

**BOROUGH OF PARAMUS
COUNTY OF BERGEN**

ORDINANCE 2020-29

**AN ORDINANCE TO ADD CHAPTER 141,
OFFICE OF EMERGENCY MANAGEMENT,
OF PART 1, ADMINISTRATIVE LEGISLATION, OF THE BOROUGH OF PARAMUS**

BE IT ORDAINED, by the Mayor and Council of the Borough of Paramus, County of Bergen and State of New Jersey, that Chapter 141, Office of Emergency Management, of the Code of the Borough of Paramus, is hereby adopted as follows:

Section 1. The current text of the Borough Ordinance, Part 1, Administrative Legislation, is hereby amended to add, Chapter 141, Office of Emergency Management, which will be comprised of the language adopted in the Borough of Paramus Office of Emergency Management Policy Manual;

Section 2. The current text of the Borough Ordinance, Part 1, Administrative Legislation, is hereby amended to add, Chapter 141, Office of Emergency Management, its Articles, and Subsections, as follows:

Chapter 141: Office of Emergency Management.

Article I: Administration and Organization.

§141.1 Definitions

§141.2 Table of Organization Membership; officers and staff

§141.3 Ownership of assets, expenses and operating costs

§141.4 Qualification for membership: active member

§141.5 Application and approval for membership

§141.6 Organizational Roster and Identification

§141.7 Internship Program

§141.8 Citizens Emergency Response Team (CERT)

**§141.9 Compensation, Accountability, Record Keeping, Resignation,
Suspension and Expulsion**

Article II: Command Staff.

§141.10 Composition and control of department

§141.11 Adoption of rules and regulations

§141.12 Coordinator, Deputy Coordinator, Assistant Coordinator,

**BOROUGH OF PARAMUS
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Specialist, Support Staff & Drone Team Operators

§141.13 Responsibilities of the Command Staff

§141.14 Maintaining Records

Article III: Appointment of Officers.

§141.15 Terms of Office

§141.16 Appointment of Command Staff

§ 141.17 Response to calls for service

§141.18 Training and drills

§141.19 Record of calls for service and training exercises

§141.20 Authorized OEM Vehicle Operation

§141.21 Request for repairs and supplies

§141.22 Unauthorize repairs; emergencies

§141.23 Code of conduct

§141.24 Alcoholic Beverages and Drugs

Appendix A: Paramus Use of Drug and Alcohol Policy

Section 3. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

Attest:



**ANNEMARIE KRUSZNIS, RMC
Borough Clerk**

Approved:



**RICHARD A. LABARBIERA
Mayor**

Introduced: October 7, 2020
Adopted: October 20, 2020



Paramus OEM Ordinance

Aug. 2020

MICROSOFT Office of Emergency Management

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I. Definitions.

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

Authority- The right to issue orders, give commands, enforce obedience, initiate action, and make necessary decisions commensurate with rank or assignment as provided for in the State of New Jersey laws, regulations, and orders and the rules, policies and procedures of the department. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered to be in violation of the rules.

Chain of Command- Vertical lines of communication, authority, and responsibility within the organizational structure of the department. (See Appendix A)

Department-The Paramus Office of Emergency Management is a department of the Borough in compliance with NJ State App A.9-40

Directive -A document detailing the performance of a specific activity or method of operation. "Directive" includes:

A. GENERAL ORDER

Broadly based directive dealing with policy and procedure and affecting one or more organizational subdivisions of the department.

B. PERSONNEL ORDER

A directive initiating and announcing a change in the assignment, rank, or status of personnel.

C. SPECIAL ORDER

A directive dealing with a specific circumstance or event that is usually self-canceling.

Emergency Management Services- Any services, including mitigation, planning, preparedness, response and recovery provided by the Paramus Office of Emergency Management.

May / Should - The action indicated is permitted.

Order- Any written or oral directive issued by a supervisor to any subordinate or group of subordinates in the course of duty.

Policy- A statement of the Department's principles that provides the basis for the development of procedures and directives.

Procedure - A written statement providing specific direction for performing Department activities. Procedures are implemented through policies and directives.

Shall / Will - The action required is mandatory.

Staff Member - A member who is appointed annually to the Office of Emergency Management Staff by the Paramus Mayor and Council.

Supervisor - A Staff Member assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

II. Table of Organization Membership; officers and staff.

The Office of Emergency Management shall consist of one (1) Emergency Management Coordinator appointed by the Mayor for a three (3) year term under the direction of State law, four (4) Deputy Emergency Coordinators who are appointed by the Coordinator with the approval of the Mayor under the direction of State law. The Department also includes thirteen (13) Assistant Coordinators, two (2) Specialists, a maximum of ten (10) Support Staff, a maximum of five (5) interns, and a Drone Support Team.

The Office of Emergency Management maintains a Community Emergency Response Team (CERT) comprised of community volunteers members trained in immediate emergency assistance during disasters and assisting local emergency managers in a variety of projects and exercises. CERT will be managed by the CERT Team Leader appointed from among the members of the Support Staff.

III. Ownership of assets, expenses and operating costs.

All Office of Emergency Management vehicles, equipment, and materials are the property of the Borough of Paramus and ownership shall remain with the Borough of Paramus and all expenses and costs shall be incurred by the Borough of Paramus for the proper maintenance and operation of the department.

IV. Qualification for membership: active member.

No person shall be eligible to become a member of the Office of Emergency Management of the Borough of Paramus unless such person shall possess and provide proof of the following qualifications:

- A. Be not under 18 years of age.
- B. Be subject to both a criminal and motor vehicle background record check.
- C. Be subject to pre-employment medical and participate in random drug testing when requested.
- D. Possess a valid driver's license if position will require the member to drive.

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V. Application and approval for membership.

The name of the applicant shall be provided to the Emergency Management Coordinator who will ensure that the Borough application process is followed.

VI. Organizational Roster & Identification.

- A. The names of the members shall be written upon the personnel roster maintained by the Borough Clerk.
- B. A member shall be issued a photo identification card. This photo identification card shall be surrendered to the Coordinator upon request or whenever a member has been formally suspended from the department or upon the member's resignation.
- C. **Active:** Any member who is physically able to perform all duties, including on-call duty time and training, and other duties assigned by the Coordinator or his designee.
- D. **Probationary:** Any person, upon successfully completing all of the requirements shall be classified as a "probationary member" for a period of not less than one year. During the course of this period, the probationary member will be required to perform all duties set forth in the rules and regulations of the department. The probationary period may be extended due to the unavailability of any required courses. Upon successful completion of the above requirements, the member shall be appointed as a regular member.

VII. Internship Program.

The Paramus Office of Emergency Management established its Internship Program to promote its community outreach efforts. The interns will be exposed to the various fundamentals of Emergency Management and to render assistance to the department under the supervision of the Emergency Management Coordinator.

A. Application Requirements:

Must be a Paramus resident for one (1) year.

Must be 16 to 25 years of age.

Must provide parental consent if under the age of 18.

Must submit to a medical examination and a criminal / drivers background check.

Must participate in drug and alcohol screening.

Must maintain passing grades if in high school.

Must commit to a minimum internship of one (1) year.

B. Membership:

The intern will serve for a minimum of one (1) year. Following that period, an underage member may request an extension of their internship experience as an associate member of the department. Members who are 18 and older may apply for an opening on the Emergency Management Staff. If there is no opening, a member can apply for a volunteer support position. Any intern is eligible to join the Community Emergency Response Team (CERT).

C. Duties:

Attend weekly training

Complete required FEMA courses and other training programs

Respond to incidents and events upon request

Comply with all rules, regulations, and procedures.

VIII. Community Emergency Response Team (CERT).

The Community Emergency Response Team (CERT) program helps train people to be better prepared to respond to emergency situations in their communities. When emergencies happen, CERT members can give critical support to first responders, provide immediate assistance to victims, and organize spontaneous volunteers at a disaster site. CERT members can also help with non-emergency projects that help improve the safety of the community

Application Requirements:

- D. Must be a Paramus resident, an employee of the Borough, or reside in a town that does not have an active CERT program.

- E. Must be 16 years or older
- F. Must provide parental consent if under the age of 18.
- G. Must submit to a medical examination and a criminal / drivers background check.
- H. Must maintain passing grades if in high school.

Membership:

A qualified candidate will be accepted as a probationary CERT member for a period of one (1) year. After the probationary period and completion of all required training, the candidate will be accepted as a regular CERT member. CERT members are volunteers and are not eligible for compensation.

Duties:

- A. Attend monthly training
- B. Complete the Basic CERT training course
- C. Complete required FEMA courses and other training programs
- D. Respond to incidents and events upon request
- E. Comply with all rules, regulations, and procedures.

IX. Stipend, Accountability, Record Keeping, Resignation, Suspension and Expulsion:

Stipend program:

A. The Coordinator, Deputy Coordinators, Assistant Coordinators and Specialists of the Paramus Office of Emergency Management (hereinafter referred to as O.E.M.) who shall respond to 40% of town wide emergencies, to include, but not limited to, fires, floods, snow emergencies, lost persons, active shooter or any other activity deemed a Borough emergency to which he/she is assigned or attends during any one calendar month shall be entitled to an allowance fixed by the Mayor and Council, in the amount of \$500 per month, in the amount of \$600 per month effective July 1, 2018, or in accordance with any effective changes to the Paramus Volunteer Fire Department stipend program. Effective January 1, 2019, the monthly allowance will be equal to \$700 per month. Effective January 1, 2020, the monthly allowance will be equal to \$800 per month. To be eligible to receive the monthly allowance each member will receive credit for drills at the Life Safety Complex or any other sanctioned day and/or night exercises or meetings. Additionally, eligible members must attend a minimum of six (6) monthly training sessions with O.E.M. Should any member be unavailable to attend a monthly training session due to a conflict with their work schedule they will be afforded the opportunity to attend a make-up session to be arranged with the O.E.M. Coordinator and/or any one of the Deputy Coordinators. Any O.E.M. eligible member attending an approved training class, whether at the Bergen County O.E.M. training center in Mahwah, or any other official training center, in or out of county, will be afforded credit for the monthly training requirement in the month they attend the classes. Advanced permission from the Coordinator and/or any one of the Deputy Coordinators will be required for members to receive credit for attending outside training classes as well as virtual online training. O.E.M. members are also assigned to be "on call" for two (2) calendar weeks per duty assignment three (3) to four (4) times per calendar year, depending on their scheduled rotation. This assignment places the member on 24/7 status during this time period and will, if not excused by the O.E.M. Coordinator and/or any one of the Deputy Coordinators, respond to all emergencies necessitating O.E.M. assistance. Many of the O.E.M. members are also volunteer members of the Paramus Volunteer Fire Department and Paramus Volunteer Rescue Squad. These members are covered by the existing stipend ordinance of the Borough. Therefore, under no circumstances will an existing member of the Paramus Volunteer Fire Department or Paramus Volunteer Rescue Squad would be eligible to receive two (2) stipend disbursements during any given month. The accumulated moneys for each of the three months in each quarter shall be paid to the member at the first pay period for the following month. For example, stipends earned from July 1 to September 30, will be paid on the last Mayor and Council meeting of October; stipends earned from October 1 to December 31, will be paid on the last Mayor and Council meeting of January, etc.

B. Annual review of stipend.

During the month of January of each succeeding year, the Mayor and Council will review the allowance provisions and make any changes it shall deem necessary.

C. Construal of payments.

The payments set forth above shall constitute reimbursement for various expenses which may be incurred by the volunteer members of the Office of Emergency Management in the faithful performance of their duties and shall not be considered as salary, nor shall such payments be considered to in any way construe the creating of a paid or partially paid Office of Emergency Management within the Borough of Paramus.

D. Yearly clothing allowance.

There will be no clothing allowance approved at this time. This provision will be reviewed by the Mayor and Council yearly.

E. Verification of attendance.

The OEM Coordinator shall institute an authentication procedure for the verification of attendance which shall be approved annually by the governing body. Such procedure shall include, but shall not be limited to, a requirement that each eligible member of O.E.M. personally sign a roster or an approved witnessed absentee roster at the completion of and after each emergency indicating his or her attendance at such emergency, with such signatures to be witnessed by the ranking member in charge. Each eligible member of O.E.M. shall maintain on file a specimen of his/her signature; and the forms utilized in recording the attendance for each call shall be subject to the random and periodic audit under the direction of the Borough Administrator. These verification procedures will affect all members of O.E.M. with the exception of the Coordinator and the Deputy Coordinators who, by virtue of their position within the O.E.M., will not be subject to the verification of each emergency responded to within the confines of the Borough of Paramus, as many times they are required to remain at an emergency for extended periods of time and the verification procedures presently under consideration would not and could not become applicable. The OEM. Coordinator and the Deputy Coordinators will be responsible to the Borough Administrator to verify their attendance at each emergency if their names do not appear on the attendance roster.

F. Execution of waivers.

No member of O.E.M. shall be entitled to any payment hereunder until he/she shall first have executed a waiver to be prepared under the direction of the office of the Borough Clerk, waiving any and all claim to a pension, civil service or employment status of any kind whatsoever as a result of receiving payment under the provisions of this chapter.

G. When effective; expiration; payments.

This chapter shall take effect January 1, 2016 upon passage. Payments shall be calculated and made within the calendar quarter immediately following the preceding quarter as outlined above.

H. Biannual report by Coordinator.

The OEM Coordinator shall biannually report the effect of such payments on the membership and attendance and such other information as may be directed by the Mayor and Council regarding the operation of the program on the volunteer O.E.M. as a unit.

I. No new rights/no vacancies.

Unless expressly stated otherwise or required by law, this chapter shall not create any rights that did not exist before this chapter and this chapter shall not be deemed to create any vacancies unless the law requires otherwise.

Insurance:

Members shall be covered by worker's compensation insurance and the Borough group life insurance. In the event of a line-of-duty death, the Borough shall ensure that all applications are processed and procedures followed for any eligible state or federal benefits. All members of the department are covered under NJ App. A9. 57 by disability and life insurance if an injury or death results while working for the department.

Resignation:

All resignations must be submitted in writing to the OEM Coordinator. All Borough property and the Identification Credential must be returned upon their resignation.

Suspension & Expulsion:

Charges for violations of any rules may be filed by the OEM Deputy or Assistant Coordinator. The charges will be forwarded to the Command Staff for investigation. The Command Staff will submit recommendations to the Coordinator for final disposition.

ARTICLE II – COMMAND STAFF

X. Composition and control of department.

The Coordinator and four (4) Deputy Coordinators shall constitute Command Staff. They shall meet monthly or more frequently for the transaction of department business.

XI. Adoption of rules and regulations.

- A.** The Command Staff is hereby authorized, empowered and required when necessary to adopt rules and regulations for the control, management, and government of the department.
- B.** Application. These rules are applicable to all members of the department.
- C.** Distribution. One copy of these rules shall be distributed to each member of the department. Each member will be required to acknowledge receipt of the document.
- D.** Responsibility for maintenance. It is the continuing responsibility of each member to maintain a current copy of the rules, including additions, revisions, and amendments as issued.
- E.** Familiarization. Members shall thoroughly familiarize themselves with the provisions of the rules. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these rules. It is the continuing responsibility of each member to seek clarification through the chain of command for any rule that is not fully understood.

XII. Coordinator, Deputy Coordinator, Assistant Coordinator, Specialist, Support Staff & Drone Team Operators.

- ❖ **Coordinator:** Pursuant to municipal ordinance and State law, the Coordinator shall be the head of the Office of Emergency Management and shall be directly responsible to the Mayor for the efficiency and day-to-day operations of the Division. Pursuant to policies established by the appropriate authority, the Coordinator shall:
 - A.** Comply with all emergency management laws and regulations set forth by the State of New Jersey.

- B. Administer and enforce the rules and regulations of the department and any special emergency directives for the disposition and discipline of the department and its members;
 - C. Have, exercise and discharge the functions, powers and duties of the department;
 - D. Prescribe the duties and assignments of all members;
 - E. Delegate such authority as may be deemed necessary for the efficient operation of the department to be exercised under the direction and control of the Coordinator;
 - F. Report at least monthly to the appropriate authority in such form as shall be prescribed on the operation of the department during the preceding month and make such other reports as may be requested by the appropriate authority; and
 - G. Allocate funds within the budget which are appropriated by the governing body.
- ❖ **Deputy Coordinator:** A Command Staff position that requires a background in emergency management and a high level of expertise, experience and training set forth in the OEM regulations.
 - ❖ **Assistant Coordinator:** A General Staff position that requires a background in emergency management and/or emergency services and expertise, experience and training as set forth in the OEM regulations
 - ❖ **Specialist:** A staff position that is specific to an integral component of emergency management operations. Specialists must have expertise and experience in that position.
 - ❖ **Support Staff:** A support position that allows membership to volunteers who have an interest in the emergency management program but do not have the training or experience to hold a staff position or when there are no open staff positions. Support Staff volunteers can attend training and can be used in a variety of functions during an incident or event. When there is an opening in the Table of Organization, any member of the Support Staff meeting the requirements may apply.
 - ❖ **Intern Program:** A support position that allows students who have an interest in the field of emergency management to support and gain experience.
 - ❖ **Drone Team:** A support position for FAA licensed Drone Pilots who have an interest in emergency services drone operations. Team members are required to complete the application process and meet the approved training requirements.

XIII. Responsibilities of Command Staff.

The responsibilities of the Command Staff are:

- A. To maintain the efficient operation of the department.

- B. To organize, control and maintain all property and resources of the department.
- C. To develop and implement policies and procedures necessary to govern and direct the day-to-day operations of the department.
- D. To provide for the proper in-service training of all members.
- E. To maintain the overall discipline of the department.
- F. To maintain a constructive relationship with the public, community organizations, the media and other agencies.
- G. To prepare and submit the annual budget and proposed expenditure programs to the appropriate authority or other designated officials.

XIV. Maintaining of Records.

The Command Staff under the direction of the Coordinator shall oversee that timely and accurate records are maintained of all responses for calls for service, training, attendance, certifications, and any other records required by the state, Borough, or other authorized agency.

Article III. Appointment of Officers

XV. Terms of office.

The Municipal Emergency Management Coordinator shall be appointed by the Mayor for a three (3) year term under the direction of NJ App.A9_40.1; 40.2

Up to four (4) Deputy Emergency Management Coordinators shall be appointed annually by the Emergency Management Coordinator with the approval of the Mayor under the direction of NJ App.A9_40.3

All other members of the Command and General Staff shall be appointed annually by resolution of the Mayor & Council.

XVI. Appointment of Command Staff.

When an opening is posted, members who meet the qualifications for that position may submit their names to the Coordinator for consideration. The Command Staff will review the qualifications of all applicants. The Command Staff shall conduct interviews and the Coordinator shall make recommendations to the Mayor and Council of qualified candidates for appointment.

XVII. Response to calls for service.

There is a weekly on-call schedule staffed by two coordinators. They will respond when requested or when they deem it necessary to any serious call for service, unless otherwise directed by the Incident Commander or his or her designee.

XVIII. Training and drills.

The Coordinator or his/her designee shall maintain a schedule of training and drills and shall activate the department for drills or training when and where it becomes necessary. These training sessions may include any and all mandated training courses as set forth in the rules and

regulations of the department and any elective training sessions as the Command Staff may deem necessary or beneficial. The Borough will pay any fees or costs for the training that is not covered by the state or other agencies.

XIX. Record of calls for service and training exercises.

The Coordinator shall be responsible to maintain a record of duty hours and attendance at training sessions of each member. These records are necessary to document the service hours for the Stipend Program.

XX. Authorized vehicle operators

Any member of the department who ~~drives~~ operates any Borough vehicle must complete the required driver training as set forth in the rules and regulations of the department. Members of other Borough agencies who may be required to operate any vehicles must have completed adequate driver training courses.

XXI. Request for repairs or supplies.

All requests for repairs or supplies for the department shall be presented to the Coordinator for approval. Purchases shall be made in accordance with applicable state and municipal regulations and meet the approval of the Chief Purchasing Agent of the Borough.

XXII. Unauthorized repairs; emergencies.

No member of the department shall be permitted to tamper with, fix or repair any apparatus vehicles or equipment unless directed to do so by the Coordinator or member of the Command Staff, and then only in the case of an emergency.

XXIII. Code of conduct.

General conduct.

- A. Performance of duty.** All members shall promptly perform their duties as required or directed by law, Division rule, policy, or directive, and by lawful order of a supervisor.
- B. Obedience to laws and rules.** Members shall obey all laws, ordinances, rules, policies, procedures, and directives of the department and the Borough of Paramus.
- C. Reporting violations of laws and rules.** Members knowing of other members violating laws, ordinances, or rules of the department shall report same in writing to the Coordinator.
- D. Insubordination.** Members shall not:
 - (1) Failure or refusal to obey a lawful order given by a supervisor;
 - (2) Use any disrespectful or abusive language or action toward a supervisor or fellow member.
- E. Conduct toward other department members.** Members shall treat other members with respect and comport themselves to adhere to the borough's anti-harassment policies. They shall be courteous and civil at all times in their relationships with one another.
- F. Fitness for duty.** Personnel shall maintain sufficient physical and psychological condition in order to handle the variety of activities required of a staff member.
- G. Vehicle Operators license.** Members operating Borough motor vehicles shall possess a valid U.S. driver's license. Whenever a driver's license is revoked, suspended, or lost, the member shall immediately notify the appropriate supervisor, giving full particulars.
- H. Contact Information:** All members are required to maintain an alternate means of twenty-four-hour of contact. Changes in contact information to include; e-mail and telephone number(s) shall be reported in writing to the appropriate supervisor within 24 hours of the change.

XXIV. Alcoholic beverages and drugs.

Members shall be subject to the Borough's employee drug and alcohol testing policy.^[1]

[1] *Editor's Note: See Ch. 32A, Drug and Alcohol Testing Policy. (See Appendix 2)*
