

TOWNSHIP OF BERKELEY
PLANNING BOARD

IN THE MATTER OF:

SOUTH SEASIDE PARK HOMEOWNERS
AND VOTERS ASSOCIATION
DE-ANNEXATION PETITION HEARING

Pinewald Keswick Road
Bayville, New Jersey
Thursday, January 5, 2017
6:25 p.m.

B E F O R E:

Robert Winward, Chairman
John Bacchione, Councilman
Domenick Lorelli, Member
Richard Callahan, Member
Frederick Bell, Member
Brian Gingrich, Member
Nick Mackfes, Member
Jack Wiegartner, Member

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MR. WINWARD: Okay. We're going to proceed with the next item. The next and final item are the application for the continuation of the hearing. We're going to continue with the further testimony and cross-examination regarding the de-annexation of South Seaside Park.

MR. MICHELINI: Thank you. Good evening. Joseph Michelini from O'Malley, Surman & Michelini on behalf of the petition signers. Happy New Year to everyone.

As you may recall, last time we were here, we had extensive cross-examination of Captain Santucci.

(Off the record.)

MR. MICHELINI: Last time we were here -- thank you, Mr. Gingrich -- we had extensive cross-examination of Captain Santucci. And so, we'll finish that. And I have a page and a half. So, hopefully, it will be a very short continuation of Captain Santucci. And then we'll move on to Lieutenant Roth.

CAPTAIN KEVIN SANTUCCI, recalled.

EXAMINATION BY MR. MICHELINI:

Q Are you ready?

A I am.

1 Q I just remind you, you're still under
2 oath, so you don't need to be sworn again.
3 A Yes.
4 Q Captain Santucci, you recall, one of
5 the exhibits that you testified to ran overtime
6 numbers for certain years. Without digging into the
7 exhibits, do you remember what years you ran
8 overtime numbers for relating to South Seaside Park?
9 A I believe it was 2013, '14, '15. Or
10 it was '14, '15 and '16 up to June.
11 Q Okay. I believe it was '14, '15 and
12 '16 up to June as well.
13 A Yeah.
14 Q I would -- and that information
15 cannot be verified because that's based upon private
16 information within the system that's not subject to
17 OPRA, correct?
18 A I believe so. I believe it's not
19 subject to OPRA. But I'm not sure. I'm not sure if
20 that's OPRA-able.
21 Q But it had shift information. And
22 you had indicated that I couldn't verify the
23 information because it wasn't allowed to be released
24 to me, correct?
25 A Yes.

1 Q Did you run overtime figures for 2012
2 and 2013?
3 A I did not, because the system that I
4 ran through, we didn't have that system at that
5 time.
6 Q The POS system or POSS system?
7 A Yes. Yes.
8 Q But, presumably, those numbers would
9 be much higher given the storm, would they not, that
10 occurred in October of 2012, Hurricane Sandy?
11 A Yes.
12 Q I believe there was testimony that,
13 by one of the officers, that there were up to seven
14 officers a day over there after Hurricane Sandy; is
15 that accurate?
16 A There was more officers, I would say,
17 than there are now. But it wasn't all of just us.
18 It was also state police. It wasn't just Berkeley
19 officers.
20 Q Okay. But there were certainly more
21 Berkeley officers than there are now? There was a
22 lot more Berkeley officers doing work over there --
23 A Initially, yes.
24 Q -- correct? Okay. And that would
25 create additional overtime, would it not, most

1 likely?
2 A Yes, I believe some of it would be
3 reimbursed through FEMA.
4 Q Okay. But it would still be billed
5 as overtime?
6 A Yes.
7 Q But we don't have those numbers,
8 correct?
9 A No, I do not.
10 Q What would it take to get those
11 numbers?
12 A I don't know if I can get them
13 through, either through the financial office here at
14 town hall or I'd have to go through the archives at
15 the police station.
16 Q All right.
17 A It was on a different system. It was
18 on an older system. I'm probably the only person
19 that works in the police department that's ever
20 dealt with that old system. Everybody else has
21 since retired. So, I'd have to -- I haven't used it
22 in a couple years now.
23 Q And that old system, would that also
24 have shift information?
25 A I believe it did have sectors. I

1 believe.
2 Q Do you know whether or not that
3 information would be subject to discovery or whether
4 it would be privileged information and not subject
5 to discovery, if you know?
6 A I don't know. I believe -- I don't
7 know.
8 Q But, in all events, we know that the
9 numbers for 2012 and 2013 would be higher based upon
10 the overtime that was incurred by the officers as a
11 result of Superstorm Sandy as regards to South
12 Seaside Park, correct?
13 A I think so. But without knowing the
14 numbers off the top of my head, but I could -- I
15 would assume yes, because there was a response to
16 that incident.
17 Q And that was -- obviously, it goes
18 without saying that if de-annexation had occurred
19 before that, those Berkeley officers wouldn't have
20 been working in South Seaside Park. They would have
21 concentrated their efforts in the Sandy damaged
22 areas in other parts of the township, correct?
23 A Yes.
24 Q Now, class one and class two
25 officers, that program began when, just refresh the

1 Board's recollection.
 2 A I don't know. I wasn't involved in
 3 the planning of that. I believe the chief testified
 4 to what the date was on that.
 5 Q Were you here when the chief
 6 testified?
 7 A I was. I don't recall.
 8 Q You weren't paying attention to your
 9 own chief; is that what you're telling us?
 10 A I don't want that on the record.
 11 Q I withdraw the question.
 12 A I don't know off the top of my head.
 13 I think it was around 2012 or '11. I'm not sure.
 14 Q Okay. And you now have a fully
 15 functioning class one and class two system, correct?
 16 A We do.
 17 Q And those officers work where?
 18 A Just over on the, what we call the
 19 beach sector, on the island.
 20 Q All right.
 21 A On the barrier island.
 22 Q All right. So, they don't work in
 23 Pelican Island, to the best of your knowledge? They
 24 only work in South Seaside Park?
 25 A No, they -- the class ones don't.

10

1 The class ones just do the traffic related work.
 2 The class twos can work in both, as long as they're
 3 in our town.
 4 Q But do the class twos work in both or
 5 are they simply pretty much work over in the South
 6 Seaside Park, if you know?
 7 A They work in both.
 8 Q Okay. And do they, the class ones,
 9 they only work for the summer?
 10 A Yes.
 11 Q The class twos, they only work for
 12 the summer?
 13 A No.
 14 Q They work all year-round or --
 15 A Yes.
 16 Q Okay. Without telling me shifts, can
 17 you tell me how many class one officers are hired
 18 for the summer?
 19 A I believe, off the top of my head, I
 20 would say six to eight.
 21 Q Quite a few?
 22 A Yeah. I don't -- I'm trying to
 23 think. A couple of them had left, got full-time
 24 jobs somewhere else.
 25 Q Do they work during the week or just

1 on the weekends?
 2 A All the time.
 3 Q Okay. And that's roughly ten weeks
 4 in the summer?
 5 A Well, they work year-round. The
 6 class twos work year-round.
 7 Q Right. But the class ones?
 8 A The class ones, yeah. It's memorial
 9 Day to Labor Day, usually.
 10 Q Okay. How big is Pelican Island?
 11 A I don't know the -- I don't know the
 12 actual area square mile wise. But not large, I
 13 would say. I mean, comparable to other sectors.
 14 Q How about compared to South Seaside
 15 Park?
 16 A It's smaller.
 17 Q It's smaller. And it's actually,
 18 only half the island is Berkeley Township, the other
 19 half is Toms River, correct?
 20 A Yes.
 21 Q So, if de-annexation were to occur,
 22 would you anticipate that one officer during a shift
 23 would be able to cover Pelican Island?
 24 A Yes.
 25 Q And class twos, you indicated that

12

1 they work over here as well, on the mainland?
 2 A No, they only work on the island.
 3 Q Oh, they only work on the island?
 4 A Yeah.
 5 Q Okay. How many class twos are hired
 6 to work over on the barrier island each summer? Is
 7 class one -- you said class ones were six to eight?
 8 A No, that was class twos I meant were
 9 six to eight.
 10 Q Okay. How many class ones, then?
 11 A I don't have the numbers off the top
 12 of my head. About the same. There's probably about
 13 three or four traffic hooks that they cover on
 14 Central Avenue. Kind of depends on each year the
 15 amount of applicants. They do backgrounds. One
 16 year they might get five good applicants. The next
 17 year they might get ten. And then they'll rotate
 18 them through. They don't really get a lot of hours.
 19 Q Now, you were at that meeting where
 20 the chief testified, and I believe you testified,
 21 too, that you were at the meeting that occurred just
 22 prior to her first testimony, before the first
 23 hearing involving police testimony. That meeting
 24 occurred here with the police officers and
 25 Mr. McGuckin where he said he couldn't help you. Do

1 you remember that?
 2 A Yes.
 3 Q And I think I asked you if you
 4 remembered, if you recalled if any other board
 5 professionals were here. And you couldn't remember;
 6 is that correct?
 7 A Yes.
 8 Q Did Mr. McGuckin explain to you that
 9 he could not help you because he didn't represent
 10 the Board -- I mean, the police department?
 11 A Yeah, basically, because he's on the
 12 Board and he can't be involved.
 13 Q Did you understand by those comments
 14 that the Board was to be neutral as regards to
 15 police? In other words, not in favor or against,
 16 they're to hear testimony and act as a neutral body?
 17 A Yes.
 18 Q And as a neutral body, the township
 19 would have to make its own case? They couldn't get
 20 assistance from Mr. McGuckin, correct? That's what
 21 you understood?
 22 A Yes.
 23 Q Okay.
 24 A He just explained the process.
 25 Basically, that we have to come. Because it was new

1 to all of us.
 2 Q All right.
 3 (Off the record.)
 4 A He just explained the process because
 5 it was new to all of us.
 6 Q And did he -- anything else that you
 7 recall him saying?
 8 A No. It was pretty brief. Most of
 9 the direction I received was from the chief when we
 10 had our own staff meeting back at the police
 11 department.
 12 Q And have you had any additional
 13 communication with Mr. McGuckin after that?
 14 A No, other than seeing him here, no.
 15 Q There would be no need to, correct?
 16 A No.
 17 Q Because you understand that he
 18 doesn't represent you and his role is separate, as
 19 is the board's correct?
 20 A Correct.
 21 Q And so, I take it you've had no
 22 additional communication with the board or -- I
 23 shouldn't say additional. You've had no
 24 communication with other board professionals either
 25 outside of his hearing; is that correct?

1 A I only -- I see Mr. Bacchione at --
 2 Councilman Bacchione at the council meetings.
 3 Mr. Gingrich I've seen. But not in relation to
 4 this.
 5 Q Right. You don't talk to them about
 6 de-annexation, I assume --
 7 A No.
 8 Q -- correct? And you haven't talked
 9 to any of the other board professionals about
 10 de-annexation, correct?
 11 A No.
 12 Q Haven't communicated with them in any
 13 other way about de-annexation, to the best of your
 14 knowledge, correct?
 15 A Correct.
 16 MR. MICHELINI: Okay. Nothing
 17 further. Thank you very much. You may have --
 18 there may be questions for you by the people,
 19 though, so --
 20 MR. WINWARD: Go ahead, Brian, if you
 21 have one.
 22 MR. GINGRICH: I just have one thing.
 23 As you were leading Officer Santucci about the
 24 storm, would, if that had been annexed, would we be
 25 there? I don't think that's fair to have him have

1 to answer that. Because if Seaside Park called and
 2 asked for assistance, we would have given it to
 3 them; is that correct?
 4 CAPTAIN SANTUCCI: Correct.
 5 MR. GINGRICH: Thank you very much.
 6 BY MR. MICHELINI:
 7 Q Let me follow that up. You provide
 8 assistance to those towns which are contiguous to
 9 your town, is that correct, or to any towns that
 10 ask?
 11 A Really, any town. Any -- at the
 12 instruction of the chief, really any town that would
 13 ask. We've done it for other -- in my career, we've
 14 had to go into Seaside Heights for a fight call to
 15 back them up.
 16 Q Well, they are -- Seaside Heights --
 17 (Off the record.)
 18 A Just as an example.
 19 Q Right, but --
 20 A But you're right, yes.
 21 Q Seaside Heights is contiguous. What
 22 about a non-contiguous town? Can you come up with
 23 an example where you back up --
 24 MR. MCGUCKIN: Is seaside Heights
 25 contiguous to Berkeley Township?

1 CAPTAIN SANTUCCI: It actually does
 2 at one section, yeah. It's a weird boundary near
 3 the, like, Route 35 at the --
 4 MR. MICHELINI: Right over the second
 5 bridge there, correct?
 6 MR. CALLAHAN: Pelican Island.
 7 MR. MICHELINI: Exactly.
 8 CAPTAIN SANTUCCI: But I'm trying to
 9 think. Well, I mean, we went into New York City
 10 during 9/11.
 11 MR. MICHELINI: Okay.
 12 CAPTAIN SANTUCCI: After 9/11.
 13 BY MR. MICHELINI:
 14 Q Okay. So, if you were asked to --
 15 A We went to Katrina.
 16 Q Right.
 17 A We sent officers down to New Orleans
 18 for Katrina.
 19 Q Right. So, if you were asked, you
 20 would go?
 21 A Absolutely.
 22 Q But if de-annexation had occurred
 23 before the storm, before Hurricane Sandy, you don't
 24 know if you'd be asked, correct?
 25 A I can't -- yeah, I don't know.

1 MR. MICHELINI: Yeah. Of course.
 2 All right. Thank you very much, sir.
 3 MR. WINWARD: Captain Santucci, Stu
 4 has questions for you.
 5 MR. WISER: Captain, good evening.
 6 CAPTAIN SANTUCCI: Good evening.
 7 MR. WISER: Happy New Year.
 8 CAPTAIN SANTUCCI: You too.
 9 MR. WISER: I went back over the
 10 course of -- I went back over the course of the
 11 testimony that you offered and that was offered and
 12 referred over to you by the chief. And I have a
 13 number of questions to -- some are clarification,
 14 others may be new.
 15 Can you quantify the township's
 16 investment in South Seaside Park in terms of the
 17 police investment in terms of the infrastructure
 18 that may be specific to South Seaside Park, or, let
 19 me start by saying, is there any that is specific to
 20 South Seaside Park? And if there is, can you
 21 quantify?
 22 CAPTAIN SANTUCCI: I'm just going to
 23 refer to that list that I had. Because I'm not sure
 24 off the top of my head. Really, when we were --
 25 when I was reading this list, a lot of the items you

1 can't just direct some -- for example, a computer or
 2 a vehicle, that's for use for the entire town. It's
 3 not just, you know, specific to Seaside Park. So,
 4 any of the resources that we have, are for all the
 5 residents of Berkeley Township, not just for
 6 Seaside Park.
 7 (Off the record.)
 8 CAPTAIN SANTUCCI: The special
 9 officers.
 10 MR. WISER: The class ones and class
 11 twos?
 12 CAPTAIN SANTUCCI: Yes.
 13 MR. WISER: So, without South Seaside
 14 Park, there would be no need for the township to
 15 employ those officers?
 16 CAPTAIN SANTUCCI: Well, I mean,
 17 that's up to opinion. I mean, there's always need
 18 for my officers, in my opinion. I think we should
 19 have 100 more officers. But that's never going to
 20 happen. I mean, we wouldn't have them probably, no,
 21 if we didn't have the South Seaside Park.
 22 MR. WISER: Understanding that that's
 23 a policy decision.
 24 CAPTAIN SANTUCCI: Yeah.
 25 MR. WISER: Probably above your pay

1 rate. But from an operational standpoint?
 2 CAPTAIN SANTUCCI: We wouldn't have
 3 them, no. They're there to supplement the full-time
 4 officers. And it's due to the population increase
 5 in those, that summertime months, really, because --
 6 MR. WISER: Even though you have, I
 7 guess you said, the class twos are year-round, if
 8 de-annexation were to occur -- so it's not just an
 9 influx of summertime population?
 10 CAPTAIN SANTUCCI: It's allowed for
 11 more backup, yeah --
 12 MR. WISER: Oh.
 13 CAPTAIN SANTUCCI: -- safety also for
 14 the officers to increase.
 15 MR. WISER: Anything else that you
 16 can --
 17 CAPTAIN SANTUCCI: Nothing really
 18 specific. I mean, like, just looking at my list,
 19 all the stuff, whether it's our detective bureau,
 20 our animal control, everything responds to those
 21 specific areas in town where an issue arises. So,
 22 most of them aren't specific of, you know, thinking
 23 of the special officers, the class ones and class
 24 twos. But all the other stuff, any traffic related
 25 items we would use, it could be employed anywhere in

1 the town.
 2 MR. WISER: Do lifeguards fall under
 3 the police department in terms of jurisdiction?
 4 CAPTAIN SANTUCCI: No.
 5 MR. WISER: Do you know who they fall
 6 under?
 7 CAPTAIN SANTUCCI: I would say parks
 8 and beaches.
 9 MR. WISER: Okay. There was a
 10 conversation awhile back by Mr. Whiteman referencing
 11 history that at one time, other towns patrolled
 12 South Seaside Park/Pelican Island, et cetera. There
 13 was some kind of a contractual relationship.
 14 Would you be able to comment,
 15 obviously, not on the history, but given what
 16 happens in South Seaside Park now, would you think
 17 that would be something that would be advisable
 18 should de-annexation -- even if de-annexation didn't
 19 occur, that there would be a shared services
 20 agreement where other towns, say, Seaside Park,
 21 would pick up the cost?
 22 MR. MICHELINI: Are we talking about
 23 de-annexation?
 24 MR. WISER: Well, I think I'm talking
 25 about if de-annexation did not occur, would it be

1 more economically feasible and public safety related
 2 effective for Seaside Park to enter into an
 3 arrangement with Berkeley where Seaside Park police
 4 would patrol as opposed to the Berkeley police
 5 coming over.
 6 MR. MICHELINI: I'm just going to
 7 object because your question is compound. You've
 8 asked a couple of different things, economic
 9 feasibility and public safety issues, and combined
 10 them all and it's very long.
 11 MR. WISER: Take them one at a time.
 12 MR. MICHELINI: Yeah, that's fine.
 13 CAPTAIN SANTUCCI: Economically, I'm
 14 not sure. I don't know the numbers off the top of
 15 my head, so I wouldn't really be able to comment on
 16 that.
 17 I'd say as far as from a public
 18 safety standpoint, I would say no. I would want our
 19 agency. This way, we can dictate who we hire, how
 20 we train them. Basically, everything under our
 21 rules and regulations, we would, you know, we would
 22 dictate that. So, I think that would make everybody
 23 on the same page if I was working. Seaside Park and
 24 Seaside Heights or Toms River, everybody -- every
 25 agency kind of does things a little differently.

1 Just like any other job, you know.
 2 MR. WISER: None better? Some
 3 better? Some worse? Not necessarily better or
 4 worse?
 5 CAPTAIN SANTUCCI: Yeah, just
 6 different. I mean, some better, some worse, I would
 7 say. But, really, every way, you know, every
 8 officer, every chief that's here is going to run the
 9 department in a different way. Where they see fit
 10 to be the best way. So, I mean, the Seaside Park
 11 chief might think that we do this way. Berkeley
 12 chief might think this way. That's just human
 13 nature. Every, all of us are going to have a
 14 different opinion on something.
 15 MR. WISER: Do you know the size of
 16 the Berk -- I'm sorry -- the Seaside Park Police
 17 Department? How many officers they have?
 18 CAPTAIN SANTUCCI: I think it's
 19 around 13.
 20 MR. WISER: So, plus or minus 13?
 21 CAPTAIN SANTUCCI: I think it's
 22 around there.
 23 MR. WISER: And they would be
 24 full-time officers?
 25 CAPTAIN SANTUCCI: That's just, yeah,

1 full-time. I'm not sure how many specials they
 2 have.
 3 MR. WISER: Okay. From your
 4 perspective, is providing services to South Seaside
 5 Park any more or less expensive, inefficient,
 6 burdensome, pick your adjective, than servicing
 7 other portions of the township?
 8 CAPTAIN SANTUCCI: Not that I'm aware
 9 of.
 10 MR. WISER: Based on your knowledge
 11 and what you're responsible for, would de-annexation
 12 reduce police overtime in Berkeley or for the
 13 Berkeley Police Department?
 14 CAPTAIN SANTUCCI: I guess -- I guess
 15 any overtime related to the beach, because they
 16 wouldn't be -- because we wouldn't have people over
 17 there. But we don't really have much over there.
 18 So, I guess it would, but -- because you wouldn't
 19 have that area, wouldn't have that section of town.
 20 But then those officers might be relocated to a
 21 different area. Because overtime is not just like
 22 another job where, say, you're working in a factory
 23 and you've got to do X amount of things. You can
 24 have an arrest at the end of a shift. Overtime is
 25 not always prepared is what I guess I'm trying to

1 say.
 2 MR. WISER: I'm sorry. Not always --
 3 CAPTAIN SANTUCCI: Not always
 4 prepared or it's not always, you know, it's --
 5 MR. WISER: Scheduled?
 6 CAPTAIN SANTUCCI: Sometimes it's
 7 spontaneous. You have somebody rob a bank right ten
 8 minutes before the shift ends, there's going to be
 9 overtime. It's unforeseen is the word.
 10 MR. WISER: There was a long
 11 conversation or a series of conversations about
 12 police substations. Assuming that the policymakers
 13 decided to put a substation over in South Seaside
 14 Park, what would be involved in having that
 15 substation be effective?
 16 CAPTAIN SANTUCCI: Would depend on
 17 what you would use it for. So, if you needed to use
 18 it for arrests and processing, I mean, the
 19 technology now is not the same as it was 30 years
 20 ago, where you were using an ink pad. Now you're
 21 using an electronic fingerprint system that
 22 transmits for DWIs. You have Alpha test machines,
 23 so there's -- I don't know the cost off the top of
 24 my head but there -- it would depend on what
 25 capacity you were going to use it. If you were

1 going to have somebody in there man it all the time,
 2 that would be different. So, it would kind of
 3 really depend on that certain situation.
 4 MR. WISER: So, is it fair to say it
 5 would start with -- let's just assume it would be
 6 manned, let's just say business hours. It would
 7 start with a body there and whatever that cost is,
 8 and then it could range anything from an iPhone or
 9 an iPad up to a full system and whatever those costs
 10 are?
 11 CAPTAIN SANTUCCI: Sure.
 12 MR. WISER: Okay. So, there really
 13 is no way to -- I don't want to put words in your
 14 mouth. Is there a way to estimate what the cost, an
 15 annualized cost for a substation over in South
 16 Seaside Park, would run?
 17 CAPTAIN SANTUCCI: Yes, once you
 18 determine, like I said, what capacity you're going
 19 to use it in. You know, I guess once you formulate
 20 that plan and how you're going to use it, then you
 21 can collect all the data and, you know, put the
 22 numbers together. But I wouldn't -- I don't know
 23 off the top of my head. I don't know how much a
 24 LiveScan machine, which is a fingerprint machine, I
 25 don't know how much that costs, for instance. So --

1 MR. WISER: So, until a policymaker
 2 or policymakers would determine what they want to
 3 use it for, you couldn't put -- could you put a
 4 dollar value to it?
 5 CAPTAIN SANTUCCI: No. It could
 6 range.
 7 MR. WISER: There was a short
 8 conversation about a generator. I believe one of
 9 the petitioners, Mrs. Erdman, talked about a
 10 generator being put in, I believe it was at the
 11 police headquarters. My notes say, township will be
 12 installing a standalone generator for emergency
 13 evacuation system in order to be self-sustaining in
 14 case of emergency so that we don't have to rely on
 15 other entities.
 16 CAPTAIN SANTUCCI: I believe that was
 17 for, if I'm recalling correctly, for one of the
 18 shelters, not for the police department.
 19 MR. WISER: That was for one of
 20 the -- okay. That --
 21 CAPTAIN SANTUCCI: Because that would
 22 be to have, you know, so they could, you know, have
 23 it -- not have to rely on another town to use for a
 24 shelter. But, I mean, one of the officers that's
 25 going to testify for the Office of Emergency

1 Management might be able to --
 2 MR. WISER: Okay. Just so I, for my
 3 notes, so I remember to ask it, who would that be?
 4 CAPTAIN SANTUCCI: That would be
 5 either Detective Tier or Sergeant Dohn.
 6 MR. WISER: Okay. Thank you.
 7 MR. GINGRICH: Excuse me. Through
 8 the Chair.
 9 MR. WINWARD: Go ahead.
 10 MR. GINGRICH: There was a generator
 11 put in at Holiday City Berkeley for that, for that
 12 operation.
 13 MR. WISER: Okay. Thank you.
 14 You took us through a series of
 15 assets and capabilities of the Berkeley Town -- an
 16 extensive series of assets and capabilities, of the
 17 Berkeley Township Police Department. And I think
 18 you were asked to make a comparison to whether
 19 Seaside Park could do these types of things. And
 20 you were hesitant to. And I understand that. But I
 21 think the Board sort of needs to know whether those
 22 capabilities exist for, should de-annexation occur,
 23 for the residents of South Seaside Park through
 24 Seaside Park. So, I want to go through a number of
 25 things. And you can just give me quickly whether

1 they have it, they don't, yes, no, that kind of
 2 thing.
 3 Is Seaside Park Police Department
 4 accredited?
 5 CAPTAIN SANTUCCI: I don't know.
 6 MR. WISER: Okay. Do they have
 7 animal control officers?
 8 CAPTAIN SANTUCCI: No, they use ours.
 9 MR. WISER: Are they -- I believe you
 10 said that Berkeley's police are a component of the
 11 county regional SWAT team; is that correct?
 12 CAPTAIN SANTUCCI: Yes.
 13 MR. WISER: Are -- is Seaside Park's?
 14 CAPTAIN SANTUCCI: I believe they
 15 have one member on it, at least. Our member,
 16 however, is one of the supervisors who runs the
 17 team.
 18 MR. WISER: Okay.
 19 CAPTAIN SANTUCCI: So, they're both
 20 on the team, but our officer has more experience, I
 21 would say, more time on the job, and law enforcement
 22 in general and on that team.
 23 MR. WISER: And on the SWAT team,
 24 okay.
 25 I believe you testified that Berkeley

1 has an officer assigned to the Ocean County
 2 Prosecutor's Office Special Operations Group. Is
 3 that different than the SWAT team?
 4 CAPTAIN SANTUCCI: Yes, that's the
 5 Narcotics and Gangs Unit, basically.
 6 MR. WISER: Okay. And do you know
 7 whether Seaside Park has a similar assigned officer?
 8 CAPTAIN SANTUCCI: No, I don't
 9 believe they do.
 10 MR. WISER: You said that Berkeley
 11 has a full-time DARE officer.
 12 CAPTAIN SANTUCCI: Yes.
 13 MR. WISER: Does Seaside Park?
 14 CAPTAIN SANTUCCI: I don't know.
 15 Actually, they don't have a school there, I don't
 16 think, anymore. The elementary school now is --
 17 they don't use the elementary school anymore. I
 18 guess -- I think those kids might go to Lavallette.
 19 I'm not sure. But I don't think they have any
 20 schools.
 21 MR. WISER: So, the DARE Program is
 22 really through the schools? It's not for youth --
 23 CAPTAIN SANTUCCI: Our DARE officer
 24 is mainly -- I didn't meant to interrupt you --
 25 MR. WISER: Okay.

1 CAPTAIN SANTUCCI: -- but is mainly
 2 in our elementary schools but he also goes into our
 3 middle school and high school. He deals with all of
 4 our schools. But they, people in Seaside Park, go
 5 to our high school, so they would do it with our
 6 guy.
 7 MR. WISER: Got you. You spoke
 8 regarding specialized training that Berkeley's
 9 officers have in the area of arson, narcotics and
 10 financial crimes.
 11 CAPTAIN SANTUCCI: Right.
 12 MR. WISER: Do you know whether
 13 Seaside Park's officers are, also have that
 14 specialized training?
 15 CAPTAIN SANTUCCI: I don't.
 16 MR. WISER: In any of the three,
 17 either of the three?
 18 CAPTAIN SANTUCCI: I don't know.
 19 MR. WISER: Okay.
 20 CAPTAIN SANTUCCI: I haven't -- I
 21 mean, I haven't worked there in 17 years, 18 years.
 22 And I do -- I do know some of the officers there,
 23 but I don't know what their specific, you know,
 24 classes that they have.
 25 MR. WISER: Okay. Similarly,

1 Berkeley has a juvenile, designated juvenile
 2 detectives. Does Seaside Park?
 3 CAPTAIN SANTUCCI: I don't know. I
 4 believe, I believe they have one -- you know what, I
 5 don't know how many detectives they have. I don't
 6 want to speculate. I'm not sure.
 7 MR. WISER: And all of this is
 8 predicated on whether you know or not.
 9 Berkeley does its own crime scene
 10 processing. Does Seaside Park?
 11 CAPTAIN SANTUCCI: All the towns in
 12 Ocean County have access to the Sheriff's Department
 13 who does it. But ours -- I don't know if they do or
 14 not, but our guys also have training where they can
 15 do specific stuff. So, if there was something on a
 16 larger scale or something above their head, they
 17 could call the Sheriff's Department to assist in it,
 18 the Crime Scene Unit.
 19 So, Seaside Park would have that
 20 capability to call them also. But I don't know if
 21 their detectives or their officers do their own
 22 crime scene process.
 23 MR. WISER: Okay. So, you spoke
 24 regarding electronic surveillance capabilities,
 25 cameras, night visions. You said things of that

1 nature. Any concept on Seaside Park?
 2 CAPTAIN SANTUCCI: No.
 3 MR. WISER: Separate recorded
 4 interview room?
 5 CAPTAIN SANTUCCI: That, the last, to
 6 my knowledge, they -- well, I guess you could use
 7 any room as, you could transform it into that. But
 8 I don't believe they have a designated -- they use
 9 multiple -- they might use one room for multiple
 10 purposes, you know.
 11 MR. WISER: Sure. Evidence
 12 processing area.
 13 CAPTAIN SANTUCCI: I don't know where
 14 they do theirs.
 15 MR. WISER: You spoke to field test
 16 or somebody spoke to field testing narcotics prior
 17 to being sent to the state lab.
 18 CAPTAIN SANTUCCI: We have a
 19 designated area within our detective bureau that we
 20 can use for that. They -- I don't think -- I'm
 21 trying to -- the way that their offices are set up,
 22 I think -- I don't know if they have one designated
 23 room that's for that. I don't know.
 24 MR. WISER: Okay. Is their facility
 25 itself smaller than Berkeley's?

1 CAPTAIN SANTUCCI: Oh, considerably,
 2 yeah.
 3 MR. WISER: Okay. Traffic Safety
 4 Unit.
 5 CAPTAIN SANTUCCI: No, I don't
 6 believe -- they might have officers that have
 7 similar training. But I don't think they have a
 8 room that -- you're saying a room or an actual unit?
 9 MR. WISER: Unit. My notes say
 10 Traffic Safety Unit.
 11 CAPTAIN SANTUCCI: Yeah, I don't know
 12 the structure of that agency. I don't want to --
 13 MR. WISER: Does Berkeley have a
 14 dedicated safety traffic unit?
 15 CAPTAIN SANTUCCI: We have a
 16 dedicated unit, dedicated supervisors, dedicated
 17 office, and then dedicated trained officer specific
 18 to that unit.
 19 MR. WISER: Okay.
 20 CAPTAIN SANTUCCI: Honestly, we
 21 probably have as many traffic safety officers as
 22 they have officers in the entire department. You
 23 know what I mean? Full-time officers, we probably
 24 have that many traffic officers.
 25 MR. WISER: Accident

1 reconstructionist?
 2 CAPTAIN SANTUCCI: That would also
 3 depend on their training. I don't know if they have
 4 that or not.
 5 MR. WISER: Somebody had said that
 6 Berkeley, some of Berkeley's officers are members of
 7 the Ocean County Fatal Accident Support Team.
 8 CAPTAIN SANTUCCI: That would also
 9 fall under that traffic safety.
 10 MR. WISER: Okay.
 11 CAPTAIN SANTUCCI: I believe to be on
 12 that team, they have to have a certain level of
 13 education. But, actually, Lieutenant Roth, he's in
 14 charge of our Traffic Safety Unit, so he may be
 15 better able to answer that.
 16 MR. WISER: Speed study trailer?
 17 CAPTAIN SANTUCCI: I've never seen
 18 one. But I don't know if they have one.
 19 MR. WISER: Berkeley apparently
 20 has -- pardon me -- four ALPR cars.
 21 CAPTAIN SANTUCCI: Yes.
 22 MR. WISER: Any idea on Seaside Park?
 23 CAPTAIN SANTUCCI: I don't know.
 24 That's the automated license plate readers. I don't
 25 know if they have it or not. They have, you know,

1 considerably less cars than us, but I don't know if
 2 any of them are equipped with that.
 3 MR. WISER: Okay. Berkeley has a
 4 Police to Citizen System which, apparently, is a
 5 self-reporting, online service for the reporting of
 6 nonemergency, nonviolent incidents. Do you know
 7 whether South Seaside -- whether Seaside Park has?
 8 CAPTAIN SANTUCCI: I don't.
 9 MR. WISER: Okay. Berkeley has its
 10 own municipal detention facility or jail with six
 11 cells. Any idea?
 12 CAPTAIN SANTUCCI: They have one.
 13 MR. WISER: One.
 14 CAPTAIN SANTUCCI: The last that I
 15 know. Unless they made changes to it. The last
 16 that I know.
 17 MR. WISER: This may all be part of
 18 the same thing, but secured interior sally port?
 19 CAPTAIN SANTUCCI: They do not have a
 20 sally port.
 21 MR. WISER: Digitally encrypted radio
 22 system. Apparently, we, Berkeley has four towers.
 23 CAPTAIN SANTUCCI: Yes. Sergeant
 24 Dohn handles that in our agency, so he might be
 25 better able to answer that for you.

1 MR. WISER: Firearms range?
 2 CAPTAIN SANTUCCI: They do not.
 3 MR. WISER: Do they use Berkeley's?
 4 CAPTAIN SANTUCCI: No, I believe --
 5 no, they don't. I don't -- I forget where they use.
 6 They might use -- I don't want to speculate. I
 7 don't know. They don't use ours.
 8 MR. WISER: They don't. Okay. I
 9 guess it falls in line with the same thing, firearms
 10 instructors?
 11 CAPTAIN SANTUCCI: Every agency has
 12 to have firearm instructors, because we're -- we
 13 have to qualify twice a year, state mandated
 14 guidelines we have to follow. So, everyone really
 15 has to have that.
 16 MR. WISER: So, Berkeley has five.
 17 Seaside Park has to, then, by law, at least have
 18 one, at least?
 19 CAPTAIN SANTUCCI: Yeah, there's
 20 actually certain ratios per instructor per student.
 21 MR. WISER: Okay.
 22 CAPTAIN SANTUCCI: Based on day or
 23 nighttime qualifications.
 24 MR. WISER: Police boats?
 25 CAPTAIN SANTUCCI: That I don't know

1 about. Mr. Micheleni mentioned that they have a
 2 boat over there. I don't know that that's
 3 exclusively the police department's. I don't know
 4 if it's -- I don't know if it's partly the fire
 5 department's. I don't believe they have the area,
 6 though, to have it within the actual police
 7 department, because it's a smaller police
 8 department. So, I don't know if they keep that
 9 within the fire department, which would actually
 10 remain the same if, you know, because the same fire
 11 department responds. So, technically, we would have
 12 access to that. But I'm not sure if it's through
 13 the fire departments or police departments.
 14 MR. WISER: Okay. Designated police
 15 mechanics? I assume that presupposes or that means
 16 that Berkeley's police has its own police garage,
 17 vehicle garage?
 18 CAPTAIN SANTUCCI: Yes. I don't
 19 know.
 20 MR. WISER: Okay. Body worn cameras?
 21 CAPTAIN SANTUCCI: I don't know if
 22 they have those. I don't believe they do, but I'm
 23 not sure.
 24 MR. WISER: Okay. Somebody spoke to
 25 Project Lifesaver, which for the board is a bracelet

1 with transponder to track people with dementia,
 2 Alzheimer's, younger children who wander. Berkeley
 3 apparently has people in that program from South
 4 Seaside Park. Then my notes say, Berkeley is the
 5 only municipality in Ocean County that participates.
 6 Everybody else has to use the County Sheriff
 7 Department to have that service.
 8 Do you know whether Seaside Park uses
 9 the Sheriff Department?
 10 CAPTAIN SANTUCCI: I believe they do.
 11 But I'm not sure. Lieutenant Smith for our agency
 12 runs that. We have people in South Seaside Park but
 13 I don't think we have anybody in Seaside Park
 14 itself. I believe it would be the Sheriff's
 15 Department. I think we only have, you know, in our
 16 municipality.
 17 MR. WISER: Sure. Fire coordinator?
 18 CAPTAIN SANTUCCI: Yes. We have one.
 19 Do they have one?
 20 MR. WISER: Yeah, exactly.
 21 CAPTAIN SANTUCCI: I don't know.
 22 MR. WISER: Okay. I'm not sure this
 23 is your bailiwick. Paid EMS, as in, to augment the
 24 volunteer?
 25 CAPTAIN SANTUCCI: No, they don't

1 have that.
 2 MR. WISER: Underwater search and
 3 rescue team?
 4 CAPTAIN SANTUCCI: I don't know. It
 5 might be incorporated within their fire department.
 6 I'm not sure.
 7 MR. WISER: Berkeley is part of --
 8 and correct me if I'm wrong. My notes say Berkeley
 9 is part of the Ocean County Regional Urban Strike
 10 Team, the RUST Team?
 11 CAPTAIN SANTUCCI: Yes.
 12 MR. WISER: Another really bad
 13 acronym. Which deals with structural collapse,
 14 trench issues, swift underwater rescue. And, I
 15 imagine, other things of that nature. Do you know
 16 whether Seaside Park is part of that as well?
 17 CAPTAIN SANTUCCI: I don't.
 18 Actually, Sergeant Dohn could -- he's on that team.
 19 He could explain that to you in detail.
 20 MR. WISER: Hazmat, does
 21 Berkeley's -- does Seaside Park have its own hazmat
 22 team?
 23 CAPTAIN SANTUCCI: I don't know.
 24 That's another thing Sergeant Dohn probably could
 25 tell you, because he's involved in our fire. He's

1 the chief of the Pinewald Fire Department.
 2 MR. WISER: Okay.
 3 CAPTAIN SANTUCCI: That's involved in
 4 the hazmat.
 5 MR. WISER: Okay. Obviously, that's
 6 a litany of things. Are there any other specialized
 7 teams or services that Berkeley has that
 8 Seaside Park does not, off the top of your head,
 9 that you're aware of?
 10 CAPTAIN SANTUCCI: Not that I can
 11 think of.
 12 MR. WISER: And to the extent that
 13 Berkeley -- or, I'm sorry -- that Seaside Park may
 14 not have any of the numerous items we talked about,
 15 is it Berkeley's habit, policy, whatever, to extend
 16 these services to Seaside Park or any other
 17 municipality in need, should those needs arise?
 18 CAPTAIN SANTUCCI: Yeah.
 19 MR. WISER: Okay. The chief was back
 20 here. And I know she's not going to want me to ask
 21 this question. But I feel that the Board and the
 22 citizens need to know, if you can answer it.
 23 There was a conversation about what
 24 the chief did on behalf of the citizens of South
 25 Seaside Park. And, to paraphrase, she stood up for

1 every resident -- this was during Sandy, I'm sorry.
 2 CAPTAIN SANTUCCI: Okay.
 3 MR. WISER: She stood up for every
 4 resident in the township on South Seaside Park and
 5 Pelican Island and went against the other chiefs to
 6 get these residents back in their homes.
 7 Now, I'm sure the chief doesn't want
 8 the details of that laid out. But can you give us
 9 any sense of what that -- what is really meant by
 10 that? What happened?
 11 CAPTAIN SANTUCCI: I wasn't a part of
 12 that.
 13 MR. WISER: Okay.
 14 CAPTAIN SANTUCCI: From what I know,
 15 I would say, basically, she took action that was
 16 on -- in the best interests of the citizens of South
 17 Seaside Park or Berkeley Township, to assist them.
 18 And maybe wasn't at the -- wasn't what the other
 19 chiefs immediately agreed on, but made the decision
 20 to do what was best for the citizens first.
 21 MR. WISER: And that would -- well,
 22 you weren't there --
 23 CAPTAIN SANTUCCI: I wasn't there.
 24 MR. WISER: -- so I don't want you to
 25 speculate on that.

1 CAPTAIN SANTUCCI: But from --
 2 MR. WISER: Are you in charge of
 3 maintaining the township's accreditation, the police
 4 department's accreditation?
 5 CAPTAIN SANTUCCI: No.
 6 MR. WISER: Who is?
 7 CAPTAIN SANTUCCI: It's Detective
 8 Sergeant LaRocca now and Detective Riccardelli.
 9 Rick Riccardelli, R-i-c-c-a-r-d-e-l-l-i.
 10 MR. WISER: Who would, with any of
 11 the people that are going to continue, any of your
 12 colleagues who are going to continue to testify, who
 13 would be the best person to speak to in terms of
 14 what might be different response times on the logs
 15 that we received as part of the exhibits, between
 16 various dispatching agencies?
 17 CAPTAIN SANTUCCI: I don't know if
 18 Lieutenant Roth is going to touch on that one in
 19 his.
 20 MR. WISER: It's not you?
 21 CAPTAIN SANTUCCI: It's not me.
 22 MR. WISER: Okay.
 23 CAPTAIN SANTUCCI: I don't know who
 24 originally brought that up, the response times. I
 25 forget which person testified to it.

1 MR. WISER: Okay. The chief
 2 testified that one of the quads that the township
 3 has is stationed by the lifeguard stand. Can you
 4 just -- where is that, specifically?
 5 CAPTAIN SANTUCCI: I don't know if
 6 she's referring to Midway Beach. That's where
 7 I'm -- I'm not -- I'm not sure.
 8 MR. WISER: Okay.
 9 CAPTAIN SANTUCCI: I believe probably
 10 Midway Beach.
 11 MR. WISER: Okay. Last month you
 12 were asked a number of questions about specific
 13 items that you didn't know the answers to. So, just
 14 to help to sort of move this along, although I'm
 15 sure that it doesn't seem like what I'm doing, who
 16 would know or who should we speak to regarding how
 17 many times the SWAT team has been utilized in South
 18 Seaside Park?
 19 CAPTAIN SANTUCCI: We could
 20 contact -- I can probably get that information from
 21 either my sergeant that's the supervisor on that
 22 SWAT team or contact the sheriff's department
 23 directly.
 24 MR. WISER: Is that something you
 25 could do?

1 CAPTAIN SANTUCCI: Sure.
 2 MR. WISER: Similarly, has the
 3 detective bureau responded to anything over in South
 4 Seaside Park in the last year?
 5 CAPTAIN SANTUCCI: I'm sure they
 6 have. At the top of my head, I don't know.
 7 MR. WISER: Also something you could
 8 pull together?
 9 CAPTAIN SANTUCCI: Yeah, I believe
 10 so.
 11 MR. WISER: Okay. These are a lot of
 12 similar things. Has the mobile command post been
 13 used in South Seaside Park in the past two years?
 14 CAPTAIN SANTUCCI: I don't believe
 15 so, other than during Hurricane Sandy. But I can
 16 find out from the chief or through OEM.
 17 MR. WISER: Narcotics unit?
 18 CAPTAIN SANTUCCI: That would be
 19 another bureau, I would have to contact the Ocean
 20 County Prosecutor's Office.
 21 MR. WISER: We don't have our -- I
 22 say we. Berkeley doesn't have its own narcotics
 23 unit?
 24 CAPTAIN SANTUCCI: Well, the
 25 detective bureau does on its related stuff. But the

1 Special Operations Group, that's what they're called
 2 at the county, they specialize in narcotics and gang
 3 related activities. So, a lot of agency -- they
 4 have officers from the prosecutor's office that are
 5 on the unit. But then other agencies will send an
 6 officer there on loan. Usually the larger agencies
 7 like Berkeley, Toms River, Brick.
 8 MR. WISER: I wouldn't want to speak
 9 for the needs of Mr. Michelini. But from -- for my
 10 purposes, I think it's only the local, the Berkeley
 11 narcotics detectives that I would be interested in.
 12 CAPTAIN SANTUCCI: Well, a lot of
 13 times, though, if there's something related to our
 14 town, our detective bureau will work with that
 15 unit --
 16 MR. WISER: Okay.
 17 CAPTAIN SANTUCCI: -- or that
 18 officer. They'll, basically, like we said earlier,
 19 if they need assistance in an area, they might have
 20 a large job and say, we need your assistance on this
 21 job.
 22 MR. WISER: Okay. Financial crimes,
 23 can you get those stats for us?
 24 CAPTAIN SANTUCCI: Detective Tier
 25 might. I don't know if he'll have it today off the

1 top of head, if he's even here. But he might -- oh,
 2 there he is. He might be able to answer that a
 3 little bit better because he deals with a lot of
 4 that.
 5 MR. WISER: Okay. Fair enough.
 6 Juvenile detectives working over in South Seaside
 7 Park?
 8 CAPTAIN SANTUCCI: I could find out.
 9 That would be another -- there's specific
 10 detectives. So, I'd have to find that out.
 11 MR. WISER: Okay. Electronic
 12 surveillance apparatus, other than the body worn
 13 cameras.
 14 CAPTAIN SANTUCCI: That would be
 15 through the detective bureau also.
 16 MR. WISER: Okay. Night vision
 17 glasses?
 18 CAPTAIN SANTUCCI: Same.
 19 MR. WISER: Same thing?
 20 CAPTAIN SANTUCCI: Yeah.
 21 MR. WISER: Okay. I believe you were
 22 asked if there are any OEM shelters in South Seaside
 23 Park, to which you responded something to the effect
 24 of that there are none. Would it, in your
 25 experience, or maybe perhaps you need to punt that

1 to one of your other, your fellow officers, does it
 2 make -- would it make sense to locate an OEM shelter
 3 on the island?
 4 CAPTAIN SANTUCCI: The situations
 5 that we use them for I would say no only because of
 6 the flooding over there. But I guess that would be
 7 on a case by case basis depending on the incident.
 8 Maybe they might be able to answer that better, OEM
 9 guys.
 10 MR. WISER: Okay.
 11 CAPTAIN SANTUCCI: But I would say
 12 no. I would have it in a more secure area but --
 13 MR. WISER: And the last question I
 14 have for you, and I really, something what I ask of
 15 everybody, how would your job change if
 16 de-annexation were to occur?
 17 CAPTAIN SANTUCCI: Really just
 18 dealing with allocating resources over there. But,
 19 really, my day-to-day operations, really, I'm
 20 usually in the actual -- I don't usually even leave
 21 the police department. I'm administrative duties.
 22 So, mine, personally, wouldn't change
 23 other than allocating resources and officers to that
 24 area or determining -- dealing with issues that
 25 arise in that area. But my normal day-to-day, I

1 don't have a lot of dealings with that. It kind of
 2 depends on what occurs. What comes into --
 3 MR. WISER: The flow of issues?
 4 CAPTAIN SANTUCCI: Yeah.
 5 MR. WISER: If I -- just to phrase
 6 this, because I know you haven't and will not give
 7 us a number, but if you have X number of sectors, is
 8 it a correct statement to simply say that
 9 de-annexation would then result in you having X
 10 minus one number of sectors to deal with?
 11 CAPTAIN SANTUCCI: It would be, yes,
 12 less area to deal with. But then that could also
 13 affect whatever happens financially or decisions
 14 between the chief, the town, that could affect the
 15 amount of officers we have, so it could all kind of
 16 be relative.
 17 MR. WISER: Okay.
 18 CAPTAIN SANTUCCI: It would depend on
 19 decisions made after that.
 20 MR. WISER: That is all I have.
 21 Thank you. I apologize for being rather lengthy.
 22 CAPTAIN SANTUCCI: Not a problem.
 23 MR. WISER: That is all I have.
 24 MR. MICHELINI: I have some
 25 follow-up. I think we have somebody else on the

1 Board.
 2 MR. WINWARD: Go ahead, Nick.
 3 MR. MACKRES: Thank you,
 4 Mr. Chairman. This question, just to speed it up,
 5 is really for four people. Mr. McGuckin, Mr. Wisser,
 6 Mr. Michelini and potentially Captain Santucci.
 7 Mr. McGuckin, Mr. Wisser, is the
 8 Seaside Park Police Department Chief going to
 9 testify?
 10 MR. MCGUCKIN: That's not up to us to
 11 decide.
 12 MR. MACKRES: Okay. So, I take that
 13 as a no?
 14 MR. WISER: I don't know the answer
 15 to that.
 16 MR. MACKRES: Mr. Michelini?
 17 MR. MICHELINI: I have no plans to
 18 call him at this moment, but that could change. But
 19 at this moment, I have no plans to call him.
 20 MR. MACKRES: Captain Santucci, this
 21 falls onto you.
 22 So, we talk about services being
 23 offered and provided, and stations and substations,
 24 and times and distances, and many things that we
 25 talked about. I come from a business background,

1 you know, statistics and finance. But it's not my
 2 area, this is more of your area. You stated
 3 roughly, on or about, Berkeley's Police Department
 4 is five times bigger. And I assessed that with, not
 5 by budget, because I don't have those numbers, by
 6 that, we have around 66 officers and they have 13
 7 officers. And so, with economies of scale, would it
 8 be fair to say that more services are provided to
 9 South Seaside Park residents through Berkeley's
 10 police department, than Seaside Park's police
 11 department?
 12 CAPTAIN SANTUCCI: Yes.
 13 MR. MACKRES: And if there was
 14 de-annexation, would their services go down even
 15 though it's a closer police department?
 16 CAPTAIN SANTUCCI: I believe so.
 17 But, like I said, some of the issues I wasn't aware
 18 of what their capabilities were. Some of the
 19 questions that I answered, I wasn't sure. But, just
 20 like if NYPD would have more resources than we would
 21 have. You know, a larger group, you're going to
 22 have more training, more experience.
 23 MR. MACKRES: So, economies of scale
 24 do matter in --
 25 CAPTAIN SANTUCCI: In my opinion,

1 yes.
 2 MR. MACKRES: So, economies of scale
 3 matter in police as it does in business or equates?
 4 CAPTAIN SANTUCCI: I believe so.
 5 MR. MACKRES: Thank you. That's it.
 6 MR. MICHELINI: I have some
 7 follow-up.
 8 BY MR. MICHELINI:
 9 Q Captain Santucci, following up on
 10 Mr. Mackres' question. If Holiday City wanted to
 11 become part of Toms River, Toms River is a bigger
 12 department than Berkeley, correct?
 13 A They are.
 14 Q Much bigger, in fact, aren't they?
 15 A They are.
 16 Q And they probably have more resources
 17 and more ability to police, I would imagine, than
 18 Berkeley, because of the economies of scale that you
 19 just answered that question with regard to, correct?
 20 A Well, like I said, I don't know what
 21 their training and experience is. So, like I
 22 couldn't comment on Seaside Park, I couldn't comment
 23 on Toms River.
 24 Q So, are you --
 25 A We can speculate that.

1 Q So, are you speculating when you say
2 that Berkeley, given economy of scale, would be in a
3 better position or have better resources for the
4 people of South Seaside Park if de-annexation
5 occurs? Is that speculation?
6 A It's possible. But, like, I don't
7 know what their exact training and resources are.
8 So, I don't know.
9 Q So, you really don't know, correct?
10 A I don't know, no.
11 Q Okay. And with regard to the -- with
12 regard to the beach, your job is over here. How
13 long have you been working basically over here, 16
14 plus miles from South Seaside Park?
15 A In an administrative capacity, you
16 mean?
17 Q Yes.
18 A I made captain roughly two years ago.
19 And as a lieutenant, it was a little bit of both.
20 Little bit of administrative and on the road. But I
21 would say in the last two years, more of
22 administrative role.
23 Q When's the last time you were on the
24 road in Seaside Park, if ever -- South Seaside Park?
25 I'm sorry.

1 A A month ago, maybe.
2 Q No, I mean, were you assigned on the
3 road?
4 A No. No.
5 Q Has that ever happened?
6 A Have I ever been assigned there?
7 Yes.
8 Q How long ago was that?
9 A Normally, you're assigned there as a
10 patrolman. So, I would say at least, I don't know,
11 2008.
12 Q Okay. So, it's been quite a few
13 years?
14 A Yeah.
15 Q Okay. And are you -- you talked
16 about the quad that's kept over there. And you said
17 maybe it's kept at Midway Beach. Are you aware that
18 Midway Beach is a private beach?
19 A Yeah, I have no idea where --
20 Q So, you really don't know where it's
21 kept?
22 A No, I don't know. Like I said, I'm
23 not sure.
24 Q And that's only in the summer, right?
25 (Off the record.)

1 A Yeah. The lifeguards, I have nothing
2 to do with them. I couldn't even tell you how many
3 there are, where they -- I don't know anything about
4 it.
5 Q And that's only in the summer anyway
6 that that quad's kept there?
7 A I don't know.
8 Q You don't know?
9 A I don't know. We used to have
10 vehicles before we got the four-wheel drives that we
11 drive now that we keep on the beach in case there
12 was a reason, when I first started there, that we
13 could have four-wheel drive capability. So, I don't
14 know if you could that do with the quad, but I'm not
15 good with that.
16 Q Did you hear the chief's testimony
17 that that quad is kept there only in the summertime?
18 Do you recall that testimony or not?
19 A I do not recall that.
20 Q You better pay attention to the
21 chief.
22 Firearms, Berkeley has a firearms range.
23 Isn't it a fact that all police officers have to be
24 trained in firearms every year, correct?
25 A Yes, that's what I said.

1 Q Right. They have to qualify every
2 year. So, whether you're in a small department like
3 Seaside Park or a large department like Berkeley or
4 an even larger department like Toms River, they all
5 have the same qualifications, correct?
6 A They all have the same minimum
7 qualifications. A lot of the places that have their
8 own range could do more specialized training, you
9 don't have to fight for time on that range. But
10 kind of depends on the agency and what capacity they
11 want to train their officers in.
12 Q Do you have personal knowledge that
13 the officers in Seaside Park are less trained in
14 firearms than those in Berkeley Township?
15 A No.
16 Q So, to say that would be speculation
17 that they are, correct?
18 A The training that they receive, yeah,
19 I don't know. I don't know what they receive there.
20 They would have the capability if they had -- if
21 they had a range accessible to them but I don't know
22 if they do.
23 Q Well, maybe they use other ranges,
24 correct?
25 A True.

1 Q I mean, police departments share
 2 sometimes --
 3 A Sure.
 4 Q -- correct?
 5 A Correct.
 6 Q And EMS, isn't it a fact that
 7 Seaside -- South Seaside -- I'm sorry. That Seaside
 8 Park does have paid EMS? You're not aware of that?
 9 A They use our paid EMS. They don't --
 10 I don't believe they have their separate paid EMS.
 11 I believe it's through Berkeley.
 12 Q Are you sure of that?
 13 A I'm not sure, but I --
 14 (Off the record.)
 15 A Excuse me?
 16 Q No, no.
 17 A Tri-Boro is not paid EMS. Correct?
 18 (Off the record.)
 19 A I have no idea. I don't deal with
 20 EMS either.
 21 Q All right. And in terms of economies
 22 of scale, let's talk about that for a minute. You
 23 think Seaside Park has about 13 full-time police
 24 officers, correct?
 25 A Yes.

1 Q You think it could be more than that?
 2 A It could be. I don't know.
 3 Q But it's at least 13, as far as you
 4 know?
 5 A Around that number, yes.
 6 Q And how many people are in
 7 Seaside Park?
 8 A I don't know.
 9 Q Couple thousand?
 10 A I guess it would depend maybe on the
 11 season. Maybe there would be a higher amount during
 12 summer months.
 13 Q Sure, because it's a summer area.
 14 A Sure.
 15 Q But in the summer, they hire
 16 additional officers, right?
 17 A Yes.
 18 Q How many do they hire? Do you have
 19 any idea?
 20 A I don't.
 21 Q When did you work there?
 22 A 1999.
 23 Q How many did they hire then in the
 24 summer?
 25 A I would say that was maybe, I don't

1 know, ten class one officers.
 2 Q Any class twos?
 3 A Yes. I don't know how many.
 4 Q Is it fair to say that they hired
 5 what they needed in order to deal with the summer
 6 crowds?
 7 A Yes.
 8 Q You were one of them, correct?
 9 A Yes.
 10 Q Okay. But in terms of population,
 11 what is the population of Berkeley Township? Do you
 12 know?
 13 A I believe it's around 40, 50,000. I
 14 don't know.
 15 Q So, if it's 40 or 50,000, it's -- and
 16 there's 66 officers, right?
 17 A That's what they said. I never
 18 really said how many officers. Unless we did. I
 19 don't recall.
 20 Q You don't know?
 21 A I know how many there are but I don't
 22 know if we testified to that or I don't know if the
 23 chief wanted that information --
 24 Q The chief testified to that.
 25 A Did she? I don't remember.

1 Q You got to pay attention.
 2 A You're really killing me here.
 3 Q She's standing in the back.
 4 So, if there's between 40 and 50,000 and you
 5 have 66 officers, not going to ask you to do the
 6 ratio but you have a little bit more than one
 7 officer per thousand people, correct?
 8 A Yes.
 9 Q All right. And if, let's assume that
 10 there's 2000 people in Berkeley -- I mean, in
 11 Seaside Park. So, you would have 13, maybe more,
 12 full-time officers for 2000 people. That would be a
 13 lot more officers per person, would it not?
 14 A Yes. It would also depend on what
 15 capacity all the officers were used in. You mean,
 16 just for patrol or you mean just in general?
 17 Q Well, let's start in general.
 18 A I don't know how they do their
 19 staffing. Each agency might be different. They
 20 might -- if they have -- depends on your -- the
 21 minimums that you have for your agencies. If you
 22 have 13 officers and you -- they might have a
 23 minimum of one person on the road, they might have a
 24 minimum of two people on the road, three people. I
 25 don't know.

1 Q But you don't know?
 2 A I don't know.
 3 Q And if de-annexation occurs, they put
 4 more officers on the road to cover that area of
 5 South Seaside Park. But you don't know?
 6 A I don't know.
 7 Q So, you're really not in a position
 8 to say that if de-annexation occurs, the residents
 9 of South Seaside Park would be better off or worse
 10 off; isn't that correct?
 11 A Yeah, I don't know.
 12 Q Okay. You talked a little bit about
 13 you having a dedicated -- what is it -- a dedicated
 14 interview room or some kind of a room?
 15 A Yes, as far as our detective bureau.
 16 Yes.
 17 Q But that ability to interview and to
 18 record both video and audio, that would exist in any
 19 police department, would it not?
 20 A If they had that equipment. They're
 21 supposed to have that equipment.
 22 Q They're supposed to have it, right?
 23 A Yes. They might not have a
 24 designated room for it. They might use a room for
 25 multiple purposes. Sure.

1 Q But they could do it?
 2 A Sure.
 3 MR. MICHELINI: I have no further
 4 questions. Thank you, Captain.
 5 (Witness excused.)
 6 MR. WINWARD: Lieutenant Roth, I
 7 think, is next.
 8 (Recess was taken.)
 9 MR. WINWARD: Can we all take our
 10 seats and reconvene this, please. Back on the
 11 record. 7:40. 7:39, to be exact. Okay. Let's
 12 commence with the testimony.
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1 LIEUTENANT RYAN ROTH, Recalled.
 2 EXAMINATION BY MR. MICHELINI:
 3 Q Okay. The next cross-examination
 4 will be of Lieutenant Roth. He's already been
 5 sworn, so he need not be sworn again.
 6 Lieutenant Roth, you're here as a paid police
 7 officer, correct?
 8 A Correct.
 9 Q You're not volunteering?
 10 A Not volunteering.
 11 Q You wouldn't put yourself through
 12 that, would you?
 13 A No, probably not.
 14 Q And, as I understand it, you're in
 15 charge of the day shift and traffic safety; is that
 16 correct?
 17 A Yes.
 18 Q And when you testified previously,
 19 you indicated that you were providing, quote,
 20 directions and clarifications of testimony that I
 21 was provided. Do you recall that?
 22 A Yes.
 23 Q And what testimony were you provided?
 24 A I was provided the testimony from the
 25 chief about prior statements that were given by

1 Seaside Park residents.
 2 Q Without marking or actually going
 3 through the transcripts, were you provided with the
 4 annotated transcripts, the same transcripts that
 5 Captain Santucci was supplied with?
 6 A Yes.
 7 Q So, you didn't read all the
 8 transcripts? I think that would fill -- transcripts
 9 for the various hearings would probably fill my
 10 document case or more. You didn't read all the
 11 transcripts? You just read small sections of
 12 transcripts that were supplied to you, correct?
 13 A That's correct.
 14 Q And the chief supplied those to you?
 15 A Yes.
 16 Q And what did she ask you to do?
 17 A She asked me to address certain
 18 portions on traffic.
 19 Q Did she ask you to do anything else?
 20 A No, she gave me specific sections to
 21 address. And that's what I did.
 22 Q Did you understand that you were to
 23 provide testimony either in favor or against
 24 de-annexation?
 25 A No. It was to clarify anything that

1 was said against the police department that wasn't
 2 true or that maybe was unclear.
 3 Q Okay. And did you talk to anybody
 4 besides the chief about that before you did that?
 5 A No.
 6 Q Were you at the meeting that the
 7 chief and Captain Santucci testified to that
 8 occurred a couple days prior to the first time the
 9 chief testified? I think that her first testimony,
 10 I want to say, was in September; is that correct --
 11 A That sounds right, yes.
 12 Q -- to the best of your recollection?
 13 Were you at the meeting that occurred a
 14 couple days prior thereto?
 15 A Yes.
 16 Q And that meeting was in this building
 17 here, correct?
 18 A In this building, in a different
 19 room.
 20 Q And that was a meeting with the
 21 officers and with Mr. McGuckin? We've heard about
 22 that, correct?
 23 A Yes.
 24 Q Was anybody else there that you
 25 recall?

1 A No, not really.
 2 Q Were any of the board professionals
 3 there?
 4 A No.
 5 Q Did you understand, as
 6 Captain Santucci testified a few minutes ago, that
 7 the board was independent and couldn't provide
 8 assistance to the township --
 9 A Yes.
 10 Q -- police department?
 11 A That was made clear, yes.
 12 Q And so, you were not to --
 13 Mr. McGuckin was not going to be your attorney,
 14 correct?
 15 A Correct.
 16 Q And I take it that since that
 17 meeting, you haven't had anything other than casual
 18 interaction with the board or any of its
 19 professionals; is that correct?
 20 A That's correct.
 21 Q And you haven't discussed with any of
 22 the board professionals or corresponded with any of
 23 the board professionals regarding the issue of
 24 de-annexation; is that correct?
 25 A That is correct.

1 Q Because if you were to do that, it
 2 might look like you're trying to help the board
 3 professionals do their job when they're supposed to
 4 be independent of you, correct?
 5 A Sure.
 6 (The E-mail dated December 6, 2016
 7 from Stuart Wiser to Ryan Roth and John Camera was
 8 marked as A-69 for identification.)
 9 Q I'm going to show you what's been
 10 marked A-69. And I'll ask you if I'm correctly
 11 indicating that this is an e-mail, at least at the
 12 top, from Stuart Wiser to Ryan Roth and John Camera.
 13 Do you see that?
 14 A Yes.
 15 Q What's the date of that?
 16 A December 6.
 17 Q 2016?
 18 A Yes.
 19 Q Okay. And that's addressed to you,
 20 correct?
 21 A Yes.
 22 Q Did you get that e-mail?
 23 A Yes, I did.
 24 Q Okay. So, when I asked you a minute
 25 ago whether or not -- did you respond to it? Let me

1 ask that.
 2 A Yes, I did.
 3 Q And below that, the top of this
 4 e-mail, there is a response on the same date,
 5 December 6, 2016, to John and Stuart, correct?
 6 A Yes.
 7 Q Who are John and Stuart?
 8 A John Camera and Stuart Wiser.
 9 Q Stuart Wiser is one of the board
 10 professionals, correct?
 11 A Yes.
 12 Q And John Camera is the administrator
 13 for the municipality, correct?
 14 A Correct.
 15 Q So, there's an e-mail to you from one
 16 of the board professionals, and then response the
 17 same day, correct?
 18 A Yes.
 19 Q And then continuing on, there's
 20 e-mail from Chief DiMichele to you and to
 21 Kevin Santucci, correct?
 22 A Correct.
 23 Q From the chief to you asking you if
 24 you could respond. Now, tell me, on A-69, are these
 25 e-mails accurate?

1 A Yes.
 2 Q So, there were communications between
 3 you and at least one of the board professionals
 4 regarding de-annexation; isn't that correct?
 5 A You asked me if there was --
 6 Q Isn't there? I'm asking you the
 7 question. There were communications between you and
 8 at least one of the board professionals since you
 9 testified last time; isn't that correct?
 10 A Yes, but your prior question was
 11 whether or not the council asked me a question.
 12 Q No, it was whether or not you had any
 13 communications with the board professionals. We can
 14 have the court reporter read it back, or we can just
 15 let the record speak for itself when it gets printed
 16 out, okay?
 17 A Okay.
 18 Q Are you telling me you didn't hear my
 19 question before? You didn't understand it?
 20 A No, I'm just clarifying.
 21 Q Clarifying what?
 22 A Your prior question.
 23 Q So, you think I didn't ask whether or
 24 not there were prior communications between you and
 25 the board professionals?

1 A I thought you asked whether or not it
 2 was the council.
 3 MR. MICHELINI: You can find that
 4 question and read it back. Can you read that
 5 question back?
 6 (Question and answer read back.)
 7 Q Okay. So that, now, do you
 8 understand the question?
 9 A Yes.
 10 Q And the answer to that question is?
 11 A Obviously, yes, I did.
 12 Q Okay. So, when you gave the answer
 13 prior, that was an inaccurate response to my
 14 question?
 15 A Yes.
 16 Q Your answer to that is, you didn't
 17 understand my question, you thought I was asking
 18 about the council?
 19 A I did.
 20 Q Okay. What was this e-mail about?
 21 A That e-mail was asking for a page
 22 that was missing from the CAD. And asking if CAD
 23 times, when they're identical dispatch and arrival
 24 times, if that means that it was officer initiated.
 25 Q And are you -- you're not a witness

1 for the board, you understand that, correct?
 2 A Absolutely, yes.
 3 Q When you responded to that, did you
 4 get the information and respond to Mr. Wiser?
 5 A Yes.
 6 Q Okay. And, apparently, you're on a
 7 first name basis with him, because you called him
 8 Stuart, correct?
 9 A Yes, because his prior e-mail said
 10 Stuart Wiser.
 11 Q Okay. You didn't say Mr. Wiser? You
 12 called him Stuart --
 13 A Correct.
 14 Q -- as if you know him, correct?
 15 A Correct.
 16 Q And did you copy anybody on that
 17 e-mail?
 18 A I cc'd -- I'm not sure.
 19 Q You didn't copy me on the e-mail,
 20 correct?
 21 A No, I didn't.
 22 Q I'll represent that I obtained this
 23 in an open public records request. Were you aware
 24 that I made an open public records request for
 25 information of this nature?

1 A No.
 2 Q Have you had any other communications
 3 besides your communication with Stuart Wiser
 4 relating to the information sought in that e-mail?
 5 A No, just the continuation of that
 6 e-mail. I think there's more to it.
 7 Q So, there's more to that e-mail?
 8 There's more correspondence?
 9 A I think the chain continued, because
 10 I send the attached second page of the CAD.
 11 Q And have you had any correspondence
 12 or communication of any nature with any other board
 13 professionals related to de-annexation?
 14 A Not relating to de-annexation, no.
 15 Q You're in charge of traffic safety.
 16 And I believe it was Captain Santucci said that you
 17 would know about the cost of a police car. Do you
 18 recall him saying that?
 19 A Yes.
 20 Q So, can you tell us what it costs for
 21 a police car --
 22 A Yes.
 23 Q -- in Berkeley Township?
 24 A Costs \$41,900 for a brand-new, fully
 25 equipped.

1 Q 41,900?
 2 A That's correct.
 3 Q And that's fully equipped?
 4 A Yes.
 5 Q Is there -- when's the last time one
 6 was purchased for that cost?
 7 A This year.
 8 Q Now, is that a four-wheel drive
 9 vehicle?
 10 A That's an all-wheel drive
 11 Ford Interceptor.
 12 Q Now, the Chief talked about going
 13 over to four-wheel drive vehicles.
 14 A Yes.
 15 Q Is that what she's talking about or
 16 is it something else?
 17 A A combination of four-wheel drive and
 18 all-wheel drive.
 19 Q So, is that the vehicle she's talking
 20 about or is she talking about something else when
 21 you're transferring over? She said that you were
 22 eventually transferring over to all four-wheel drive
 23 vehicles.
 24 A Again, she's talking about a
 25 combination of typical four-wheel drive and these

1 all-wheel drive vehicles.
 2 Q So, this is not a four-wheel drive,
 3 this is an all-wheel drive?
 4 A It's an all-wheel drive Ford, that's
 5 correct.
 6 Q Is that something you can take on the
 7 sand or no?
 8 A Yes.
 9 Q You're sure?
 10 A Yes.
 11 Q Okay.
 12 A I test drove it myself.
 13 Q Okay. You test drive it on the sand
 14 over in South Seaside Park?
 15 A Yes.
 16 Q And where is that vehicle kept?
 17 A There is -- we ordered several of
 18 them. We have -- always have one on the beach, with
 19 the exception of maybe one shift. But when they're
 20 not in use, they're at headquarters.
 21 Q So, none of them are parked over
 22 there? They're only kept over there at the beach
 23 when they're in use, correct?
 24 A Correct.
 25 Q All right. And you said, except for

1 one shift. What shift doesn't have one?
 2 A Just occasionally, they'll be -- one
 3 of our beach officers may not have an Interceptor.
 4 Q Why is that?
 5 A Just whoever I assign the vehicle to.
 6 Q And that person, would they have a
 7 four-wheel drive vehicle if they didn't have an
 8 Interceptor or no?
 9 A If they did, I'm not sure if they
 10 were reassigned a four-wheel drive or all-wheel
 11 drive for this year.
 12 Q So, you don't know?
 13 A Not a hundred percent sure, no.
 14 Q So, that \$41,000 vehicle, is any
 15 additional equipment added to that vehicle?
 16 A Just a weapon if the officer was
 17 assigned a shotgun or a rifle.
 18 Q Anything else?
 19 A No, that's fully equipped.
 20 Q That comes with oxygen?
 21 A No, that's not considered vehicle
 22 equipment.
 23 Q Well, do the officers carry oxygen?
 24 A It's in the vehicle, yes.
 25 Q Yeah. So, that's a piece of

1 equipment that's carried in the vehicle that costs
 2 money, right?
 3 A Yes.
 4 Q How much does that cost?
 5 A I don't know.
 6 Q What other pieces of equipment are in
 7 the vehicle that are carried in the vehicle?
 8 A Oh, a wool blanket, a disposable
 9 blanket, a shovel, first aid kit, rope. Could be
 10 other equipment, depending on the officer. Traffic
 11 safety officer would have specialized equipment,
 12 measuring devices.
 13 Q So, you're in charge of traffic
 14 safety?
 15 A Yes.
 16 Q So, what kind of specialized devices
 17 would exist in those vehicles?
 18 A Be a series of measuring tapes. Roll
 19 of tape when you walk, reel tape. And then just
 20 some additional paperwork.
 21 Q What about the electronics?
 22 A No, the electronics would be the
 23 same.
 24 Q Are they included in the \$41,000
 25 price?

1 A Yes.
 2 Q Okay. What about the plate reader,
 3 is that included in the \$41,000 --
 4 A No.
 5 Q -- price?
 6 A No, that's a specialized vehicle.
 7 Q So, how much does it cost for that
 8 vehicle?
 9 A I'm not sure. I forget what we paid
 10 for that. We bought all four -- I mean, all three a
 11 few years ago.
 12 Q More than 41,000?
 13 A Yes.
 14 Q Substantially more or you don't know?
 15 A I don't remember what that additional
 16 equipment cost. I wouldn't know.
 17 Q Are any of those plate readers used
 18 in South Seaside Park?
 19 A Yes.
 20 Q How often?
 21 A Not every day but almost.
 22 Q Okay. So, that's a more expensive
 23 vehicle that's used over there, correct?
 24 A Yes.
 25 Q If de-annexation occurred, you would

1 use it somewhere else in the township, correct?
 2 A Correct. But that ALPR car is used
 3 in place of an ordinary patrol vehicle.
 4 Q What is the cost? Do you have any
 5 idea what the cost is of all the other equipment
 6 that you described that's in the vehicle that's not
 7 included in the \$41,000 price?
 8 A I know the shovels cost \$17, because
 9 I just purchased some. The measuring tapes cost 30
 10 and \$50. And the other equipment, I don't know,
 11 didn't order it.
 12 Q So, you don't know what the oxygen
 13 costs?
 14 A No.
 15 Q Do they carry defibrillators with
 16 them?
 17 A Yes.
 18 Q Is that part of the 41,000?
 19 A No.
 20 Q And that costs something? They're
 21 expensive, right?
 22 A Yes. They're -- I don't want to
 23 guess.
 24 Q I don't want you to guess. So, you
 25 don't know?

1 A I don't know.
 2 Q So, to actually equip a \$41,000
 3 vehicle costs more than 41, because you got all this
 4 additional equipment that has to go into it,
 5 correct?
 6 A For a brand-new one, yes.
 7 Q And if you're using the plate
 8 readers, that's even a much more expensive vehicle,
 9 correct?
 10 A That's more expensive, yes.
 11 Q And that's used over there
 12 frequently --
 13 A Yes.
 14 Q -- according to you?
 15 A We try to.
 16 Q Now, you testified a little bit about
 17 the ordinance for parking. Do you recall that
 18 testimony?
 19 A Yes.
 20 Q You talked about how there are
 21 special parking permits available to park over in
 22 South Seaside Park?
 23 A Between Central Avenue, Route 35 and
 24 the ocean, yes.
 25 Q How many blocks? Which blocks?

1 A That's 24th, 23rd, 22nd, and 21st.
 2 Q So, four blocks out of how many are
 3 over there? Ten?
 4 A Ten.
 5 Q So, four blocks get special
 6 treatment, right?
 7 A Yes.
 8 Q And you can apply for a special
 9 permit to park over there, but you got to come all
 10 the way over here to do it, correct?
 11 A No, we do it by mail.
 12 Q You do it by mail?
 13 A Yes.
 14 Q So, because your testimony was that
 15 it's inconvenient but it's, quote, a minor
 16 inconvenience to have to come here and get that?
 17 A Yes.
 18 Q So, has the policy changed between
 19 the time that you testified last time and today?
 20 A No, it's still a minor inconvenience.
 21 And last year, 50 percent were done by mail. So --
 22 Q Okay.
 23 A -- it's been our policy we do them by
 24 mail.
 25 Q Okay. So, why did you testify before

1 that you had to come over here to get them?
 2 A I didn't. I just said it was a minor
 3 inconvenience.
 4 Q I believe you testified that they had
 5 to come here. We can check it out.
 6 I'm reading from page 60 of a transcript that
 7 contains your testimony of September 1, 2016. And
 8 it says -- I got to take my glasses off -- so, to
 9 clarify on that, that ordinance is not a problem.
 10 That ordinance is a benefit to residents. It's a
 11 benefit because it reserves the parking closest to
 12 the beach to be used by people with the required
 13 parking pass. I understand it's an inconvenience to
 14 come to my office to get one of those parking
 15 passes. But that minor inconvenience gives you a
 16 full summer of preferred parking, essentially.
 17 You said nothing about mailing in that
 18 testimony, correct?
 19 A That's correct.
 20 Q You didn't say it later on either,
 21 correct?
 22 A Later on in that testimony, no.
 23 Q Okay. So, you're just telling us now
 24 that you can do it by mail, correct?
 25 A Yes.

1 Q And is it true that anybody can get
 2 that parking pass?
 3 A That was true at the time of the
 4 testimony, yes. That ordinance has since been
 5 changed. You have to be a resident of Berkeley
 6 Township.
 7 Q But at the time of the testimony,
 8 anybody could have bought that pass?
 9 A That's correct.
 10 Q Why has it been changed?
 11 A That was a project Sergeant Dohn did.
 12 Q Do you know if that had anything to
 13 do with this matter?
 14 A I don't believe it did.
 15 Q And you say it's a benefit to the
 16 residents. But you don't live over there, do you?
 17 A No.
 18 Q Okay. So, when Mr. Whiteman, he made
 19 a point of saying that if he gets that permit and he
 20 uses the pass and parks between 20th and 24th, that
 21 it creates tension with the people who live on 20th
 22 to 24th. Did you hear that testimony?
 23 A No, I didn't read that. I didn't
 24 hear it.
 25 Q All right. Do you believe that

1 testimony? If he said that, do you believe that,
 2 that it creates tension for him to park there with
 3 the pass?
 4 A I don't know why it would create
 5 tension. Anybody can park there who has a pass.
 6 The residents living on those streets know that.
 7 Q Yeah. You don't think in the
 8 summertime when parking is at a premium that if
 9 somebody that doesn't live on that street uses the
 10 pass and parks on that street where it's permitted,
 11 that it doesn't create tension? You don't know why
 12 that would create tension? Is that what you're
 13 telling us?
 14 A That's what I'm saying, yes.
 15 Q But you don't dispute Mr. Whiteman's
 16 testimony, do you?
 17 A No, I don't.
 18 Q So, if he says it creates tension,
 19 you would believe it, correct?
 20 A I believe that's his opinion, yes.
 21 Q Well, you would believe that he
 22 experienced it, too, correct?
 23 A I have no reason to not believe him.
 24 Q Okay. That's better. Thank you.
 25 And Mr. Whiteman also said that the,

1 actually, since the ordinance has been in place,
 2 that the parking has been worse where he lives over
 3 on the bay side. Did you hear that testimony?
 4 A No, I did not.
 5 Q But you wouldn't dispute that,
 6 correct?
 7 A I would dispute that.
 8 Q Well, you don't live there, do you?
 9 A No, but the same number of people are
 10 going to come to the beach. It doesn't affect the
 11 number of people traveling to the beach.
 12 Q You don't live there, so you have no
 13 personal knowledge of the parking over there.
 14 A I'm traffic safety supervisor. I've
 15 been working in this capacity for years. And I was
 16 patrolman for eight years --
 17 Q All right. When's the last --
 18 A -- so I did work over there.
 19 Q When's the last time you were a
 20 patrolman over there?
 21 A I was a patrolman over there in 2008
 22 out of there.
 23 Q So, that was eight years ago,
 24 correct?
 25 A Yes.

1 Q All right. When was the ordinance
2 passed?
3 A I don't know. The new one or the
4 ordinance that we're --
5 Q The ordinance that you testified to.
6 A I don't know when that was passed.
7 Q Was it after you were a patrolman?
8 A No.
9 Q It was before?
10 A Yeah.
11 Q You think it was before?
12 A Yes.
13 Q Okay. But have you ever lived over
14 there?
15 A No.
16 Q And as far as -- you're not -- did
17 you do a traffic study as part of your testimony?
18 Did you do any kind of a traffic study?
19 A I've done traffic studies --
20 Q Did you do --
21 A -- for parking.
22 Q Relative to --
23 (Off the record.)
24 A Are you asking if it's specific to
25 the parking issue?

1 Q Relative to this parking issue,
2 correct. Did you do any kind of a traffic study?
3 A No.
4 Q And so, the idea that the parking is
5 not worse, and you dispute that, is really
6 supposition on your part? You haven't done a study,
7 correct?
8 A No, I haven't done a study. But the
9 number of cars wanting to park in South Seaside Park
10 doesn't change, whether or not the ordinance exists.
11 Q How many want to park in South
12 Seaside Park?
13 A I don't know.
14 Q You don't know.
15 A That number X doesn't change whether
16 or not that ordinance exists.
17 Q How do you know that?
18 A What would change the number?
19 Q The number of people coming to the
20 shore could change the number. From one season to
21 the next, it could be different, couldn't it?
22 A Because of the ordinance?
23 Q No. I'm saying, from year to year,
24 the number of people coming to park could be
25 different, correct?

1 A Yes, but that number wouldn't be
2 affected by the ordinance. So, the number of people
3 and the number of parking spaces doesn't change.
4 Q Well, Mr. Whiteman says that since
5 the ordinance was in place, that it's been worse for
6 parking in front of his house in his area. And you
7 dispute that but you have no proof of that, correct?
8 A I dispute that that has to do with
9 the ordinance.
10 Q Okay. So, you don't dispute the
11 fact? You just dispute that it has to do with the
12 ordinance?
13 A Yeah, there could be an increase in
14 parking in his neighborhood unrelated to the
15 ordinance.
16 Q Right. Certainly, there's nothing in
17 the ordinance that would appear to alleviate the
18 parking in his area, correct? If it's gotten worse,
19 hasn't been alleviated by the ordinance; isn't that
20 correct?
21 A That's correct.
22 Q Thank you.
23 Now, you talked about a study that Seaside
24 Park did. And you said that you assumed that
25 Mr. Whiteman was referring to the Seaside Park study

1 on backups. Do you recall that testimony?
2 A I do.
3 Q You don't know if he was referring to
4 that study, do you? You just assume it, correct?
5 A I assumed it based on the testimony
6 that I was given, yes.
7 Q But it was an assumption?
8 A Yes.
9 Q You never talked to Mr. Whiteman
10 about that --
11 A No, I did not.
12 Q -- correct? That traffic study was a
13 Seaside Park study, correct?
14 A Correct. And it wasn't a traffic
15 study.
16 Q Okay. What was it? What was kind of
17 study was it?
18 A It was a report on the number of
19 calls that Seaside Park handled within Berkeley
20 Township.
21 Q Who prepared that?
22 A That was prepared by Seaside Park.
23 Q Who in Seaside Park prepared it, do
24 you know?
25 A I didn't verify it. But I was told

1 it was Sergeant Brady.
 2 Q That's marked T-19 or Township-19 in
 3 evidence?
 4 A Yes.
 5 Q And you put that in evidence,
 6 correct?
 7 A That's correct.
 8 Q All right. And this is actually --
 9 it's a call report for service by month from,
 10 basically, it looks like it's from January of two --
 11 I'm sorry -- July of 2013, through July of 2014? I
 12 believe that was your testimony, correct?
 13 A Correct.
 14 Q All right. And then there are EMS
 15 numbers as well. Did you testify about the EMS
 16 numbers?
 17 A No, I did not.
 18 Q Did they relate to the police?
 19 A No.
 20 Q Okay. Do you know why they're
 21 attached to this document?
 22 A No.
 23 Q You don't know why? Did you ever
 24 talk to Detective Brady about this?
 25 A No, I did not.

1 Q So, you did your own analysis of
 2 this, right?
 3 A Yep.
 4 Q Would you call that a report or a
 5 study? What do you call it?
 6 A I don't know. I guess I would call
 7 it a counter report.
 8 Q Okay. Did you reduce your counter
 9 report to writing?
 10 A I actually did. I brought one for
 11 you.
 12 Q You brought one. But you didn't have
 13 it last time?
 14 A No, I did not.
 15 Q Did you just create it between the
 16 time you testified last time and this time?
 17 A I was given two days to work on this.
 18 So, I didn't create a formal report.
 19 Q So, when did you create a formal
 20 report?
 21 A Between September 1st and now.
 22 Q When? When was it ready? When was
 23 it in the form that it's in?
 24 A Oh, when did I finalize it?
 25 Q Yes.

1 A Today.
 2 Q Today? You just finalized it today?
 3 A Yes.
 4 Q And so, it was your intention to
 5 testify about that report today, even though it's
 6 cross-examination?
 7 A No, not unless you needed it or --
 8 Q Well, I would love to see it.
 9 A Okay. Copy and then we'll put a copy
 10 on the record.
 11 MR. MCGUCKIN: Mr. Michelini, are you
 12 going to mark that?
 13 MR. MICHELINI: Sure, you can mark
 14 it. I just, I'm going to reserve the right to
 15 question him after I have an opportunity to look at
 16 it. We'll read it and study it.
 17 MR. MCGUCKIN: He didn't offer it.
 18 He didn't offer it. You asked him on
 19 cross-examination about it.
 20 MR. MICHELINI: Well, except he
 21 prepared it today. He brought it with him today.
 22 MR. MCGUCKIN: Yeah. In case you
 23 asked him about it.
 24 MR. MICHELINI: Then we -- I
 25 anticipate asking him about it. So, why don't we do

1 this. We won't mark it. I have it. I reserve the
 2 right to call him back, because I'm getting it today
 3 for the first time.
 4 MR. MCGUCKIN: That's fine.
 5 BY MR. MICHELINI:
 6 Q So, let's talk about your testimony,
 7 then, on that issue, okay?
 8 A Okay.
 9 Q On Township-19, which is the Seaside
 10 Park Police Department, what would you call this?
 11 Call report? Is that fair to say, it's a call
 12 report?
 13 A That sounds right.
 14 Q Okay. They have categories of
 15 backup. And by way of example, they have the
 16 service or the type of call delineated, according to
 17 a description, such as alarm, animal call, appliance
 18 fire, right?
 19 A Yes.
 20 Q And they have all these categories.
 21 And there's probably at least 30 categories or more
 22 of calls, correct?
 23 A Correct.
 24 Q And they concluded that there were
 25 291 backups where Seaside Park had to back up

1 Berkeley Township, right?
 2 A Yes.
 3 Q Do you know whether or not that
 4 created any tension between the two departments?
 5 A Yes.
 6 Q Okay. How do you know that?
 7 A Because we discussed that at the
 8 police department.
 9 Q Okay. Were you part of any meetings
 10 with Seaside Park over this issue?
 11 A No.
 12 Q When you say we discussed it at the
 13 police department, who discussed it?
 14 A I would say every officer was aware
 15 of it.
 16 Q And as a result of that, did the
 17 police department take any action as a result of
 18 Seaside Park saying, we're backing you up too much?
 19 That's essentially what they were saying, right?
 20 A Yes.
 21 Q Was any action taken by Berkeley in
 22 regard to that report?
 23 A I was a sergeant at the time. But I
 24 was told that there was some meetings between the
 25 chiefs. But I'm not aware of what happened.

1 Q When did this happen?
 2 A As soon as the report was published.
 3 Q When was that?
 4 A It says here July 9, 2014.
 5 Q So, you don't know if Berkeley took
 6 any action at all at that time?
 7 A No, I don't.
 8 Q So the, what you testified to --
 9 because you dispute the 291 --
 10 A Yes.
 11 Q -- correct?
 12 A Correct.
 13 Q You think it's more like, I think you
 14 said that it was either 70 or 36 in your testimony?
 15 A Yeah. I actually made a mistake in
 16 my testimony and that's --
 17 Q All right. Well, let me ask you
 18 about that. You recall the number you said? It was
 19 70 backups. And there were 36 backups depending
 20 upon whose numbers you were looking at?
 21 A That is what I said.
 22 Q Right? And you discounted the 291
 23 and said it's 70 or 36. What was the 70 number?
 24 A The 70 was Berkeley Township's CAD.
 25 How many times it showed that --

1 Q Berkeley was actually backing up?
 2 A That Seaside Park Police assisted
 3 Berkeley.
 4 Q On the Berkeley CAD? You were
 5 looking at the Berkeley CAD?
 6 A At the Berkeley, yeah.
 7 Q You were looking at the Berkeley CAD
 8 and the Berkeley CAD indicated to you that Seaside
 9 Park was backing you up 70 times?
 10 A That's correct.
 11 Q But then you came up with another
 12 number of 36, correct?
 13 A Correct.
 14 Q Which is different than the 291 and
 15 different than the 70?
 16 A Correct.
 17 Q And the 36 was what?
 18 A Those were deductions from the
 19 Seaside Park CAD after I removed what I saw as being
 20 wrong and out of the 291.
 21 Q Well, I thought that you said that
 22 you assumed that those were just the difference
 23 between 36 and 70, you assumed that that was
 24 officers just --
 25 A Oh, I misunderstood your last

1 question. You're asking the difference between the
 2 36 and the 70?
 3 Q Yeah, what's the -- you were
 4 answering what the 36 was, right?
 5 A Yeah, what the 36 was.
 6 Q Tell us what the 36 was.
 7 A I believe that's -- the 36 was the
 8 total number of calls in Seaside Park minus my
 9 deductions, based on errors that I found using their
 10 CAD.
 11 Q Okay. So -- but you explained the
 12 difference between the 36 and the 70. What was your
 13 explanation?
 14 A I said that sometimes an officer
 15 backs up another officer, and the Seaside Park
 16 officer or the Berkeley officer may not call it in.
 17 Q And you assumed that to be the case?
 18 A That's an assumption, yes.
 19 Q But you have absolutely no proof of
 20 that, correct?
 21 A Correct.
 22 Q So, that could be wrong, your
 23 assumption, correct?
 24 A Could be.
 25 Q Okay.

1 A That's based on working in that
2 capacity.
3 Q Okay.
4 A It's not an assumption based on
5 nothing.
6 Q You didn't do a study?
7 A No, not at all.
8 Q And there's no proof? There's no
9 actual proof?
10 A Correct.
11 Q All right. So, now we have a number
12 of 36, 70, 291. And you have a different number
13 here today, correct?
14 A Yes.
15 Q What's your number today?
16 A The number from our CAD stays the
17 same at 70. Our CAD stays the same at 70. And the
18 number from their CAD is 93.
19 Q So, now their CAD would indicate
20 that -- their report says 291. Their CAD says that
21 they backed you up --
22 A Ninety-three times.
23 Q -- ninety-three. Your analysis of
24 their CAD initially was 70?
25 A No, it was 36.

1 Q Thirty-six.
2 A Yeah.
3 Q So, which is correct, the 36 or the
4 93?
5 A The 93.
6 Q Okay. So, you were off by not quite
7 300 percent, 200 and something percent last time,
8 correct?
9 A Sure. If you break it down by
10 percentages, sure.
11 Q Yeah. Okay. So, you think the 93 is
12 right and the 36 is wrong?
13 A I know the 93 is right and the 36 is
14 wrong, yes.
15 Q And the 70, is the 70 right or the 70
16 wrong?
17 A Seventy is our CAD. That's what our
18 CAD shows.
19 Q So, which is right, seventy or 96?
20 A Seventy or 93?
21 Q Or 93? I'm sorry.
22 A I would have to make another
23 assumption. Because I don't have proof that either
24 one is correct.
25 Q So, you don't know, correct?

1 A Yeah, somewhere in that range.
2 Q So really -- by the way, when did you
3 first come to your conclusions that you testified to
4 last time about these numbers or the first time you
5 testified?
6 A When did I come to my conclusions?
7 Q As to the numbers? That it was 36
8 and 70? When did you do that?
9 A Right before I testified. I was
10 given two days to hook my entire testimony together
11 in terms of the numbers.
12 Q So, you didn't -- Berkeley didn't
13 analyze the report that's been marked Township-19
14 until this event?
15 A No, I didn't. You asked when I did.
16 I didn't analyze it.
17 Q Did anybody in the department analyze
18 it?
19 A Lieutenant Blair did. But he since
20 passed away, so I couldn't ask him.
21 Q Did he produce anything in writing?
22 A He produced notes.
23 Q What kind of numbers did he come up
24 with?
25 A He came up with 93.

1 Q He came up with 93?
2 A Yes.
3 Q Did he come up with any other
4 numbers?
5 A No.
6 Q Okay. So, and those 93 are not --
7 not motor vehicle stops?
8 A No, those are when they actually
9 assisted us, yeah. Those are -- they may have
10 assisted us on our motor vehicle stops, but that's
11 when they assisted us.
12 Q That's when they assisted you?
13 A Yes.
14 Q Okay. So, approximately 200.
15 Actually, 198 were motor vehicle related? Is that
16 what you -- what were the other 198?
17 A No, what you're referring to is just
18 South Seaside Park. What I'm referring to is the,
19 the two departments working together, including
20 Pelican Island.
21 Q So, when you're using the -- when you
22 were testifying as to these numbers of backup, you
23 were not testifying just to South Seaside Park? You
24 were testifying to Pelican Island numbers as well?
25 A That was the error that I made, yes.

1 Q So, that was the error that you made.
 2 So, when you testified before, your testimony was
 3 essentially wrong --
 4 A Yes.
 5 Q -- because you were testifying as to
 6 one part of the township or both parts of the
 7 township, when you should have been testifying as to
 8 one; is that what you're telling us?
 9 A Yeah, I used deductions for both but
 10 starting with the wrong number, by starting with
 11 South Seaside Park. And also, this report, South
 12 Seaside Park call report, starts with the wrong
 13 numbers once you add up their CAD. So, I started
 14 with the wrong number, essentially, and then I used
 15 deductions from both.
 16 Q Have you shared your findings with
 17 Seaside Park?
 18 A No.
 19 Q Why not?
 20 A It's not relevant to anything except
 21 this case.
 22 Q It's not a relevant issue today,
 23 backup?
 24 A No, I don't think there's an issue
 25 anymore. I think we worked everything out. I think

1 everything is okay.
 2 Q How did the issue get resolved?
 3 A It's not clear to me how it got
 4 resolved. It was before I became a lieutenant. But
 5 always seemed like everything is fine now.
 6 Q Have you ever spoken to
 7 Detective Brady of Seaside Park about the matter?
 8 A No.
 9 Q Was there ever a time when Berkeley
 10 specifically relied upon Seaside Heights for backup
 11 as opposed to Seaside Park?
 12 A Not to my knowledge.
 13 Q Let's talk about distance for a
 14 moment. You spoke about distance and you gave three
 15 examples in the mainland township. Do you recall
 16 that testimony?
 17 A Yes.
 18 Q Okay. And I believe what you were
 19 saying is, from one sector on the mainland to
 20 another sector on the mainland, such as from Holiday
 21 City down to like Berkeley Island, which is about as
 22 far away as you can get, right?
 23 A Yes.
 24 Q Pretty much. I mean, it might be a
 25 little bit different, but that's --

1 A Yes.
 2 Q -- about as far --
 3 A Pretty far.
 4 Q And that's about 16 miles, correct?
 5 A Correct.
 6 Q So, the building that we're in,
 7 though, is right in the center, more or less, or
 8 close to the center of that, that line between
 9 Berkeley Island and Holiday City, correct?
 10 A Right. We're a bit south. But, yes,
 11 I understand what you're saying.
 12 Q Yes.
 13 A From east to west, it's about center
 14 but not north to south.
 15 Q Okay. But to go from here to either
 16 of those far reaching ends of the township is only
 17 about eight miles? It might be a little bit less or
 18 a little bit more, correct?
 19 A That's a fair estimate, yes.
 20 Q And to, essentially, to go from
 21 headquarters to any section, any far reaching
 22 outlying area of the mainland, is going to be
 23 approximately eight miles at the most; isn't that
 24 correct?
 25 A Correct.

1 Q And some of it's actually shorter,
 2 right?
 3 A Yes.
 4 Q And if a police officer in Holiday
 5 City needs assistance, presumably, somebody from the
 6 adjoining sector would help that police officer,
 7 correct?
 8 A If they're available.
 9 Q If they're available.
 10 A Yes.
 11 Q So, they wouldn't -- and if they
 12 weren't available, it would be the next sector over
 13 that would help them, correct?
 14 A Correct.
 15 Q And if they weren't available,
 16 eventually you get all the way to the headquarters
 17 and somebody from headquarters would be deployed to
 18 help them, correct?
 19 A I think you've added more sectors
 20 than we have, but correct.
 21 Q Well, however many sectors there are.
 22 A I understand.
 23 Q You understand the logic?
 24 A Yes.
 25 Q And so, therefore, in the worst case

1 scenario, you have a police officer driving
 2 eight miles to backup?
 3 A No, worst case scenario would be 16.
 4 That's happened.
 5 Q You mean, there's nobody at
 6 headquarters?
 7 A Yes, sometimes there's nobody at
 8 headquarters. Yes.
 9 Q With 66 police officers, there's --
 10 sometimes there's nobody at headquarters?
 11 A That's correct.
 12 Q Okay. How often does it happen on
 13 the mainland that somebody has to drive 16 miles to
 14 back up another officer?
 15 A On the --
 16 Q On the mainland.
 17 A On the mainland.
 18 Q That one officer has to drive 16
 19 miles on the mainland to back up another officer on
 20 the mainland?
 21 A Not often, but it does happen.
 22 Q Not often?
 23 A It has happened, yes.
 24 Q Can you tell me how many times it's
 25 happened in the last six months?

1 A No, I couldn't.
 2 Q How about a year?
 3 A I couldn't tell you.
 4 Q How about five years?
 5 A Wouldn't be able to guess.
 6 Q Right. And if you're driving from
 7 this building, east or west, you're basically on
 8 rural roads with few lights, at least at the
 9 beginning, correct? You go out here on this --
 10 what's the name of this -- Pinewald Keswick Road,
 11 right? You're driving on that road, there aren't a
 12 whole lot of lights on it if you're going west?
 13 A If you're going west.
 14 Q Correct?
 15 A Correct.
 16 Q Okay. And it's not like driving
 17 through five towns, 16 miles, over a bridge, over a
 18 bay, through some other towns on the other side so
 19 you can get to an area such as South Seaside Park,
 20 correct?
 21 A I understand your point. But for a
 22 police officer, with lights and sirens, it's more
 23 similar.
 24 Q Okay. Except that it's 16 miles over
 25 there every time?

1 A Yes.
 2 Q And there are no adjoining sectors of
 3 Berkeley Township, are there?
 4 A Over there, no.
 5 Q In fact, if someone needs help over
 6 there, they needed to get it from Seaside Park or
 7 from Island Beach or Seaside Heights often, correct?
 8 A If we can't handle it with the
 9 officers that we have over there, yes.
 10 Q And that does happen?
 11 A Yes, it does.
 12 Q In fact, you have 93 backups in that
 13 one year, correct?
 14 A In that year, correct.
 15 Q How many backups did you have from
 16 Toms River this past year? Do you have any idea?
 17 A I don't know.
 18 Q There was discussion by the chief
 19 about fireworks. And she said that it took two
 20 years to ramp up the response to deal with
 21 fireworks. Do you recall that testimony?
 22 A I do.
 23 Q Do you know anything about response
 24 for fireworks?
 25 A Only what I testified to.

1 Q Do you know what the response was in
 2 2011 and how long it took to respond?
 3 A No.
 4 Q Or 2012?
 5 A No.
 6 Q '13?
 7 A Nope.
 8 Q '14?
 9 A Nope.
 10 Q Seaside Park, when their specials
 11 were being utilized, did they do an adequate job, in
 12 your opinion?
 13 A I don't know. I didn't deal with
 14 them.
 15 Q Now, crashes in 2015, one of the
 16 exhibits that you referred to referred to crashes in
 17 2015. Do you recall that?
 18 A I do.
 19 Q And I think you said there were only
 20 26?
 21 A That's correct.
 22 Q That's correct? All right. And, in
 23 fact, I went through them. And I believe one of
 24 them was a Berkeley police officer who backed into a
 25 parked vehicle.

1 A That is correct.
 2 Q We're not going to embarrass them.
 3 A That's all right.
 4 Q The name will remain unspoken.
 5 A It's public knowledge.
 6 Q All right. But I did go through them
 7 all, just to show you.
 8 A Obviously. I thought of that when I
 9 printed them out. But keep it honest.
 10 Q It wasn't you.
 11 A It wasn't me.
 12 Q The speed limit over there is only
 13 25 miles per hour, correct? Are there any roads
 14 where it's greater than that in South Seaside Park?
 15 A I think that's correct, 25, yeah.
 16 Q So, you wouldn't expect -- I mean, I
 17 realize there's a lot of people in the summer,
 18 correct?
 19 A Correct.
 20 Q But you wouldn't expect a whole lot
 21 of significant crashes at that speed limit? That
 22 would help keep down the damages that are associated
 23 with any crash; isn't that correct?
 24 A That's correct.
 25 Q And if de-annexation were to occur,

1 are you able to say whether there would be less
 2 crashes or more crashes if Seaside Park was taking
 3 care of things over there in terms of police
 4 protection?
 5 A No, I couldn't say that.
 6 Q And in terms of boat patrol, do you
 7 have an ocean boat over there?
 8 A Over there right now, no.
 9 Q In the summer, do you have a boat
 10 that goes in the ocean in South Seaside Park?
 11 A I'm not sure if our boat goes in the
 12 ocean over there.
 13 Q Are you in charge of that or not?
 14 A No.
 15 Q Traffic safety is only on the roads,
 16 not on the water?
 17 A Thank you.
 18 Q You called Seaside Park a seasonal
 19 department?
 20 A Yes.
 21 Q Do you recall that?
 22 A Yes, I do.
 23 Q They have full-time officers, as
 24 Captain Santucci testified to, at least 13, maybe 14
 25 or more? We don't know, correct?

1 A It's 13. I checked this morning.
 2 Q Oh. So, it is 13?
 3 A Yes.
 4 Q But they're not seasonal? They're
 5 there all year-round, aren't they?
 6 A Yes.
 7 Q So, that's not seasonal, that's
 8 100 percent of the time?
 9 A Yeah, they're seasonal in the sense
 10 that they have to bulk up their numbers --
 11 Q Right. But that's the same as --
 12 A -- with seasonal officers.
 13 Q That's the same as Berkeley saying --
 14 you wouldn't refer to Berkeley as a seasonal
 15 department, would you?
 16 A No.
 17 Q But you have to bulk up your officers
 18 also in the summertime for South Seaside Park; isn't
 19 that correct?
 20 A Yeah, I wouldn't put them in the same
 21 category, but that is technically correct.
 22 Q That's correct. How many specials do
 23 you put over there in the summer? I think
 24 Captain Santucci said eight to ten.
 25 A That's how many we have. That's not

1 how many we put.
 2 Q How many do you put over there in the
 3 summer?
 4 A That's protected information. I'm
 5 not sure.
 6 Q And you put over not only class ones
 7 but also class twos?
 8 A That's correct.
 9 Q And that's only seasonal --
 10 A Yes.
 11 Q -- right? But it doesn't make your
 12 department a seasonal department, does it?
 13 A No, but we don't respond the way
 14 seasonal police department responds. That's -- my
 15 point was that when something major happens,
 16 full-time officers are called in, not more seasonal
 17 officers.
 18 Q Well, you didn't say that in your
 19 testimony. You said Seaside Park is a seasonal
 20 department. That's what you said.
 21 A At the end of my testimony, I think I
 22 said exactly that. I think I said, or a good
 23 paraphrasing of that, that we respond with officers
 24 with years' experience, full-time officers with
 25 years' experience. They have to up their numbers

1 with seasonal officers with months of experience.
 2 Q How many years of experience did the
 3 13 officers have that are over in Seaside Park?
 4 A Yeah.
 5 Q How many years of experience do they
 6 have?
 7 A I don't know how many they have.
 8 Q So, you really can't say that? You
 9 really can't say -- if they -- if one of those
 10 officers with 13 years -- one of the 13 officers
 11 with experience responds to something in the
 12 summertime, they've responded with a seasoned,
 13 experienced officer, have they not?
 14 A Correct. When they need to up their
 15 numbers, they have to call in seasonal officers.
 16 Because they have 13 officers for three shifts.
 17 Q How many people is that per officer,
 18 13? I mean, how many officers per person is it?
 19 A I don't know how many people live in
 20 Seaside Park.
 21 Q Assume the population is 2000.
 22 Thirteen is what?
 23 A I don't know that that assumption is
 24 correct.
 25 Q I'm asking you to assume it for the

1 purposes of my questions.
 2 A Okay.
 3 Q So, assume they have 2000 people over
 4 there. They have how many officers per person?
 5 A I don't know.
 6 Q You don't know?
 7 A Want me pull up the right answer?
 8 Q Well, you can do that. Go ahead.
 9 MR. WINWARD: While he's looking that
 10 up, Joe, how much more? Because we have to cut it
 11 off at two hours. But for the sake of planning,
 12 will you be having additional requirements of
 13 cross-examination for Lieutenant Roth for the next,
 14 meeting.
 15 MR. MICHELINI: Well, I would imagine
 16 that Mr. Wisner is going to have far more than I've
 17 done, because that's what happened with
 18 Captain Santucci.
 19 MR. WINWARD: Okay.
 20 MR. MICHELINI: So, unless he tells
 21 us otherwise, I think we're --
 22 MR. WINWARD: We're not going to give
 23 him a chance to --
 24 MR. MICHELINI: If he's not going to
 25 get a chance, I'll finish tonight and we can let

1 Lieutenant Roth go. But if he is going to ask a lot
 2 of questions, then we just might as well bring him
 3 back.
 4 MR. WISER: I object to the term a
 5 lot. But I will have some questions.
 6 MR. WINWARD: All right. So, what I
 7 think would be appropriate, then, is to wrap up this
 8 line of questioning here.
 9 MR. MICHELINI: Sure. We'll wrap up
 10 this line right here.
 11 MR. WINWARD: So that that part
 12 doesn't have to be continued next meeting.
 13 A The answer is 153 residents per
 14 full-time officer.
 15 Q And how many full-time officers are
 16 there in Berkeley Township?
 17 A Sixty-six.
 18 Q And how many residents? 45,000?
 19 A Yeah.
 20 Q So, what's the math on that?
 21 A 681.
 22 Q Okay. So, the numbers,
 23 proportionately, are much better in Seaside Park?
 24 A Yeah, when you compare it to all of
 25 Berkeley. Not to --

1 Q Correct.
 2 A -- South Seaside Park.
 3 Q Correct. When you compare it to all
 4 of Berkeley, it's much better, isn't it?
 5 A Yeah, South Seaside Park still has
 6 the best ratio.
 7 Q Because?
 8 A Because we maintain officers over
 9 there and it's a small area.
 10 Q Right. And Seaside Park may do
 11 exactly the same thing in the event of
 12 de-annexation, right?
 13 A Assuming they do, yeah.
 14 Q Yeah, assuming they do, then nothing
 15 is changed in terms of ratio?
 16 A I don't think we can assume that they
 17 maintain the same ratio that we've maintained over
 18 there.
 19 Q You don't know, do you?
 20 A No, but that would be a lot for
 21 Seaside Park.
 22 Q Okay. And wouldn't it be better to
 23 take those resources, those officers, who are right
 24 now over in South Seaside Park, and bring them over
 25 to the mainland so that you increase the coverage

1 per population or per person on the mainland?
2 Wouldn't that be a good thing in the event of
3 de-annexation?

4 A That would be a good thing, again,
5 assuming that the officers are kept, that there
6 wasn't a reduction in officers. I think we'd have
7 to assume that we'd lose those special officers.

8 MR. MICHELINI: I think we'll stop
9 right now, then we'll come back and finish up.
10 Thank you very much. Thank you, Lieutenant Roth.

11 (Matter adjourned.)

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2 C E R T I F I C A T E
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4 I, LINDA SULLIVAN-HILL, a Notary
5 Public and Certified Court Reporter of the State of
6 New Jersey, do hereby certify that the foregoing is
7 a true and accurate transcript of the proceedings as
8 taken stenographically by and before me at the time,
9 place and on the date hereinbefore set forth.

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Notary Public of the State of New Jersey
 My Commission expires January 26, 2021

Dated: January 29, 2017

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