prevented altogether, had the police department been proactive and had a presence, rather than being reactive.

Policies, and in some instances ordinances, also affect police patrol staffing needs. In cases where officers can release certain types of offenders on a summons, the officer is spared the time required to book an offender at a detention facility. In other cases, officers must commute long distances to complete the arresting process.

The calls for service model, utilized by a number of police agencies is often supplemented with additional overlapping shifts to compensate for the increased workload, typically in the evening hours. The fundamental steps are as follows:

- Each eight-hour police position requires 2,920 hours per year for one shift (position), or 8,760 hours to fill one shift (position) for 24 hours for 365 days.
- Officer availability for staffing is determined by typically deducting from 2,080 hours (the maximum per year for a 40 hour week) the average time required for sick leave, vacation, court time, training and other administrative tasks.

If patrol officers are engaged in community policing activities (such as organizing resident groups and attending meetings with residents, assisting in the resolution of personal, domestic and neighborhood problems, and maintaining a safe environment by dealing with quality of life issues, as well as other duties), determining an officer's availability is more complex than calculating the hours needed to respond to a call.

Police patrol and staffing should be proportionate to the workload. This proportionate staffing standard has a direct bearing on work shifts. If the same numbers of beats are maintained on each shift and the requirement is to have one officer per beat, the workload as it relates to citizen requests for service will

not be balanced. Progressive police departments assign personnel based on workload and the safety of officers and residents in mind.

CFS STAFFING ANALYSIS

Although stated in the DLGS report, there is no universally accepted scientific methodology. The first model that the DLGS project team uses in determining the staffing size for the HPD is a modified version of “Calls for Service” model that Northwestern University Center for Public Safety uses. It is perhaps one of the better formats to use when determining the number of patrol officers needed in a given jurisdiction. Caution must be taken if using this model when entering the amount of time required for each CFS, and the number of units providing the service. In addition, one must also guard against the tendency to use the model to “back into the right answer”. Use of the model in this manner may not be intentional and, in fact, may not be seen as inappropriate to the user. It appears that the DLGS may have fallen into this trap.

The data that the DLGS used was information that was supplied by the HPD from their Computer Aided Dispatch (CAD) system. The CAD system allows the Department to track an incoming call and the time it takes to complete the assignment by the patrol officer. Information captured by the CAD includes, time of call, the time when an officer was assigned the call, the arrival of the unit and any other units that responded in addition to location, type, disposition and completion. However, one major fault with the CAD system used by the HPD is that it can not assign a file number to the case, unless the dispatcher closes out the file. This gives a false amount of time for the call handled, as the officer or officers are just beginning to process their incident or arrest report.

On February 24, 2009 Lieutenant Nicholas Manente faxed documentation to Mr. Rick Richardella of the DLGS that contained information outlining total calls for service (CFS) for the past six years. (See Appendix E).

The information that is relevant to this report is for the year 2008. During 2008 total calls for service (CFS) were 69,470. Deducted from these calls as per Mr. Richardella's request were call types of Field Interview, Motor Vehicle and Traffic Stops, which totaled 9,439 for a combined total of 2,064 hours or 13.12 minutes per call. All calls combined with no exclusions totaled 69,470 combining for a total of 26,336 hours or an average of 22.27 minutes per call. Subtracting 2,064 hours from 26,336 hours leaves a balance of 24,272 hours and subtracting 9,439 from 69,470 leaves a balance of 60,031 CFS, which equals 24.26 minutes per call. This leads us to the first mistake by the DLGS in this computation that will magnify later.

Below is the table that the DLGS listed in their report.

CFS	60,031.00	Total time	22,211.47	Patrol time	66,634.41
Time/call	0.37	Factor	3	Availability	1,450
Total Time	22,211.47	Patrol Time	66,634.41	Officers	46.0

Using the DLGS availability factor with the proper amount of time per call their table would have looked like this:

CFS	60,031.00	Total time	24,012.40	Patrol time	72,037.20
Time/call	0.40	Factor	3	Availability	1,450
Total Time	24,012.40	Patrol Time	72,037.20	Officers	49.7

In addition to this error, let's take a look at the next mistake.

The DLGS only counts the presence of one police officer assigned to each patrol car that responds to a CFS. However, looking at the HPD Uniformed Bureau Personnel Reports for several months, 75 percent of the radio cars have two police officers assigned to them. As stated elsewhere in this report, the HPD has four District patrol cars. Radio Car District A, B and C have two police officers assigned and Radio Car District City patrol has one officer assigned.

Both Northwestern University Center for Public Safety and the International Association of Chiefs of Police recognized in their models that CFS in the categories for “obligated” time (or also known as “reactive” time) **that the total time is required of all police officers that responded to the CFS.**

The DLGS is fully aware of this as they made these adjustments to the CFS data to reflect backup responses and two man radio cars in other audits. Below is a partial list of those that had the CFS times adjusted for proper computations:

- Borough of Buena
- Cape May
- Township of Lower

Since HPD has 75 percent of their Radio Cars assigned with two police officers the number that the DLGS factored was adjusted for this error. See explanation below:

Using the minutes that the DLGS miscalculated of 22.27 times 1.75 equals 38.97 minutes or 0.65 hours.

The table on the following page reflects the corrected version for multiple police officers assigned to a patrol car:

CFS	60,031.00	Total time	39,020.15	Patrol time	117,060.45
Time/call	0.65	Factor	3	Availability	1,450
Total Time	39,020.15	Patrol Time	117,060.45	Officers	80.7

Again, these numbers are based on the theory that no other police officers ever respond to a call than the initial officers who arrive at the scene. It is quite obvious that more than one unit would respond to a street fight of which there were more than 400 in 2008 or a motor vehicle accident with injuries of which there were 177 in 2008.

Also, one must take into account that of the 60,031 CFS that the DLGS analyzed more than 10 percent had no time associated with them, as the dispatcher simply forgot or was just too busy to time stamp the incident.

The DLGS report relied heavily on the IACP as does this author and many other researchers. However, after recognizing the very low CFS “obligated time”, the DLGS did not adjust or redo its computations. Yet, as an example in the DLGS audit of the Township of West Orange and others, the DLGS author states the following:

“The International Association of Chiefs of Police (IACP) has created a formula that is used to measure the average amount of time spent on each call for service. According to the IACP formula, an average of 45 minutes is utilized for each call for service.”

This report further states:

“The formula is the number of calls for service times the average time per call multiplied by a factor of three and divided by the number of available annual hours per officer which equals the average number of patrolmen needed. Multiplying by the factor of three is the adjustment for routine patrolling.”

Borough of Bound Brook:

“The average time required for a call, as per information obtained through the International Association of Chiefs of Police, is 45 minutes.”

Borough of Buena

“The International Association of Chiefs of Police (IACP) created a formula to determine patrol staffing levels based upon the department’s Calls For Service (CFS) workload. According to the IACP formula, an average of 45 minutes is consumed by a single patrol unit to respond to each call for service. This time is the actual time consumed by the patrol unit from the time it is dispatched until the time the patrol unit is cleared of the call. Additionally, we adjusted the CFS data to reflect the backup responses that were not reported by the borough’s CAD system.”

City of Cape May

“The International Association of Chiefs of Police (IACP) has created a formula that is used to measure the average amount of time spent on each call for service. According to the IACP formula, an average of 45 minutes is utilized for each call for service. This average time is the actual time consumed by the patrol unit from the time it is dispatched until the time the patrol unit is cleared of the call.”

City of Bayonne

“Additionally, we tried to more accurately account for the COP calls for service by changing the DLPS average factor for time spent per call from 45-minutes to 1 hour.”

Applying the same formula that the DLGS used many times throughout its audits the HPD calculations would look like this:

CFS	60,031.00	Total time	78,640.61	Patrol time	235,921.83
Time/call	1.31	Factor	3	Availability	1,450
Total Time	78,640.61	Patrol Time	235,921.83	Officers	162.7

This author **does not** recommend that 163 police officers be assigned to patrol. The chart on page 91 is the computation (if one was to follow the practice and standards of the IACP) as the DLGS recommends without doing a comprehensive study of community satisfaction surveys and data analysis of the proper time allocated for each category.

Remember what the IACP states as its Policing Style/philosophy:

“Police agencies should consciously choose a policing style, recognizing that modifications have direct effect on staffing requirements. Agencies coping with budget constraints can choose to reduce uncommitted, prevention-focused time, thus expanding the time committed to response to calls. This strategy reduces patrol-staffing requirements, which may risk public safety. **Alternatively, agencies can choose to be more proactive, allocating, for example, 40%, 45%, or 50% to of each officer's time to crime prevention, problem solving, community relations, and other proactive activities. This strategy intensifies (increases) manpower requirements. The IACP management survey staff prefers this more proactive approach to policing.**”

Taking the above into consideration and the fact of the economic environment of Hoboken, one must be realistic in allocating time factors for proactive patrol, as this will increase the need for more manpower. With a proper economic atmosphere this author strongly believes in having a more proactive police force.

Using the proper Availability Factor of 1533 hours, two men assigned to 75 percent of the patrol vehicles, the proper time of a CFS call of 24.26 minutes, and applying the standard rule of one-third time for answering calls of “obligated” time, one-third of time used for administrative responsibilities and one-third for “unobligated” time the minimum amount of staffing which is required for the Uniformed Patrol Bureau is 83 police officers. See the table below.

CORRECT VERSION

CFS	60,031.00	Total time	42,622.01	Patrol time	127,866.03
Time/call	0.71	Factor	3	Availability	1,533
Total Time	42,622.01	Patrol Time	127,866.03	Officers	83.4

While using the input data above, the reader must still remember that the data was equally divided among the three categories.

None of the below guidelines in addition to what has already been outlined in this report were used by the DLGS in considering the actual time allocated for the CFS method:

- More than one patrol car responding to the scene
- Patrol supervisors who responded or were given CFS if patrol cars were unavailable
- The overtime hours used for the extension of tours to complete a CFS
- More than 8000 calls taking by dispatchers that were not properly time stamped
- Failure of the CAD system to properly compute time spent on report writing (does not record this time at all) as described by Lieutenant Nicholas Manente
- Times when the CAD system has gone down, and the calls for service occurring during those times were not included in the total count

- Failure of the DLGS to do a sensitivity analysis that examines the impact on staffing estimates due to increases or decreases in category input value
- Police officers not reporting all of their patrol activities while on duty

It is important to remember that the CFS method is a time-based methodology. The user inputs information about the time that is required to complete various patrol functions. Therefore, it is imperative that the data entries be accurate and reliable in order to obtain proper estimated staffing results.

MINIMUM STAFFING METHOD

The second method that was used by the DLGS was the “minimum staffing method”. This is a fairly simple straightforward method that determines the staffing level of an agency by simply dividing the availability factor of police officers into the total amount of hours that are required to cover all shifts determined by the chief executive.

The DLGS bases its findings stating that the Chief of Police has determined that the minimum staffing needed is 6 police officers per shift for a total of 18 patrol officers. The DLGS then uses the following computation to determine the size of the patrol staff by multiplying 18 by the length of the tours by 8 hours. The result is 144 hours per day or 43,800 hours per year. Dividing the total hours per year by the officer availability of 1,450 hours results in 36.25 officers needed to staff the Patrol Bureau.

See the table on the following page.

Alternate Method Analysis	
Beat/day	18
Hour/shift	8
Hours/day	144
Days	365
Hours/year	52,560
Availability	1,450
Officers	36.25

Using the correct **availability factor** that has been previously determined the DLGS findings would have been 34.29 police officers.

See table below.

CORRECTED VERSION	
Alternate Method Analysis	
Beat/day	18
Hour/shift	8
Hours/day	144
Days	365
Hours/year	52560
Availability corrected hours	1533
Officers	34.29

Based on the “minimum staffing method” used by the DLGS, 36 police officers would be required to fill the Uniformed Patrol. If this were true, **21.74 percent or 13,050 CFS would go unanswered** based on the DLGS “calls for service method” where 46 police officers are required. This is the making for an unhappy and unhealthy community.

DLGS SUGGESTION OF 36 POLICE OFFICERS WOULD RESULT IN

13,050
CALLS FOR HELP BY THE
CITIZENS OF HOBOKEN
THAT WILL GO UNANSWERED

See the tables below.

CFS	60,031.00	Total time	22,211.47	Patrol time	66,634.41
Time/call	0.37	Factor	3	Availability	1,450
Total Time	22,211.47	Patrol Time	66,634.41	Officers	46.0

CFS	60,031	CFS per Officer	1,305
Officers	46	Less Officers	10
CFS per Officer	1,305.02	Total Less CFS answered	13,050

In reviewing the numerous files and documents that were provided to this author by various sources, nowhere was there a communication that the Chief of Police has determined that he only needs to have 6 police officers per shift to fill his designated assignments. Nor did the DLGS point to any documents to verify this statement. On the contrary, Chief of Police Anthony P. Falco Sr. in a memorandum dated March 1, 2010 addressed to the Honorable Mayor Dawn Zimmer states the following:

“...The current shortage is estimated at 28 officers. If the current table of Organization were fully staffed, the supervisor-subordinate ratio would be within the standard parameters postulated by most police management experts

as well as federal government ratios established under emergency management standards. The levels suggested in the police audit are based upon individual formulas and not a nationally accepted standard.”

It is further outlined in Chief Falco’s memorandum that the average deployments level for the Uniformed Patrol Bureau is 12 police officers per 8-hour tour of duty. This brings the total to 36 designated assignments that must be filled. Using the same formula applied to the previous tables, you would need 68.57 police officers assigned to the Uniformed Patrol Bureau.

See the table below.

Chief Falco Designated Uniformed Patrol Assignments	
Alternate Method Analysis	
Beat/day	36
Hour/shift	8
Hours/day	288
Days	365
Hours/year	105,120
Availability corrected hours	1533
Officers Required	68.57

This number falls more in line with the corrected version (page 94) of the CFS method that calls for 83.4 police officers.

Also contradicting the DLGS report is the letter dated February 24, 2010 addressed to Mayor Dawn Zimmer by Public Safety Director Angel L. Alicea that states the following:

“The audit recommends reducing the table of organization as follows:

- 1 chief
- From 4 captains to 3
- From 19 lieutenants to 12
- From 30 sergeants to 26
- Rank and file from 101 to 60/70

My recommendations in my configuration report calls for:

- 1 chief
- From 4 captains to 3
- From 19 lieutenants to 10 and can possibly be reduced by 8 or 9
- From 30 sergeants to 25 and can be possibly be reduced by 23.”

There is no mention of reduction in the size of the Uniformed Patrol Bureau in the Director’s report. He further states in his report there are 29 assignments for the entire work cycle of the 3 tours assigned to the Uniformed Patrol Bureau, excluding community police officers, anti-crime officers and traffic officers. Based on Director Alicea’s report one would need 55.24 police officers assigned to Uniformed Patrol Bureau. See the table below.

Director Alicea Designated Uniformed Patrol Assignments	
Alternate Method Analysis	
Beat/day	29
Hour/shift	8
Hours/day	232
Days	365
Hours/year	84,680
Availability corrected hours	1533
Officers Required	55.24

Chief Anthony P. Falco Sr. and Director Angel Alicea have both determined that more officers are required for Uniformed Patrol than the DLGS recommends.

FINAL ANALYSIS OF THE TWO METHODS BY DLGS

Nowhere in the DLGS report do they provide a study or analysis on the staffing requirements pertaining to individual units or services provided by the department including the supervisory ranks. However, without any resource or reason they eliminate positions in the following areas:

- Traffic Enforcement
- Community Policing Bureau
- Detective Bureau
- Anti-Vice/Narcotics Bureau
- Alcohol Beverage and Control (ABC) Unit
- The entire unit of Taxi Enforcement
- Bureau of Identification
- Training Bureau
- Purchasing/Requisitions/Claims
- Inspectional Services/Internal Affairs

Depending on what chart or appendix you are reviewing in the DLGS report, the reader will see different results. The Organizational Unit Chart that the DLGS prepared and labeled on page 29 recommends the following:

- 1 Police Officer be assigned to Internal Affairs
- 1 Police Officer assigned to Planning/Training
- 2 Sergeants in Community Policing
- 3 Sergeants in Criminal Investigation
- 1 Sergeant and 3 Police Officers in the Anti-Vice Bureau

□ 0 Sergeants in the Property/Evidence Bureau

However, if you review the Proposed Table of Organization prepared by the DLGS and labeled Appendix A, B, C and D on pages 37 through 40, you will not see these positions listed.

Downsizing and eliminating units will have a major effect on fighting crime in Hoboken. Two major areas that will be affected are the narcotics and community policing units. To achieve an effective enforcement plan in and around schools, the New Jersey Attorney General's Office issued the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials*. Section 3.4.1. of that Memorandum states:

Visible Enforcement Plan. The police department will maintain at appropriate times a visible police presence within all drug-free school zones and will file and periodically update a confidential report with the (prosecutor) detailing how these zones are to be patrolled.

In addition to the above Memorandum, the Statewide Action Plan for Narcotics Enforcement published in 1987 also provides for School Zone Enforcement. The Action Plan established 103 directives, 36 guidelines, 8 strategic objectives and 23 tactical objectives for narcotics enforcement operations around the State. One of its strategic objectives is:

To eliminate all drug presence and distribution activities from established school safety zones and to provide a secure environment conducive to education.

Also issued in August 1988 was Executive Directive No. 1988-1, Attorney General's Executive Directive Concerning Law Enforcement Operations On Or Near School Property.

Therefore, school zone enforcement efforts are mandated and controlled by separate Attorney General directives.

Other affected areas of concern with such a major reduction of as much as 35 percent of the HPD suggested by the DLGS study would be handling Hoboken's nightlife. With 163 registered alcohol establishments comes the problem of alcohol and bar related problems that the police must address. In 2009, there were over 400 street fights and 1 major riot⁹. Other related problems are:

- Assaults around bars motivated by racial, ethnic, sexual orientation or other bias
- Disorderly conduct of public inebriates who drink in bars (e.g., panhandling, public urination, harassment, intimidation, and passing out in public places)
- Drug dealing in bars
- Illegal discrimination against bar patrons
- Prostitution in bars
- Sexual assaults in and around bars
- Underage drinking

The DLGS study also suggests a reduction of 66 percent in the traffic bureau. As detailed throughout this report, Hoboken is the second largest hub of transportation in the state and among the largest in the United States. The traffic unit in conjunction with the Uniformed Patrol Bureau in 2009 issued over 33,000 Title 39 citations.

Northwestern University Traffic Safety Institute uses an indicator to determine enforcement effectiveness. They suggest that the ratio of motor vehicle accidents with injuries to the number of citations plus the number of Driving Under the Influence Arrests should be in the range of 1:35 – 1:40. The relationship of these

activities is that there is a balance that can be established between enforcement and accidents and drunk driving. The following table utilizes HPD data from 2008 for this index:

2008 Title 39 Citations by HPD	
Citations Issued	34,780
DUI Arrests	71
Fatal / Injury Accidents	177
Traffic Enforcement Index	140

Source: Hoboken Police Department Court Records

The HPD far exceeds the established guidelines by Northwestern University Traffic Safety Institute. Any major reduction to this unit would seriously impinge on its effectiveness.

Effective February 25, 2010, there were 21 police officers designated as “detectives” in the HPD with a total sworn police force of 154 personnel. Most studies conducted throughout the United States suggest that the percentage of personnel assigned to the investigative unit should fall between 10 and 15 percent. However, Fyfe, et.al., suggests that the percentage of personnel assigned to the investigative unit should fall somewhere in between 10% to 20% of department personnel. The HPD has 13.6 percent of its personnel assigned as detectives, thereby falling well within these guidelines.

SHIFT DEPLOYMENT

The most effective service to the City will not be afforded if patrol officers are assigned in *equal* numbers to shifts, to the days of the week, or to zones of equal geographic size on a flat basis, such as, what is occurring now. Rather, if most incidents occur during the night, then obviously most of the patrol force should be assigned to night-time duty to meet the need for police service during that time. One of the benefits that would result from such a distribution of officers would be

a degree of equalization of workloads of officers throughout the hours of day, the days of the week, and the areas of the City. Thus, each officer could justifiably be held accountable for police problems within his assigned area of responsibility. The officer would, ideally, have the same amount of work assigned and therefore the same time available for preventive patrol, as would other officers.

In order to determine the chronological distribution of personnel, the average percentage of police need must be first determined by hour of the day and by day of the week. The first group of data is used in establishing shifts, while the second group of data is used to determine how the officers should be distributed throughout the workweek.

The chart below shows the number of calls by the Blotter Activity Reports over a 24-hour work period by 2-hour intervals for the last three years.

POLICE BLOTTER ACTIVITY REPORT

By Time of Day

FOR DATE RANGE OF 2007-2009

Hour	Calls in 2007	Calls in 2008	Calls in 2009
00:01-04:00	9,970	14,107	14,719
04:01-08:00	6,069	6,638	7,369
08:01-12:00	12,972	12,635	13,219
12:01-16:00	9,726	10,076	11,166
16:01-20:00	12,077	13,456	12,630
20:01-24:00	12,112	12,558	12,451
TOTAL	62,926	69,470	71,554

Source: HPD PBA #2

An analysis of calls for service for 2009 revealed that the majority of calls for service are generated between the hours of 4PM and midnight, while the least amount of calls comes in between 1 minute after midnight and 8AM. However, you will notice that the most amounts of calls generated for a 4-hour period was between the hours of Midnight and 4AM. This is due to most of the alcohol establishments closing around those times.

The current work schedule calls for the same number of Uniformed Patrol District Cars to work each shift. This type of scheduling is counter-productive and wastes valuable manpower resources at times when they are not needed. The CITY according to its labor agreement with PBA Local #2 does have a work shift for personnel to be assigned between the hours of 8PM to 4AM, more commonly known as a power shift, but based on the work assignments provided to this author the shift has been basically abandoned. Reinstating the power shift will help the regular assigned district cars from the obligation of running from CFS to CFS with the desire to complete each call as quickly as possible which may diminish the quality of service provided to the community. Having police officers understaffed during their working hours will increase stress and the likelihood of officer burnout, resulting in a rise in the amount of time an officer will be out sick.

Based on the calls for service analysis, and if utilizing the three shift schedule, the HPD should deploy manpower as follows:

Day Tour	8AM-4 PM	34% of patrol staff
Evening Tour	4PM-12PM	35% of patrol staff
Midnight Tour	12PM-8AM	31% of patrol staff

Adopting this type of manpower deployment in conjunction with reinstatement of the power shift would be in the best interest of the HPD, the City of Hoboken and its citizens.

USE OF SPECIAL LAW ENFORCEMENT OFFICERS

There are occasions when a Special Law Enforcement Officer (SLEO) can be beneficial to a city, such as in beach communities. This author does not see the savings for the hiring of the SLEO compared to the cost factor for training and other expenses. Most of the overtime costs associated with the HPD are for court appearances and not the filling of vacant tours.

SLEO Class II must receive the training, equipment and shall conform to all applicable state statutes, municipal ordinances and department directives as a regular police officer. Unfortunately, most of them only use the training that is provided to become a regular police officer usually in other department. The turnover for an SLEO is high due to the fact that the SLEO must become a regular police officer within three years or the individual must be completely retrained in the Basic Course for Police Officers.

Class II SLEO may receive authorization from the Chief of Police to carry a firearm while engaged in the actual performance of duty if the officer has successfully completed firearms training as prescribed by the Police Training Commission. The firearms training course will be the same course approved by the Police Training Commission for permanent regularly appointed full-time police officers and shall include the annual requalification requirements.

The SLEO is considered engaged in the actual performance of duty when they actually perform public safety functions on behalf of the agency and receive compensation for such service at the rate established by ordinance.

Special officers are not authorized to carry a firearm while off duty and must return the firearm to the tour commander at the end of the special officer's

assigned hours of duty. Special officers have no law enforcement powers while off duty and are not authorized to act in the capacity of a law enforcement officer while off duty.

The cost associated with training a Municipal Police Officer is \$28,800 according to the Bureau of Justice Statistics for fiscal year 2005 last updated on February 23, 2009.

The municipality also must consider and be advised that no layoffs can take place in the police department in order to replace regular police officers with an SLEO. See New Jersey Administrative Code Chapter 8. Layoffs found at http://www.state.nj.us/csc/nj_title4a/index.htm.

CONCLUSION

While raw numbers and statistics are important, the largest impact on the number of police officers needed in patrol are the expectations command staff has of its patrol units. Some agencies may have a community policing initiative requiring their patrol units to spend a certain amount of time on pro-active - self-initiated and community oriented policing, while others may not. Further, some agencies may require their patrol units to spend the majority of their time on proactive – uncommitted patrol, while some may require more time on administrative functions. Someone has to make a policy decision to determine what will be required of his or her patrol units. It is the analyst's job to provide information to help make this decision, but the decision needs to come from the chief executive or managers.

The DLGS study is full of errors, miscalculations, omissions and contradictions. **For the purpose of this report as requested by the PBA not all the errors, omissions and miscalculations applied to the supervisory ranks by the DLGS are outlined in this report.** The author of this report has analyzed and prepared his findings as it relates to the PSOA in another study.

Some of the DLGS errors are listed below:

- Improper number of calls for service (CFS)
- Improper population and transient size
- Improper hourly and overtime rate
- Improper Availability Factor
- Improper amount of police officers assigned to Uniformed Patrol Bureau
- Improper holidays off for Uniformed Patrol Officers
- Improper work hours and work schedule
- Improper calculations of sick time used

The DLGS study did nothing to assess the attitude, knowledge and belief system of the community that the HPD serves. One of the best ways to determine any law enforcement agency's success is the measure of the fear of crime of its citizens. It does little good to live in the most oppressive/safe community available if every citizen fears to walk the streets or fears contact with the police. The DLGS made no effort to examine community satisfaction or fear of crime, a vital aspect of a measure of the wellness and quality of life of a police department and community.

The Chief of Police is the ultimate person responsible for the everyday operations of the Department. It is this individual who will be ultimately held accountable for the responsibility of protecting and serving the needs of the Hoboken community. Chief Anthony P. Falco Sr. has more than 37 years of police service to the community. He has risen through the ranks and served in various functions and command posts. There is no statistical data accumulated by the DLGS that can replace hands on approach that 37 years of service provides. Therefore, the DLGS audit report must be rejected.

RECOMMENDATIONS

The HPD provides residents with first class police services, and we believe this will continue into the future based on the Department's commitment to provide law enforcement services. Providing the community with effective and efficient law enforcement services can only be accomplished with additional police officers.

The following recommendations have been discussed throughout this report. Those listed below are not exclusive. Throughout this report, this author has made reference to acceptable police practices, recommended changes, and best methods. All of the issues discussed in this report must be considered if the CITY administration is serious about providing residents with efficient and effective police service as Mayor Dawn Zimmer adheres to.

- First and foremost, based upon projected population, commercial growth, and citizens' calls for service, and in order for the Department to attain an equivalent policing rate, as per State or County levels, and to achieve an acceptable service level, the Department will need to hire 14 additional police officers. The total staffing level for Police Officers/Detectives in the Department should reflect 114 total sworn officers, with a minimum of 61 sworn officers in the Uniformed Patrol Division (see breakdown on the following page). Only then will the Department be positioned to re-institute and adopt new crime prevention and enforcement programs; reduce overtime; improve the level of services provided to the community; reduce sick time; improve community relations; and increase morale and officer performance.

- It is recommended that the HPD adopt the following Table of Organization as it pertains to the rank of Police officer/Detective.

114 Police Officer/Detectives – Sixty-one officers should be assigned to the Uniformed Patrol Division, nine of whom will be assigned to the power shift. Eleven officers should be assigned to Criminal Investigations. Nine officers each shall be assigned to the Traffic Section and Anti-crime Unit. Seven officers should be assigned to Community Policing. Four officers should be assigned to the Anti-vice Unit. Two officers each should be assigned to the Planning/Training/Operations Section, Bureau of Identification, Juvenile Aide Section and the DARE/SRO Unit. The remaining 5 officers should be assigned in various units in the Administrative/Support Services Bureau.

See the table on the following page.

**PROPOSED ORGANIZATIONAL UNIT CHART
 SWORN PERSONNEL**

Organizational Unit	Police Officer Detective
Chief's Office	0
Inspectional Services / Internal Affairs	0
Training/Planning/Operations	2
Purchasing/Requisitions	0
Sub Total	2
Administrative / Support Services	
Bureau of Identification	2
Alcoholic Beverage Control	1
Taxi Code Enforcement	1
Fleet / Facilities / Equipment	0
Information Technology	1
Records	1
Property & Evidence	1
Sub Total	7
Investigative Services / Detectives	
Juvenile Aide Section	2
Anti-Vice	4
Sub Total	17
Patrol Operations	
Patrol*	61
Community Policing	7
DARE / SRO	2
Traffic Enforcement	9
Anti-Crime	9
Communications	0
Sub Total	88
TOTAL	114

*2 police officers are assigned to the Hudson County Prosecutors Office,
 1 police officer is on Military Leave.

As depicted in the table on the previous page, there have been additions to the Uniformed Patrol Division. Increasing the amount of police officers and creating a power shift helps create unobligated time for police officers to handle calls for service. This is important when determining staffing levels. Since CFS happens randomly, there will usually be periods when several CFS arrive within a short period of time. Unless there are sufficient units available (i.e., units on unobligated time), CFS will have to be stacked and response times will be increased. With more units on patrol they can provide visibility in the community which helps deter criminal activities and traffic violations.

Keeping the traffic unit intact will continue to stimulate effective police traffic control by placing responsibility for its accomplishment on one or more officers who devote full time to this task. Considering the increased traffic flow in Hoboken and the increase in motor vehicle accidents, this function is mandatory. The traffic unit will ensure attention to traffic problems in proportion to their importance by providing a broad, well rounded, continuous, and effective program.

Another recommendation is adding more police officers to the various tasks assigned throughout the department. Adding police officers to assist with evidence and property, alcoholic beverage control, Meagan's Law, crime scene investigation, identification, and other duties that may be required would greatly assist the incumbent detectives. It will also improve efficiency.

The proposed Table of Organization will provide the HPD with effective and efficient operations and provide a proper span of control that will increase accountability.

- The HPD should consider adopting a Differential Police Response System. The Uniform Division provides a wide range of services to the community. The level of service is best described as a “respond-to-everything” policy. That is, if a call comes in, an officer will be dispatched. Little effort is made to determine if the service is a legitimate police concern or how it can be best handled by the Department or outside service. The increased volume of citizen initiated calls for service in recent years coupled with strained police staffing levels has made it increasingly difficult for the HPD to respond to calls for service in the traditional manner of sending out a patrol unit as quickly as possible, while maintaining their current level of activity in other areas of the City.

Differential Response is defined as the use by police departments of alternative methods in responding to citizen calls for service. The alternative responses generally include the following:

1. Immediate mobile response
2. Delayed mobile response
3. Non-mobile response

The primary reasons for utilizing Differential Responses are:

1. To efficiently manage citizen demands for service against limited patrol resources.
2. To free patrol units to handle more serious matters or to conduct proactive patrol activities and strategies.

The development and implementation of a Differential Police Response System is dependent upon four elements:

1. Call Classification Schemes – The HPD must devise ways of classifying calls based on information critical to subsequent

dispatching decisions. Two types of information appear to be critical to determining reasonable responses:

- a. The nature of the incident
 - b. The time of occurrence.
2. Response Alternatives – The HPD must determine the appropriate response for each of the categories in their call classification scheme. The range of responses includes, immediate mobile response, delayed mobile response, and non-mobile responses, such as telephone reports, walk-in reports, and referrals to or responses by other agencies.
 3. Training and Supervision of Communications Personnel – This is essential to ensure that communications personnel collect information from citizens necessary to evaluate each call for service and assign it to the appropriate priority category and adhere to Department policy on response alternatives. The oversight of this task would be successfully accomplished by placing a Sergeant on all shifts.
 4. Non-Mobile Response Capability – The HPD must assign personnel to handle non-mobile responses, such as, telephone reporting, walk-in reporting, and referrals.

The development of a Differential Police Response system is something that the City administration should seriously consider. This author believes that if this recommendation is implemented it will have an impact on the ability of the HPD to efficiently utilize its limited patrol resources. Additionally, it will relieve some of the heavy workload placed on the patrol officers. The development and implementation of such a system is custom tailored to each individual

municipality. Differential Police Response systems have been proven highly successful within police departments throughout the United States.

- The Department should revise and continuously update all Rules, Regulations, Policies and Procedures.
- All relevant Ordinances, State Statues and Attorney General Guidelines should be updated.
- The HPD must take a more active role in securing federal and state grants that will provide them with the necessary funding for additional police officers. Police departments throughout the nation are capitalizing on the numerous Homeland Security grants made available post 9-11, and Hoboken should be no exception.
- The HPD needs to hire additional full-time communications dispatchers in order to provide sufficient coverage on all tours. The use of police officers filling in for dispatchers is an unnecessary costly item for the taxpayers.

Hoboken's governing body must remember that 154 police officers today is not what it was twenty or even ten years ago. Police officers have less presence on the streets today then they did before as is shown by the ever-increasing CFS. This undisputed fact must be taken into account when determining whether the size of the police department is appropriate to provide public safety to a growing community – such as Hoboken.

It may be easy to stand before residents and claim that the administration has held the tax rate stable. One can only speculate whether it will be just as easy for the Mayor and the administration to admit that no police officers were available to respond to a serious crime because of insufficient staffing levels. What the administration fails to understand that in the process of saving a few thousand dollars by not hiring adequate numbers of police officers, the City may ultimately have to pay millions to resolve a lawsuit that may be commenced because there were not enough police officers available to respond to a call. There have been

far too many lawsuits that have resulted in municipalities being found liable for not providing adequate policing. Vicarious liability shields no one.

Although the department has been able to provide a high level of service to this point, it is stretched to the limit in virtually every area. Being a City official can be tough at times in making a decision. The right decision can be made with a proper balance of management and allocation of the proper resources in the HPD to improve police services and provide the citizens and officers with the level of safety they deserve and desperately need.

NOTES

- 1 Hoboken PBA #2, ABC Unit.
- 2 NJBIZ.com via: U.S. Census Bureau. The estimates reflect the average population and housing demographics between January 2006 and December 2008 for geographic areas with populations of 20,000 or more.
- 3 New Jersey Transit. 2010
- 4 Tobi Mettle, PATH Supervisor, Transportation Planning and Analysis. 2009
- 5 New Jersey Transit Report September 19, 2009
- 6 Uniform Crime Report State of New Jersey 2008
- 7 Hoboken City Council rejected the MOU.
- 8 Data supplied by Hoboken PBA #2.
- 9 Hoboken Police Department Blotter Calls For Service 2009.
- 10 Police Administration, 5th ed. by Fyfe, J.J., Greene, J.R., Walsh, W.F., Wilson, O.W. & McLaren, R.C.

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APPENDIX

APPENDIX A

N.J.S.A. 52:27BB-55

N.J.S.A. 52:27BB-56

DETERMINATION BY THE BOARD: NOTICE AND HEARING

52:27BB-55. Application of article

The provisions of this article and sections 20 and 21 of this amendatory and supplementary act shall take effect in a municipality when any of the following conditions exists:

(1) A default exists in the payment of bonded obligations or notes for which no funds or insufficient funds are on hand and segregated in a special trust fund.

(2) Payments due and owing the State, county, school district or special district, or any of them, are unpaid for the year just closed and the year next preceding that year.

(3) An appropriation for "cash deficit of preceding year" in an amount in excess of 4% of the total amount of taxes levied upon real and personal property for all purposes in such preceding year, is required to be included in the next regular budget and was required to be included in the budget for the year just closed; provided, however, in establishing the excess, if any, over the 4% there shall first be deducted from such appropriation the amount, if any, that was caused by the failure to receive miscellaneous anticipated revenue from franchise and gross receipts taxes.

(4) Less than 70% of the total amount of taxes levied for all purposes upon real and personal property in the taxing district, in the year just closed and in the year next preceding that year, respectively, were collected during the year of levy.

(5) The appropriation required to be included in the next regular budget for the liquidation of all bonded obligations or notes exceeds 25% of the total of appropriations for operating purposes (except dedicated revenue appropriations) in the budget for the year just ended.

(6) A judicial determination of gross failure to comply with provisions of the "Local Bond Law" (N.J.S. 40A:2-1 et seq.), the "Local Budget Law" (N.J.S. 40A:4-1 et seq.) or the "Local Fiscal Affairs Law" (N.J.S. 40A:5-1 et seq.) which substantially jeopardizes the fiscal integrity of the municipality.

L.1947, c. 151, p. 663, s. 55. Amended by L.1981, c. 211, s. 1, eff. July 20, 1981.

52:27BB-56. Determination by the board: Notice and hearing

If the director finds in the course of his duties that any of the conditions listed in section 55 of this act exists in a municipality not subject to supervision under sections 52:27-1 to 52:27-66, inclusive, of the Revised Statutes, he shall forthwith give notice to the governing body that the question of the application of this article to that municipality will be placed before the board for its determination at a time and place which shall be stated in the notice.

The board, at the time and place stated in the notice, shall give the local governing body and any other interested parties an opportunity to be heard. If the board finds, after hearing, that any of the conditions listed in section 55 of this act exists in the municipality, it may by resolution determine that the municipality is subject to

supervision pursuant to this article (C. 52:27BB-54 et seq.) and sections 20 and 21 of this amendatory and supplementary act.

The resolution shall be submitted to the Commissioner of the Department of Community Affairs, the State Treasurer and the Attorney General and shall be effective upon the approval by any two of the above cabinet officers. To remain effective, the resolution shall be renewed each year by the board and approved by two of the above named officers.

The resolution shall state for each municipality subject to supervision pursuant to this article and sections 20 and 21 of this amendatory and supplementary act, which of the provisions of this article and sections 20 and 21 of this amendatory and supplementary act are in effect within the municipality.

Thereafter, the board may modify the resolution to terminate or limit the operation of any provisions of this article, or, with the approval of any two of the above cabinet officers, to put additional provisions into effect.

Notice shall be given by registered mail to the clerk of the municipality. Upon receipt of such notice the governing body and municipal officers shall observe the provisions of this article and shall comply with all orders of the director issued under it while the municipality remains subject to its provisions.

L.1947, c. 151, p. 664, s. 56. Amended by L.1981, c. 211, s. 2, eff. July 20,1981.

Source: **New Jersey Permanent Statutes Database**

**APPENDIX B
RESOLUTION OF
LOCAL FINANCE BOARD**



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

JOHN S. CORZINE
GOVERNOR

CHARLES A. RICHMAN
ACTING COMMISSIONER

RESOLUTION OF THE LOCAL FINANCE
BOARD WITH REGARD TO THE
CONTINUATION OF THE APPLICATION OF
ARTICLE 4 OF THE LOCAL GOVERNMENT
SUPERVISION ACT TO THE CITY OF
HOBOKEN IN THE COUNTY OF HUDSON

WHEREAS, under Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211 and set forth at N.J.S.A. 52:27BB-54 et seq., the Local Finance Board and the Director of the Division of Local Government Services may, subject to the approval of certain cabinet officers, assume and exercise supervision over the financial affairs of a municipality in unsound financial condition under specific conditions set forth in N.J.S.A. 52:27BB-55 and in accordance with the procedures set forth in N.J.S.A. 52:27BB-56; and

WHEREAS, the Director of the Division of Local Government Services has found that certain conditions exist in the City of Hoboken which substantially jeopardize the fiscal integrity of that municipality; and

WHEREAS, these conditions have arisen as a result of gross failure on the part of the City of Hoboken to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.; and

WHEREAS, one of the conditions set forth in N.J.S.A. 52:27BB-55 which would authorize the Local Finance Board and the Director of the Division of Local Government Services to assume supervision of the financial affairs of such a municipality is a judicial determination of gross failure to comply with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., the Local Budget Law, N.J.S.A. 40A:4-1 et seq., or the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq., which failure substantially jeopardizes the fiscal integrity of the municipality; and

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WHEREAS, to properly effect the application of the aforementioned Act to the City of Hoboken, the Director of the Division of Local Government Services filed a Verified Complaint on July 16, 2008 in the Superior Court of New Jersey to institute a proceeding to obtain a judicial determination that there has been gross failure on the part of the City of Hoboken to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., which substantially jeopardizes the fiscal integrity of the City; and

WHEREAS, by the entry of a Consent Order dated August 14, 2008 (a copy of which is attached hereto), the Honorable Maurice J. Gallipoli, A.J.S.C., has determined that a gross failure has occurred on the part of the City of Hoboken to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., which failure has substantially jeopardized the fiscal integrity of the City; and

WHEREAS, since such a judicial determination is one of the conditions specified under the Act, and more specifically N.J.S.A. 52:27BB-55(6) and N.J.S.A. 52:27BB-56, which authorizes the application of the Act to the City, the Director of the Division of Local Government Services has, pursuant to N.J.S.A. 52:27BB-56, brought before the Local Finance Board the question of the application of Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c., 151, as amended by P.L. 1981, c. 211 and set forth as N.J.S.A. 52:27BB-54 et seq., to the City of Hoboken; and

WHEREAS, in accordance with N.J.S.A., 52:27BB-56, the Director of the Division of Local Government Services has given notice to the governing body of the City of Hoboken of the time and place at which this question has been placed before the Local Finance Board; and

WHEREAS, representatives of the City of Hoboken appeared before the Local Finance Board on September 10, 2008, at which time this question was considered by the Local Finance Board; and

WHEREAS, the Local Finance Board provided the City of Hoboken, through its representatives, as well as other interested parties with an opportunity to be heard with regard to the question of the application of Article 4 of the Local Government Supervision Act to the City; and

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WHEREAS, the Local Finance Board determined on September 10, 2008 that a judicial determination had been rendered that gross failure to comply with provisions of the Local Budget Law had occurred in the City of Hoboken which failure substantially jeopardized the City's fiscal integrity; and

WHEREAS, the Local Finance Board consequently concluded, in light of the aforementioned and other circumstances which were presented to the Local Finance Board during its hearing on September 10, 2008, that the application of the aforementioned Article 4 of the Local Government Supervision Act to the City of Hoboken was necessary, warranted and desirable; and

WHEREAS, the Local Finance Board is empowered by Article 4 of the Local Government Supervision Act, and specifically N.J.S.A. 52:27BB-55 of the Act, to determine by resolution that a municipality is to be subject to the supervision of the Local Finance Board and the Director of the Division of Local Government Services under this Article subject to the approval of such resolution by two of the following three cabinet officers - the Commissioner of the Department of Community Affairs, the State Treasurer and the Attorney General; and

WHEREAS, the Local Finance Board is also authorized and required by N.J.S.A. 52:27BB-56 of the Act to expressly set forth in any resolution which it may adopt for the purpose of placing a municipality under the supervision of Article 4 of the Local Government Supervision Act those specific provisions of this Article which set forth certain powers which the Board and the Director may exercise in the municipality and which the Local Finance Board has determined should be in effect in that municipality; and

WHEREAS, in light of the record before the Local Finance Board in this matter, the Local Finance Board believes that the following provisions of the Act should be placed in effect in the City: N.J.S.A. 52:27BB-57; N.J.S.A. 52:27BB-58; N.J.S.A. 52:27BB-60; N.J.S.A. 52:27BB-61; N.J.S.A. 52:27BB-62; N.J.S.A. 52:27BB-66; N.J.S.A. 52:27BB-66.1; N.J.S.A. 52:27BB-73; N.J.S.A. 52:27BB-74; N.J.S.A. 52:27BB-75; N.J.S.A. 52:27BB-76; N.J.S.A. 52:27BB-77; N.J.S.A. 52:27BB-78; N.J.S.A. 52:27BB-79; N.J.S.A. 52:27BB-80; N.J.S.A. 52:27BB-81; N.J.S.A. 52:27BB-82; N.J.S.A. 52:27BB-83; N.J.S.A. 52:27BB-84; N.J.S.A. 52:27BB-85; N.J.S.A. 52:27BB-86; N.J.S.A. 52:27BB-87; N.J.S.A. 52:27BB-88; N.J.S.A. 52:27BB-89; and N.J.S.A. 52:27BB-90; and

WHEREAS, in light of the forgoing the Local Finance Board adopted a resolution on September 10, 2008, for the purpose of placing the City of Hoboken under the supervision of the Local Finance Board pursuant to Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211, and set forth at N.J.S.A. 52:27BB-54 et seq., and for the further purpose of having the provisions of N.J.S.A. 52:27BB-57; N.J.S.A. 52:27BB-58; N.J.S.A. 52:27BB-60; N.J.S.A. 52:27BB-61; N.J.S.A. 52:27BB-62; N.J.S.A. 52:27BB-66; N.J.S.A. 52:27BB-66.1; N.J.S.A. 52:27BB-73; N.J.S.A. 52:27BB-74; N.J.S.A. 52:27BB-75; N.J.S.A. 52:27BB-76; N.J.S.A. 52:27BB-77; N.J.S.A. 52:27BB-78; N.J.S.A. 52:27BB-79; N.J.S.A. 52:27BB-80; N.J.S.A. 52:27BB-81; N.J.S.A. 52:27BB-82; N.J.S.A. 52:27BB-83; N.J.S.A. 52:27BB-84; N.J.S.A. 52:27BB-85; N.J.S.A. 52:27BB-86; N.J.S.A. 52:27BB-87; N.J.S.A. 52:27BB-88; N.J.S.A. 52:27BB-89; and N.J.S.A. 52:27BB-90 placed in effect in the City; and

WHEREAS, the resolution adopted by the Local Finance Board on September 10, 2008, was subsequently approved by the Commissioner of the Department of Community Affairs, the State Treasurer, and the Attorney General, and has accordingly been in effect in the City for the past year; and

WHEREAS, pursuant to N.J.S.A. 52:27BB-56, the application of Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211, and set forth at N.J.S.A. 52:27BB-54 et seq., in a municipality that has been placed under such supervision may, in appropriate circumstances, be continued and extended through the adoption of a further resolution for this purpose by the Local Finance Board; and

WHEREAS, the Director of the Division of Local Government Services has advised the Local Finance Board that the continuation of the supervision of the City of Hoboken pursuant to Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211, and set forth at N.J.S.A. 52:27BB-54 et seq., is both necessary and appropriate in order to fully address the conditions that warranted the imposition of such supervision and to properly and completely achieve the rehabilitation of the City's financial affairs; and

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September 9, 2009
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WHEREAS, the Local Finance Board has accordingly given notice to the governing body of the City of Hoboken, in accordance with N.J.S.A., 52:27BB-56, of the time and place at which the question of the continuation of the supervision of the City pursuant to Article 4 of the Local Government Supervision Act would be placed before the Local Finance Board; and

WHEREAS, representatives of the City of Hoboken appeared before the Local Finance Board on September 9, 2009, at which time this question was considered by the Local Finance Board; and

WHEREAS, the Local Finance Board provided the City, through its representatives, as well as other interested parties, with an opportunity to be heard with regard to the question of the continuation of the application of Article 4 of the Local Government Supervision Act to the City; and

WHEREAS, the Local Finance Board has concluded, in light of the aforementioned and other circumstances which have been presented to the Local Finance Board during its hearing on September 9, 2009, that the conditions that constituted the basis for the judicial determination that was rendered with regard to the City of Hoboken pursuant to N.J.S.A. 52:27BB-55(6), holding that a gross failure to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., had occurred in the City of Hoboken and that such gross failure had substantially jeopardized the fiscal integrity of the City, still require and warrant supervision of the City pursuant to Article 4 of the Local Government Supervision Act; and

WHEREAS, the Local Finance Board has consequently concluded, in light of the aforementioned and other circumstances which have been presented to the Local Finance Board during its hearing on September 9, 2009, that the continuation of the application of Article 4 of the Local Government Supervision Act to the City of Hoboken is necessary and appropriate; and

WHEREAS, the Local Finance Board has further concluded that the following provisions of the Act should remain in effect in the City: N.J.S.A. 52:27BB-57; N.J.S.A. 52:27BB-58; N.J.S.A. 52:27BB-60; N.J.S.A. 52:27BB-61; N.J.S.A. 52:27BB-62; N.J.S.A. 52:27BB-66; N.J.S.A. 52:27BB-66.1; N.J.S.A. 52:27BB-73; N.J.S.A. 52:27BB-74; N.J.S.A. 52:27BB-75; N.J.S.A. 52:27BB-76; N.J.S.A. 52:27BB-77; N.J.S.A. 52:27BB-78; N.J.S.A. 52:27BB-79; N.J.S.A. 52:27BB-80; N.J.S.A. 52:27BB-81; N.J.S.A. 52:27BB-82; N.J.S.A. 52:27BB-83; N.J.S.A. 52:27BB-84; N.J.S.A. 52:27BB-85; N.J.S.A. 52:27BB-86; N.J.S.A. 52:27BB-87; N.J.S.A. 52:27BB-88; N.J.S.A. 52:27BB-89; and N.J.S.A. 52:27BB-90,

NOW, THEREFORE, BE IT RESOLVED by the Local Finance Board this 9th day of September, 2009, that the Local Finance Board finds that the conditions which constituted the basis for the judicial determination that was rendered with regard to the City of Hoboken pursuant to N.J.S.A. 52:27BB-55(6), holding that a gross failure to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., had occurred in the City of Hoboken and that such gross failure had substantially jeopardized the fiscal integrity of the City, still require and warrant supervision of the City pursuant to Article 4 of the Local Government Supervision Act; and

BE IT THEREFORE FURTHER RESOLVED that the Local Finance Board has accordingly determined that the City of Hoboken shall continue to be subject to supervision pursuant to Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211, and set forth at N.J.S.A. 52:27BB-54 et seq.; and

BE IT FURTHER RESOLVED that such supervision shall continue until properly terminated pursuant to the provisions of the Article; and

BE IT FURTHER RESOLVED that each and every mandatory provision of this Article shall continue to be in effect in the City of Hoboken pursuant to the adoption of this resolution; and

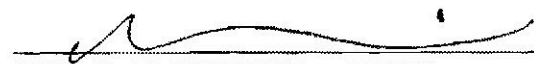
BE IT FURTHER RESOLVED that the provisions of N.J.S.A.
52:27BB-57; N.J.S.A. 52:27BB-58; N.J.S.A. 52:27BB-60; N.J.S.A.
52:27BB-61; N.J.S.A. 52:27BB-62; N.J.S.A. 52:27BB-66; N.J.S.A.
52:27BB-66.1; N.J.S.A. 52:27BB-73; N.J.S.A. 52:27BB-74; N.J.S.A.
52:27BB-75; N.J.S.A. 52:27BB-76; N.J.S.A. 52:27BB-77; N.J.S.A.
52:27BB-78; N.J.S.A. 52:27BB-79; N.J.S.A. 52:27BB-80; N.J.S.A.
52:27BB-81; N.J.S.A. 52:27BB-82; N.J.S.A. 52:27BB-83; N.J.S.A.
52:27BB-84; N.J.S.A. 52:27BB-85; N.J.S.A. 52:27BB-86; N.J.S.A.
52:27BB-87; N.J.S.A. 52:27BB-88; N.J.S.A. 52:27BB-89; and N.J.S.A.
52:27BB-90 shall continue to be in effect in the City; and

BE IT FURTHER RESOLVED that this resolution shall be subject to the approval of the Commissioner of the Department of Community Affairs, the State Treasurer, and the Attorney General, and that it shall become effective immediately upon the endorsement of the approval of any two of these cabinet officers below.

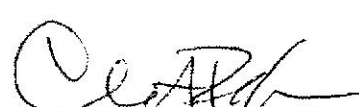
LOCAL FINANCE BOARD
DEPARTMENT OF COMMUNITY AFFAIRS

SEAL

By:



SUSAN JACOBUCCI, CHAIR
LOCAL FINANCE BOARD

I hereby approve the adoption of the above resolution.


CHARLES A. RICHMAN
ACTING COMMISSIONER
DEPARTMENT OF COMMUNITY AFFAIRS


Date:

9/23/09


R. DAVID ROUSSEAU
STATE TREASURER

Date:

9/25/09


ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY

Date:

10.6.09



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS

JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

RESOLUTION OF THE LOCAL FINANCE
BOARD WITH REGARD TO THE APPLICATION
OF ARTICLE 4 OF THE LOCAL GOVERNMENT
SUPERVISION ACT TO THE CITY OF
HOBOKEN IN THE COUNTY OF HUDSON

WHEREAS, under Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211 and set forth at N.J.S.A. 52:27BB-54 et seq., the Local Finance Board and the Director of the Division of Local Government Services may, subject to the approval of certain cabinet officers, assume and exercise supervision over the financial affairs of a municipality in unsound financial condition under specific conditions set forth in N.J.S.A. 52:27BB-55 and in accordance with the procedures set forth in N.J.S.A. 52:27BB-56; and

WHEREAS, the Director of the Division of Local Government Services has found that certain conditions exist in the City of Hoboken which substantially jeopardize the fiscal integrity of that municipality; and

WHEREAS, these conditions have arisen as a result of gross failure on the part of the City of Hoboken to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq.; and

WHEREAS, one of the conditions set forth in N.J.S.A. 52:27BB-55 which would authorize the Local Finance Board and the Director of the Division of Local Government Services to assume supervision of the financial affairs of such a municipality is a judicial determination of gross failure to comply with the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., the Local Budget Law, N.J.S.A. 40A:4-1 et seq., or the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq., which failure substantially jeopardizes the fiscal integrity of the municipality; and



Local Finance Board
City of Hoboken
September 10, 2008

WHEREAS, to properly effect the application of the aforementioned Act to the City of Hoboken, the Director of the Division of Local Government Services has filed a Verified Complaint on July 16, 2008 in the Superior Court of New Jersey to institute a proceeding to obtain a judicial determination that there has been gross failure on the part of the City of Hoboken to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., which substantially jeopardizes the fiscal integrity of the City; and

WHEREAS, by the entry of a Consent Order dated August 14, 2008 (a copy of which is attached hereto), the Honorable Maurice J. Gallipoli, A.J.S.C., has determined that a gross failure has occurred on the part of the City of Hoboken to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., which failure has substantially jeopardized the fiscal integrity of the City; and

WHEREAS, since such a judicial determination is one of the conditions specified under the Act, and more specifically N.J.S.A. 52:27BB-55(6) and N.J.S.A. 52:27BB-56, which authorizes the application of the Act to the City, the Director of the Division of Local Government Services has, pursuant to N.J.S.A. 52:27BB-56, brought before the Local Finance Board the question of the application of Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c., 151, as amended by P.L. 1981, c. 211 and set forth as N.J.S.A. 52:27BB-54 et seq., to the City of Hoboken; and

WHEREAS, in accordance with N.J.S.A., 52:27BB-56, the Director of the Division of Local Government Services has given notice to the governing body of the City of Hoboken of the time and place at which this question has been placed before the Local Finance Board; and

WHEREAS, representatives of the City of Hoboken have appeared before the Local Finance Board on September 10, 2008 at which time this question has been considered by the Local Finance Board; and

Local Finance Board
City of Hoboken
September 10, 2008

WHEREAS, in light of the record before the Local Finance Board in this matter, the Local Finance Board believes that the following provisions of the Act should be placed in effect in the Township: N.J.S.A. 52:27BB-57; N.J.S.A. 52:27BB-58; N.J.S.A. 52:27BB-60; N.J.S.A. 52:27BB-61; N.J.S.A. 52:27BB-62; N.J.S.A. 52:27BB-66; N.J.S.A. 52:27BB-66.1; N.J.S.A. 52:27BB-73; N.J.S.A. 52:27BB-74; N.J.S.A. 52:27BB-75; N.J.S.A. 52:27BB-76; N.J.S.A. 52:27BB-77; N.J.S.A. 52:27BB-78; N.J.S.A. 52:27BB-79; N.J.S.A. 52:27BB-80; N.J.S.A. 52:27BB-81; N.J.S.A. 52:27BB-82; N.J.S.A. 52:27BB-83; N.J.S.A. 52:27BB-84; N.J.S.A. 52:27BB-85; N.J.S.A. 52:27BB-86; N.J.S.A. 52:27BB-87; N.J.S.A. 52:27BB-88; N.J.S.A. 52:27BB-89; and N.J.S.A. 52:27BB-90; and

NOW, THEREFORE, BE IT RESOLVED by the Local Finance Board this 10th day of September, 2008 that it finds that a judicial determination has been made pursuant to N.J.S.A. 52:27BB-55(6) that gross failure to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., has occurred in the City of Hoboken and that such gross failure has substantially jeopardized the fiscal integrity of the City; and

BE IT THEREFORE FURTHER RESOLVED that the Local Finance Board has determined that the City of Hoboken shall be and is hereby subject to supervision pursuant to Article 4 of the Local Government Supervision Act of 1947, P.L. 1947, c. 151, as amended by P.L. 1981, c. 211, and set forth at N.J.S.A. 52:27BB-54 et seq.; and

BE IT FURTHER RESOLVED that such supervision shall continue until properly terminated pursuant to the provisions of the Article; and

BE IT FURTHER RESOLVED that each and every mandatory provision of this Article shall immediately be in effect in the City of Hoboken pursuant to the adoption of this resolution; and

BE IT FURTHER RESOLVED that the provisions of N.J.S.A. 52:27BB-57; N.J.S.A. 52:27BB-58; N.J.S.A. 52:27BB-60; N.J.S.A. 52:27BB-61; N.J.S.A. 52:27BB-62; N.J.S.A. 52:27BB-66; N.J.S.A. 52:27BB-66.1; N.J.S.A. 52:27BB-73; N.J.S.A. 52:27BB-74; N.J.S.A. 52:27BB-75; N.J.S.A. 52:27BB-76; N.J.S.A. 52:27BB-77; N.J.S.A. 52:27BB-78; N.J.S.A. 52:27BB-79; N.J.S.A. 52:27BB-80; N.J.S.A. 52:27BB-81; N.J.S.A. 52:27BB-82; N.J.S.A. 52:27BB-83; N.J.S.A. 52:27BB-84; N.J.S.A. 52:27BB-85; N.J.S.A. 52:27BB-86; N.J.S.A. 52:27BB-87; N.J.S.A. 52:27BB-88; N.J.S.A. 52:27BB-89; and N.J.S.A. 52:27BB-90 shall be placed in effect in the City of Hoboken; and

Local Finance Board
City of Hoboken
September 10, 2008

WHEREAS, the Local Finance Board has provided the City of Hoboken, through its representatives, as well as other interested parties with an opportunity to be heard with regard to the question of the application of Article 4 of the Local Government Supervision Act to the City; and

WHEREAS, there does exist a judicial determination that gross failure to comply with provisions of the Local Budget Law has occurred in the City of Hoboken which failure substantially jeopardizes the City's fiscal integrity; and

WHEREAS, it appears to the Local Finance Board, in light of the aforementioned and other circumstances which have been presented to the Local Finance Board during its hearing on this question, that the application of the aforementioned Article 4 of the Local Government Supervision Act to the City of Hoboken is necessary, warranted and desirable; and

WHEREAS, the Local Finance Board is empowered by Article 4 of the Local Government Supervision Act, and specifically N.J.S.A. 52:27BB-55 of the Act, to determine by resolution that a municipality is to be subject to the supervision of the Local Finance Board and the Director of the Division of Local Government Services under this Article subject to the approval of such resolution by two of the following three cabinet officers - the Commissioner of the Department of Community Affairs, the State Treasurer and the Attorney General; and

WHEREAS, the Local Finance Board is also authorized and required by N.J.S.A. 52:27BB-56 of the Act to expressly set forth in any resolution which it may adopt for the purpose of placing a municipality under the supervision of Article 4 of the Local Government Supervision Act those specific provisions of this Article which set forth certain powers which the Board and the Director may exercise in the municipality and which the Local Finance Board has determined should be in effect in that municipality; and

Local Finance Board
City of Hoboken
September 10, 2008

BE IT FURTHER RESOLVED that this resolution shall be subject to the approval of the Commissioner of the Department of Community Affairs, the State Treasurer, and the Attorney General and that it shall become effective immediately upon the endorsement of the approval of any two of these cabinet officers below.


LOCAL FINANCE BOARD
DEPARTMENT OF COMMUNITY AFFAIRS

SEAL

By: 

SUSAN JACOBUCCI, CHAIR
LOCAL FINANCE BOARD

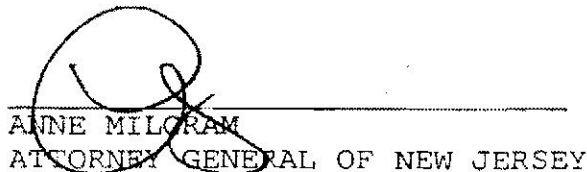
I hereby approve the adoption of the above resolution.


JOSEPH V. DORIA, JR.
COMMISSIONER
DEPARTMENT OF COMMUNITY AFFAIRS

Date: 9/10/08


DAVID ROUSSEAU
STATE TREASURER

Date: 9-10-08


ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY

Date: 9-11-08

FILED

AUG 14 2008

MAURICE J. GALLIPOPOLI, J.S.C.

**CITY OF HOBOKEN
OFFICE OF THE CORPORATION COUNSEL
94 WASHINGTON STREET
HOBOKEN, NEW JERSEY 07030
Telephone: (201) 420-2058
Facsimile: (201) 792-1858
Attorney for Defendant**

**SUSAN JACOBUCCI, DIRECTOR,
DIVISION OF LOCAL GOVERNMENT
SERVICES and LOCAL FINANCE BOARD**

Plaintiff,

v.

CITY OF HOBOKEN

Defendant.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION:
HUDSON COUNTY
DOCKET NO.: HUD-L-3495-08**

Civil Action

CONSENT ORDER

BACKGROUND

On July 16, 2008, Susan Jacobucci, the Director of the Division of Local Government Services ("Director"), along with the Local Finance Board ("Board"), initiated this action with the filing of a Complaint against the City of Hoboken ("City"), seeking a judicial determination pursuant to N.J.S.A. 52:27BB-55(6) that there has been a gross failure on the part of the City to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., which substantially jeopardizes the fiscal integrity of the City. The allegations included, but were not limited to, the failure of the City's governing body to adopt a budget within the time frame established by law, and in contravention of a direct order of the Director.

Once such a judicial determination has been made, certain provisions of the "Local Government Supervision Act," N.J.S.A. 52:27BB-1 et seq. will take effect. More specifically, based upon this judicial determination, the Director is then eligible to seek a resolution from the

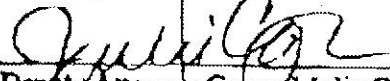
Board to place the City under supervision by the Board and Director pursuant to N.J.S.A.
52:27BB-56.

In order to conserve time and expense, the parties have agreed that this controversy should be resolved without the need for further litigation. Therefore, without a trial or adjudication on the merits, the parties have consented to the entry of this Order, as indicated by the signatures of counsel at the end of this document.

Therefore, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

1. It is determined that the condition set forth in N.J.S.A. 52:27BB-55(6) currently exists within the City of Hoboken, specifically that there has been a gross failure on the part of the City to comply with the provisions of the Local Budget Law, N.J.S.A. 40A:4-1 et seq., which substantially jeopardizes the fiscal integrity of the City.
2. The Director shall inform the Board of the City's co-operation in agreeing to this Consent Order without the need for a hearing on the merits.
3. The Director acknowledges the City's action as a positive step in re-establishing the City's financial stability and will give it whatever weight she deems appropriate in determining the Division's future actions regarding this matter.
4. Each party shall bear its own costs and attorney's fees associated with this litigation.
5. A copy of this Order shall be served on all parties within five (5) days receipt thereof.

I hereby consent to the form and entry of the within Order.


Deputy Attorney General Julie Cavanagh
Attorney for Plaintiffs

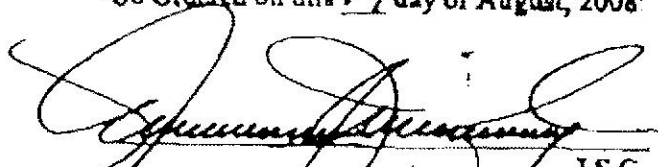
DATED:



Steven W. Kleiman, Corporation Counsel
Attorney for Defendant

DATED: August 13, 2008

So Ordered on this ¹⁴ day of August, 2008


I.S.C.
JOSEPH J. GALIPOPOLI, J.S.C.

APPENDIX C
N.J.S.A. 11A:2-6
N.J.S.A. 52:27BB-66.1
COLLECTIVE BARGAINING AGREEMENTS

11A:2-6 Powers and duties.

11A:2-6. Powers and duties. In addition to other powers and duties vested in it by this title or by any other law, the commission shall:

a. After a hearing, render the final administrative decision on appeals concerning permanent career service employees or those in their working test period in the following categories:

- (1) Removal,
- (2) Suspension or fine as prescribed in N.J.S.11A:2-14,
- (3) Disciplinary demotion, and
- (4) Termination at the end of the working test period for unsatisfactory performance;

b. On a review of the written record, render the final administrative decision on other appeals;

c. Provide for interim remedies or relief in a pending appeal where warranted;

d. Adopt and enforce rules to carry out this title and to effectively implement a comprehensive personnel management system;

e. Interpret the application of this title to any public body or entity; and

f. Authorize and conduct such studies, inquiries, investigations or hearings in the operation of this title as it deems necessary.

Amended 2008, c.29, s.6.

Source: New Jersey Permanent Statutes Database

52:27BB-66.1. Collective bargaining agreements; review and approval; arbitration awards; exclusion; appointment or dismissal of managers; authority of director

The board may provide that all collective bargaining agreements entered into during the time the municipality is subject to the provisions of this act shall be subject to the review and approval of the director. However, in any instance where negotiations on a collective bargaining agreement have reached an impasse and the matter has been submitted to an arbitrator pursuant to law, any arbitration award shall be binding without the approval of the director. In any arbitration proceeding the director shall furnish the arbitrator with a statement of the financial condition and capacity of the municipality.

The board may authorize the municipality to appoint or dismiss unclassified persons in managerial positions necessary to the rehabilitation of the financial affairs of the municipality without regard to any procedural or other statutory requirements.

The board may authorize the director to fix the hours and terms and conditions of employment for all municipal employees, and to appoint and dismiss municipal employees, to the extent permitted under the provisions of Title 11 of the Revised Statutes and of any collective bargaining agreements in effect.

L.1981, c. 211, s. 20, eff. July 20, 1981.

52:27BB-67. Additional powers of the director

For the purposes of this article, the director shall have, in addition to his other powers, authority to issue and enforce orders as authorized by law for other orders issued by him.

L.1947, c. 151, p. 670, s. 67.

Source: **New Jersey Permanent Statutes Database**

APPENDIX D

MEMORANDUM OF UNDERSTANDING

January 13, 2010

MEMORANDUM OF UNDERSTANDING
Between
The City of Hoboken
and
Hoboken PBA Local 2

Whereas, the City of Hoboken (the "City") and PBA Local 2 (the "PBA") (collectively "the parties") have conducted collective negotiations to amend the existing contract for patrol officers in the Hoboken Police Department; and

Whereas, the parties have reached a tentative agreement on all issues which were the subject of the negotiations as set forth in this Memorandum of Understanding ("Memorandum");

Now therefore, the parties agree to amend the existing contract as follows, all such amendments to become effective as of January 1, 2008 unless stated otherwise herein:

1. **Term of New Agreement ("Agreement")**. January 1, 2008 through December 31, 2011.

2. **Salary**. The salaries for all officers and ranks shall be increased as follows:

- (a) 3.9% retroactive to and effective as of January 1, 2008
- (b) 3.9% retroactive to and effective as of January 1, 2009
- (c) 2.3% effective on January 1, 2010
- (d) 2.3% effective on January 1, 2011

Total 12.4%

Effective on January 1, 2010, the Salary Guide shall be adjusted to reflect a total of eight (8) salary steps as set forth on the attached Schedule A.

3. **Health and Prescription Drug Insurance**. As soon as possible after ratification of the Agreement, the health insurance program shall be modified as follows: (i) eliminate traditional indemnity insurance coverage and replace it with the so-called state defector direct access plan as described on the attached Schedule B and (ii) the prescription drug program co-pay shall be increased to \$5.00 for generic and \$10.00 for brand name. The contract shall be modified to provide that, commencing in 2010, the City shall have the right to change insurance carriers provided that, after the change, the coverage shall be equal to or better than the coverage before the change of carrier.

4. **Vacation Carry-over.** Shall be limited to two (2) years as provided by NJ Dept. of Civil Service Rule which provides in relevant part as follows: "Vacation leave not used in a calendar year because of business necessity shall be used during the next succeeding year only..." NJAC 4A6-1.2(g) (2). Nothing in this Memorandum shall be construed to deny or restrict the parties' rights under law with respect to accrued vacation time which exceeds two (2) years as of the date hereof.

5. **Terminal Leave.** Commencing in 2010, future hires shall accrue terminal leave at the rate of three (3) days for every year of service up to 25 years of service. With respect to current employees, (a) current hires shall continue to accrue terminal leave at the rate of five (5) days per year; (b) current hires with more than 30 years of service shall be capped at their current total, and (c) current hires shall no longer accrue terminal leave after completing their 30th year of service.

6. **Misc. Days Off.** Commencing in 2010, with the exception of bereavement leave and one (1) blood day, miscellaneous days off provided by Article III, Section 1, and 8 shall no longer be provided and each employee shall receive three (3) days of personal leave in lieu thereof, which days shall be non-cumulative, non-payable if not used, and which shall not be paid for at retirement. Effective January 1, 2011, each employee shall receive four (4) personal days. Other days provided in Section 1 shall be usable as priority vacation days.

7. **Overtime and Training Time.** Commencing upon execution of the Agreement, all overtime shall be paid in wages (as opposed to compensatory time) at the rate of time and one-half. All mandatory training shall, to the extent reasonably possible, be conducted while an officer is on duty. Subject to agreement on language, shifts may be reasonably modified to implement this provision. In the event that such training is conducted during off-duty hours, it shall be compensated at the rate of time and one-half.

8. **Outside Employment.** Commencing upon execution of the Agreement, the outside employment rate shall be \$65.00 per hour, of which \$56.00 shall be paid to the officer, \$5.00 shall be paid to the City for administrative fees and \$4.00 shall be paid to the PBA Good and Welfare Fund. The outside contractor shall pay to the officer overtime at the rate of time and one half for all hours worked beyond the number of work hours scheduled in the initial assignment. These changes shall apply to Section 3 of the OEP program only. The agreement between the PBA and the City dated on or about December 1, 2009 concerning other aspects of the OEP program, attached hereto as Schedule C, shall be incorporated in the Agreement

9. **Miscellaneous.** Commencing in 2010, **Article XXXVI**, Section 6 shall be modified to provide in substance that, officers shall be provided with a City vehicle to attend police schools, unless it is more practicable for the officer to attend the school directly from home, in which case the prevailing IRS per-mile reimbursement rate shall be paid.

Section 8 relating to payment of \$5.00 per day for residency schools shall be deleted. **Article III, Time Off** shall be amended to delete Section 7 relating to the payment to the PBA of \$500.00 toward the cost of attendance at police seminars.

10. **Uniforms.** Effective January 1, 2010, the uniform allowance shall be increased by \$200.00; effective January 1, 2011, the uniform allowance shall be increased by an additional \$200.00 making the total uniform allowance \$1200.00.

11. **Other Issues including contract language.** The parties acknowledge and understand that negotiations have been conducted concerning a vast array of contract language issues, many of which involve substantive changes to the Agreement. This Memorandum is subject specifically to final agreement by the parties on all such issues, (including agreement on the finalization of language to implement and adopt all of the contents hereof) a summary of which shall be appended to this Memorandum as Schedule D.

12. **Continuation.** Except as modified by this Memorandum of Understanding, all provisions of the existing agreement shall continue in full force and effect.

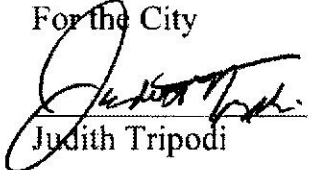
13. **Ratification.** This Memorandum is subject to ratification by the PBA and appropriate representative(s) (if any) of the City. If applicable, both negotiating teams agree to recommend affirmatively the ratification of this Memorandum.

In Witness Whereof, the parties have executed this Memorandum of Understanding by their duly authorized officers.

For the PBA

Vincent Lombardi
PBA President

For the City


Judith Tripodi 1/13/10

**APPENDIX E
CALLS FOR SERVICE
2003-2008**

* * * Communication Result Report (Feb. 25, 2009 2:30PM) * * *

1) Hoboken Police Department
2) Training, Planning & Operations

Date/Time: Feb. 25, 2009 2:29PM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
0755	Memory TX	918567577243	P. 1	OK	

Reason for error
 1) Hang up or line fail
 2) Busy
 3) No answer
 4) Exceeded max. E-mail size
 E. 4) No facsimile connection



POLICE DEPARTMENT
CITY OF HOBOKEN
 One Police Plaza
 Hoboken, New Jersey 07030-5704



Corrado V. La Braco
 Chief of Police

Tel. (201) 426-2106
 Fax. (201) 714-9415

FAX TRANSMISSION
COVER SHEET

DATE: 02 / 24 / 2009 Total No. of Pages Sent (including this Cover Sheet): 2
 TO: Mr. Rick Richardella
 ATTN: _____
 SUBJECT: Hoboken call information
 FROM: LT Nick Manente TEL No. #: 201-420-5116
 DIVISION / BUREAU / UNIT: ISB
 REMARKS: Information you requested

***** CONFIDENTIALITY NOTICE - RESTRICTED VIEWING *****
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 If you have not received the total number of pages listed on this cover sheet, please contact MARGARET CASTELLANO at 1 (201) 420-2602.



POLICE DEPARTMENT CITY OF HOBOKEN



One Police Plaza
Hoboken, New Jersey 07030-5787
INSPECTIONAL SERVICES BUREAU

Robert Lisa
A/Chief of Police

Tel. (201) 420-5115
Fax. (201) 714-9415

INTRADEPARTMENTAL MEMORANDUM

DATE: February 25, 2009
TO: A/Chief Robert Lisa
FROM: Lieutenant Nicholas Manente
SUBJECT: Total calls for service past six years
Sir,

The following is the total amount of calls for service this department logged into our Impact record keeping system. Each number represents the last entered call of the given year.

<u>Year</u>	<u>last call of year</u>	<u>call total</u>	<u>0001-0801</u>	<u>0801-1601</u>	<u>1601-0001</u>
2008.....	CH69517	69,470	20,746	22,710	26,014
2007.....	CH63218	62,923	16,039	22,698	24,186
2006.....	CH63274	63,266	15,246	22,844	25,176
2005.....	CH51169	51,173	09,899	21,369	19,905
2004.....	CH47860	47,797	07,695	22,028	18,074
2003.....	CH51693	51,712	07,774	24,008	19,930

The following information represents total Officer Initiated type calls for the calender year of 2008, as well as the total amount of time spent on these type of call per year and by call.

Type of call....Field Interview, M.V. Stop , Traffic Stop.....total 9,439

Dispatched to Completion per year 2,064 hours.....average time per call 13.12 min.

The following information represents the total amount of all type call for the calender year 2008, as well as the total amount of time spent on these calls per year and by call.

Total calls for 2008.....69,470

Dispatched to Completion per year 26,336 hours.....average time per call 22.27 min.