

**AN ORDINANCE TO AMEND CHAPTER 54 “POLICE DEPARTMENT”
OF THE CODE OF THE BOROUGH OF NETCONG AMENDING
PROCEDURES FOR HIRING AND PROMOTIONS IN THE POLICE
DEPARTMENT**

BE IT ORDAINED, by the Borough Council of the Borough of Netcong, in the County of Morris, and State of New Jersey, as follows:

SECTION 1. Chapter 54 of the Code of the Borough of Netcong, Section 54-4 Requisites for Appointment to Department, shall be amended and shall read, in its entirety, as follows:

§ 54-4. Requisites for appointment to Department.

A. Membership requirements.

(1) No person shall be appointed a member of the Police Department unless the person:

- (a) Is a citizen of the United States;
- (b) Is sound in body and of good health sufficient to satisfy the Board of Trustees of the Police and Fireman's Retirement System of New Jersey as to his or her eligibility for membership in the retirement system;
- (c) Is able to read, write and speak the English language well and intelligently;
- (d) Is of good moral character and has not been convicted of any criminal offense involving moral turpitude;
- (e) Has been a resident of the State of New Jersey for at least six months prior to the date of appointment;
- (f) Has completed and filed with the Borough a written application, under oath, on a form to be furnished by the Borough;
- (g) Has a valid New Jersey driver's license prior to the date of appointment;
- (h) Applicant must have one of the following prior to the date of appointment.

[1] Has earned at least an associate degree or has attained a minimum of 60 college credits from an accredited college or university.

[2] Honorable discharge from the United States Military, after serving a minimum of two full years of continuous active duty.

[3] Has completed two years of prior NJ law enforcement experience.

(i) Has successfully passed a medical and psychological examination.

- B. No person shall be given a permanent appointment as a member of the Police Department unless such person has first served a probationary or temporary term of office for a period of one year and has successfully completed a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey, pursuant to the provisions of Chapter 56 of the Laws of 1961. A probationary or temporary appointment may exceed one year for those persons enrolled in a police training course scheduled to end subsequent to the one-year limit set forth above. In no case shall an extension granted for attendance at a police training course exceed six months. Employment by the Borough shall automatically terminate upon the completion of the probationary period unless the probationary officer is appointed by the mayor and confirmed by the Borough Council as a permanent member of the Department.
- C. Each member of the Police Department shall, before entering upon the performance of his or her duties, take and subscribe an oath to support the Constitution of the United States and the Constitution of the State of New Jersey, to bear true faith and allegiance to the same and to the governments established in the United States and in this state and to faithfully, impartially and justly perform all of the duties of his or her office.

SECTION 2. Chapter 54 of the Code of the Borough of Netcong, Section 54-5

Promotions, shall be amended and shall read, in its entirety, as follows:

§ 54-5. Promotions.

- A. Promotion policy. Promotion denotes vertical movement in the organization hierarchy, from one rank classification to another. Validity of the promotional process can only be accomplished through clear and concise procedures. A promotional process has been developed to identify employees who possess the ability to assume greater responsibilities combined with the necessary skills and knowledge to perform competently at a higher organizational level. This policy is established for the positions of Sergeant, Lieutenant and Chief of Police, as those positions may be established from time to time by the Borough Council pursuant to § 54-1 of this chapter.
- B. Eligibility. The following criteria shall be used to determine eligibility for promotion to the ranks of Sergeant, Lieutenant and Chief of Police, provided said ranks are established by the Borough Council:
- (1) All candidates seeking promotion to the rank of Sergeant must have a minimum of three years' experience (including probation) as a Police Training Commission certified police officer. All candidates must have an associate's degree or attained a minimum of 60

college credits from an accredited college or university, or at least 24 months of active-duty military service or two years prior law enforcement experience to be eligible for promotion.

- (2) All candidates seeking promotion to the rank of Lieutenant must have a minimum of eight years' experience as a Police Training Commission certified police officer, two years of which shall be as a superior officer. All candidates must have an associate's degree plus 30 credits or attained a minimum of 90 college credits from an accredited college or university to be eligible for said promotion.
- (3) All candidates seeking promotion to the rank of Chief of Police must have a minimum of 10 years' experience as a Police Training Commission certified police officer, two years of which shall be as a superior officer. All candidates must have a Bachelor of Arts degree from an accredited college or university to be eligible for said promotion.
- (4) A potential candidate's years of service and/or years in present rank for eligibility purposes must be met as of the date the notice of the promotional process is posted pursuant to Subsections C, J and K below. There shall be no exception to this requirement.
- (5) All promotions shall be made from the membership of the Netcong Borough Police Department, provided that the candidate meets the eligibility requirements of this section and successfully completes the promotional process as contained herein.

C. Promotional process, Sergeants. At least 30 days prior to the date of the commencement of the promotional process for the rank of Sergeant, a notice shall be posted at the Police Department that will set forth the following:

- (1) The position or positions available through promotion.

D. Sergeant – NJ Chiefs of Police Written Exam and personal interview. Once a candidate receives a passing grade of 70% or higher. He or she has the option to use that score for future sergeant promotions or to take the exam again in an effort to improve their grade.

- (1) The Chief of Police, or in the absence of a Chief, the Borough Administrator, shall provide the candidates with a scheduled date for the written exam at least 90 days prior to the exam. The personal interview date at least 14 days prior to the interview. Failure to attend the personal interview shall result in a candidate's disqualification from the promotional process.
- (2) A Police Promotional Committee consisting of the Police Chief, Mayor, Borough Administrator and two members of the Borough Council designated by it (hereinafter collectively referred to as the "Committee") shall conduct the personal interview.
- (3) The personal interview will be based mainly on a candidate's past performance and evaluations and shall represent 50% of a candidate's overall score in the promotional process. The information to be viewed during the interview will come from each candidate's personnel file. Each candidate shall be given the opportunity to make a

personal statement if he/she chooses to do so. Each Committee member shall grade each candidate based on the candidate's interview. The maximum attainable score for the interview shall be 100%. The candidate's overall score for the interview shall be the average of the combined scores of each Committee member. Factors to be considered by the Committee in scoring the candidate's interview shall be:

(a) Performance/leadership skill.

(b) Educational background.

(c) Training.

(d) Supervisory experience.

(e) Attitude:

[1] Use of sick time.

[2] Efforts in supporting Department goals and objectives.

[3] Handling Department equipment.

[4] Rapport with fellow employees and the public.

(f) Appearance and demeanor.

(4) Letters concerning a potential candidate received between the day the notice of a promotional examination is posted and the conclusion of the promotional examination shall not be considered for the posted examination.

(5) The overall score of each candidate shall be calculated as follows:

Personal interview

E. Seniority.

(1) Seniority will be assessed as the final stage of the promotional process for candidates for the ranks of Lieutenant and Sergeant.

(2) Seniority shall be worth 1/2 of a percentage point (based on 100%) for every year of service with the Netcong Borough Police Department up to a maximum of 10%.

(3) Seniority shall be determined by the number of years of service completed as of the date the notice of the promotional examination is posted.

F. Final overall score.

(1) Candidate's score on the personal interview.

- (2) Seniority is worth 1/2 of a percentage point (based on 100%) for every year of service completed with the Netcong Borough Police Department up to a maximum of 10%.
- (3) In order to assess the overall score for promotion, add the overall score received by a candidate, plus seniority.
- (4) Once the overall scores are calculated, The Police Chief will provide the mayor with their candidate recommendation. The candidate chosen may be appointed by the mayor, subject to satisfactory physical and psychological examinations and confirmation by the Borough Council. In the event that the mayor deems the chosen candidate not to be the best qualified because of the results received from the individual's psychological and/or physical examinations, the mayor must submit all concerns in writing and justify his/her appointment to the Borough Council.

G. Summary.

- (1) Upon completion of the examination process, each candidate for the rank of sergeant will be provided with the testing results in a written review form which will include his or her:
 - (a) NJ Chiefs of Police Association written test score.
 - (b) Personal interview score.
 - (c) Seniority.
 - (d) Overall ranking.
- (2) The Chief of Police, or in the absence of a Chief, the Borough Administrator, or his or her designee, shall be responsible for all examination phases of the promotional process.

H. Physical/psychological examination. Prior to submitting the name of the highest-scoring candidate to the Borough Council for confirmation, said candidate shall undergo physical and psychological examinations by physicians designated by the Borough at the Borough's expense.

I. Examination eligibility list.

- (1) Candidates who successfully complete the promotional examination process but do not receive a promotion at the conclusion of the process may be placed on a promotional list for the same rank for which the candidates were examined.
- (2) The list will be active for three years from the date of final results being published. A candidate on the list may be recommended for promotion to the appropriate rank without further examination within the three-year period.

(3) The establishment of the list will be made upon recommendation of the Chief of Police, or in the absence of the Chief, the Borough Administrator, to the Mayor and Borough Council and the adoption of a resolution by the Borough Council establishing the list.

J. Promotion process, Lieutenant. At least 30 days prior to the date of the commencement of the promotional process for Lieutenant, the Police Promotional Committee shall notify all eligible candidates in writing of the pending promotion. Eligibility shall be determined based upon the criteria established in § 54-5B (3).

(1) Interested candidates shall notify the Borough Administrator in writing within 15 days of notification of the pending appointment of their intent to be considered for the promotion to the rank of Lieutenant.

(2) The Borough Administrator shall notify the candidates of their personal interview date in writing at least seven days prior to their personal interview.

(3) The Police Promotional Committee shall conduct the personal interviews. Each candidate shall be given the opportunity to make a personal statement if he/she chooses to do so. Each Committee member shall grade each candidate based on the candidate's interview. The maximum attainable score shall be 100%. The candidate's overall score for the interview shall be the average of the combined scores of each committee member. Factors to be considered by the Committee in scoring the candidate's interview shall be:

(a) Performance/leadership skill.

(b) Educational background.

(c) Training.

(d) Supervisory experience.

(e) Attitude.

[1] Use of sick time.

[2] Efforts in supporting Department goals and objectives.

[3] Handling Department equipment.

[4] Rapport with fellow employees and the public.

(f) Appearance and demeanor.

(4) Once the overall scores are calculated, The Police Chief will provide the mayor with his or her candidate recommendation. The candidate chosen may be appointed by the mayor, subject to satisfactory physical and psychological examinations and confirmation by the Borough Council. In the event that the mayor deems the chosen candidate not to be the best qualified because of the results received from the individual's psychological and/or

physical examinations, the mayor must submit all concerns in writing and justify his/her appointment to the Borough Council.

K. Promotion process, Chief of Police. At least 30 days prior to the date of the commencement of the promotional process for Chief, the Police Promotional Committee shall notify all eligible candidates in writing of the pending promotion. Eligibility shall be determined based upon the criteria established in § 54-5B (3).

(1) Interested candidates shall notify the Borough Administrator in writing within 15 days of notification of the pending appointment of their intent to be considered for the promotion to the rank of Chief.

(2) The Borough Administrator shall notify the candidates of their personal interview date in writing at least seven days prior to their personal interview.

(3) The Police Promotional Committee shall conduct the personal interviews. Each candidate shall be given the opportunity to make a personal statement if he/she chooses to do so. Each Committee member shall grade each candidate based on the candidate's interview. The maximum attainable score shall be 100%. The candidate's overall score for the interview shall be the average of the combined scores of each committee member. Factors to be considered by the Committee in scoring the candidate's interview shall be:

(a) Performance/leadership skill.

(b) Educational background.

(c) Training.

(d) Supervisory experience.

(e) Attitude.

[1] Use of sick time.

[2] Efforts in supporting Department goals and objectives.

[3] Handling Department equipment.

[4] Rapport with fellow employees and the public.

(f) Appearance and demeanor.

(4) The candidate receiving the highest overall final score may be appointed by the mayor, subject to a satisfactory physical examination and confirmation by the Borough Council. In the event that the mayor deems the individual with the highest score not to be the best qualified because of the results received from the individual's physical examination, the mayor must submit all concerns in writing and justify his/her appointment to the Borough Council.

SECTION 3. This Ordinance may be renumbered for codification purposes.

SECTION 4. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION 5. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 6. This Ordinance shall take effect upon final passage and publication as required by law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was introduced in writing at a meeting of the Borough Council of the Borough of Netcong, County of Morris and State of New Jersey, held on the 14th day of March, 2024, introduced and read by title and passed on the first reading and that the said Governing Body will further consider the same for second reading and final passage thereon at a meeting to be held on the 11th day of March, 2024, at 7:30 p.m., prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens in interest shall have an opportunity to be heard concerning same.

**BOROUGH OF NETCONG
COUNTY OF MORRIS
STATE OF NEW JERSEY**

By: _____
Elmer Still, Mayor

ATTEST:

Cynthia Eckert, Borough Clerk

Introduced: 3/14/24
Adopted: 4/11/24