

24-001G

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON BY AMENDING CHAPTER 2, ADMINISTRATION, SECTION 2-11, POLICE DEPARTMENT.

BE IT ORDAINED by the Borough Council of the Borough of Rumson, County of Monmouth, and State of New Jersey, that Chapter 2, Administration, Section 2-11, Police Department is hereby amended as follows:

PURPOSE

The purpose of this Ordinance is to amend Chapter 2, Section 2-11, (Police Department) to add a new subsection 2-11.22 regarding the promotional process for the ranking officers of the Rumson Police Department.

Chapter 2 (Administration), Section 2-11 (Police Department), of the Borough of Rumson are hereby amended or supplemented as follows (new text is underlined, text to be deleted is ~~struck through~~ and notation to the reader and changes in subparagraph designations either with or without changes to content are italicized):

SECTION 1

That Chapter 2, Section 2-11 shall be amended as follows:

2-11.22 Promotions.

A. Chief of Police promotion.

(1) General requirements.

(a) Eligibility. The Borough of Rumson desires to promote the most qualified candidate to the position of Chief of Police. This subsection establishes the eligibility requirements and the process for promotion to the rank of Chief of Police. The promotion process shall be based on the process outlined below. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer to a superior officer position shall be made from the membership of the Department. To be considered for the position of Chief of Police, the candidate must have previously been serving the Borough in the rank of Lieutenant or Captain.

(2) Promotion process.

(a) Candidates for the position of Chief of Police shall participate in a promotion process administered by the Borough's Police Committee and the Borough Administrator. The Borough Administrator shall announce the promotion process to members of the Police Department by posting the announcement in the common area of the Police

Department and/or the Police Department bulletin board and by sending each eligible candidate written notification. The posting announcement shall contain, at a minimum, the rank to be filled, required current rank, and prospective dates for the interview. Candidates who qualify shall notify the Borough Administrator of his or her interest in the promotion process by submitting a letter of interest no later than fourteen (14) calendar days after the date of the promotion process announcement. Failure to do so shall render the officer ineligible to participate in the promotion process.

(3) Promotion testing procedure. The promotion testing procedure for the Rumson Police Department shall consist of an oral interview before the Police Committee and Borough Administrator and a record review.

(a) Oral Interview.

[1] The interview shall be conducted by the Police Committee and the Borough Administrator. The interview shall focus on, but not be limited to, the candidate's knowledge of the Borough of Rumson's form of government, police administration, leadership and management skills, municipal and police budget process, staffing, community policing, and other relative personal experience related to the promotion process and position to be filled.

[2] All candidates shall be given the same questions by the Police Committee and Borough Administrator. The Borough Administrator shall keep written records of the scoring for each of the candidate's responses to same.

[3] Each candidate shall be graded on the oral interview using a one hundred (100) point scale.

(b) Record Review.

[1] The review of personnel records shall be conducted by the Police Committee and the Borough Administrator. The candidate's personnel records will include but not be limited to sick leave, disciplinary actions, years of service, and education.

[2] The record review shall be graded as listed below:

[I] Attendance is averaged over the previous full three (3) calendar years, excluding severe illness or absence in compliance with the Family Medical Leave Act. If more than sixty (60) hours of sick leave is used annually, over a three year period, five (5) points will be deducted from the candidates overall score.

[II] Disciplinary actions:

[i] Each major sustained disciplinary action (suspension of more than five (5) days) will result in a deduction of five (5) points.

[ii] Each minor sustained disciplinary action (five (5) day

suspension or less, including written reprimands) will result in a deduction of one (1) point.

[III] Years of law enforcement service: one (1) point of credit for each year of service after twenty (20) years of service with the Rumson Police Department, for a maximum of ten (10) points. For example, if a candidate has twenty eight (28) years of service with Rumson Police Department, they are afforded eight (8) points.

[IV] Education for degrees in Criminal Justice, Psychology, Government and/or Public Administration (point system is not cumulative):

[i] If completed bachelor's degree: a total of three (3) points.

[ii] If completed master's degree: a total of five (5) points.

(4) Each candidate shall be ranked based on the total score as outlined above. The candidates shall then be ranked from the highest to lowest based on score. The list shall include the candidates' names and final scores and shall be afforded to the Mayor and Borough Council. Thereafter, the Police Committee shall make their final recommendation to the Mayor and Council and the Borough Council shall make their appointment in accordance with §2-11.3.

(5) Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A 40A:14-129, or a resident over a nonresident pursuant to N.J.S.A 40A:14-122.6. Residency shall prevail over seniority in the case of candidates that are ranked equally.

B. Captain promotion.

(1) General requirements.

(a) Eligibility. The Borough of Rumson desires to promote the most qualified candidate to the position of Captain. This subsection establishes the eligibility requirements and the process for promotion to the rank of Captain. The promotion process shall be based on the process outlined below. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer to a superior officer position shall be made from the membership of the Department. To be considered for the position of Captain, the candidate must have previously been serving the Borough in the rank of Lieutenant.

(2) Promotion process.

(a) Candidates for the position of Captain shall participate in a promotion process administered by the Borough's Police Committee and the Borough Administrator. The Borough Administrator shall announce the promotion process to members of the Police Department by posting the announcement in the common area of the Police Department and/or the Police Department bulletin board and by sending each eligible candidate written

notification. The posting announcement shall contain, at a minimum, the rank to be filled, required current rank, and prospective dates for the interview. Candidates who qualify shall notify the Borough Administrator of his or her interest in the promotion process by submitting a letter of interest no later than fourteen (14) calendar days after the date of the promotion process announcement. Failure to do so shall render the officer ineligible to participate in the promotion process.

(3) Promotion testing procedure. The promotion testing procedure for the Rumson Police Department shall consist of an oral interview before the Police Committee and Borough Administrator and a record review.

(a) Oral Interview.

[1] The interview shall be conducted by the Police Committee and the Borough Administrator. The interview shall focus on, but not be limited to, the candidate's knowledge of the Borough of Rumson's form of government, police administration, leadership and management skills, municipal and police budget process, staffing, community policing, and other relative personal experience related to the promotion process and position to be filled.

[2] All candidates shall be given the same questions by the Police Committee and Borough Administrator. The Borough Administrator shall keep written records of the scoring for each of the candidate's responses to same.

[3] Each candidate shall be graded on the oral interview using a one hundred (100) point scale.

(b) Record Review.

[1] The review of personnel records shall be conducted by the Police Committee and the Borough Administrator. The candidate's personnel records will include but not be limited to sick leave, disciplinary actions, years of service, and education.

[2] The record review shall be graded as listed below:

[I] Attendance is averaged over the previous full three (3) calendar years, excluding severe illness or absence in compliance with the Family Medical Leave Act. If more than sixty (60) hours of sick leave is used annually, over a three year period, five (5) points will be deducted from the candidates overall score.

[II] Disciplinary actions:

[i] Each major sustained disciplinary action (suspension of more than five (5) days) will result in a deduction of five (5) points.

[ii] Each minor sustained disciplinary action (five (5) day suspension or less, including written reprimands) will result in a deduction

of one (1) point.

[III] Years of law enforcement service: one (1) point of credit for each year of service after twenty (20) years of service with the Rumson Police Department, for a maximum of ten (10) points. For example, if a candidate has twenty eight (28) years of service with Rumson Police Department, they are afforded eight (8) points.

[IV] Education for degrees in Criminal Justice, Psychology, Government and/or Public Administration (point system is not cumulative):

[i] If completed bachelor's degree: a total of three (3) points.

[ii] If completed master's degree: a total of five (5) points.

(4) Each candidate shall be ranked based on the total score as outlined above. The candidates shall then be ranked from the highest to lowest based on score. The list shall include the candidates' names and final scores and shall be afforded to the Mayor and Borough Council. Thereafter, the Police Committee shall make their final recommendation to the Mayor and Council and the Borough Council shall make their appointment in accordance with §2-11.3.

(5) Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A 40A:14-129, or a resident over a nonresident pursuant to N.J.S.A 40A:14-122.6. Residency shall prevail over seniority in the case of candidates that are ranked equally.

C. Lieutenant promotions.

(1) General requirements.

(a) Eligibility. The Borough of Rumson desires to promote the most qualified candidate to the position of Lieutenant. This subsection establishes the eligibility requirements and the process for promotion to the rank of Lieutenant. The promotion process shall be based on the process outlined below. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer to a superior officer position shall be made from the membership of the Department. To be considered for the position of Lieutenant, the candidate must have previously been serving the Borough in the rank of Sergeant.

(2) Promotion process.

(a) Candidates for the position of Lieutenant shall participate in a promotion process administered by the Borough's Police Committee and the Borough Administrator. The Borough Administrator shall announce the promotion process to members of the Police Department by posting the announcement in the common area of the Police Department and/or the Police Department bulletin board and by sending each eligible candidate written notification. The posting announcement shall contain, at a minimum, the rank to be filled,

required current rank, and prospective dates for the interview. Candidates who qualify shall notify the Borough Administrator of his or her interest in the promotion process by submitting a letter of interest no later than fourteen (14) calendar days after the date of the promotion process announcement. Failure to do so shall render the officer ineligible to participate in the promotion process.

(3) Promotion testing procedure. The promotion testing procedure for the Rumson Police Department shall consist of an oral interview before the Police Committee and Borough Administrator and a record review.

(a) Oral Interview.

[1] The interview shall be conducted by the Police Committee and the Borough Administrator. The interview shall focus on, but not be limited to, the candidate's knowledge of the Borough of Rumson's form of government, police administration, leadership and management skills, municipal and police budget process, staffing, community policing, and other relative personal experience related to the promotion process and position to be filled.

[2] All candidates shall be given the same questions by the Police Committee and Borough Administrator. The Borough Administrator shall keep written records of the scoring for each of the candidate's responses to same.

[3] Each candidate shall be graded on the oral interview using a one hundred (100) point scale.

(b) Record Review.

[1] The review of personnel records shall be conducted by the Police Committee and the Borough Administrator. The candidate's personnel records will include but not be limited to sick leave, disciplinary actions, years of service, and education.

[2] The record review shall be graded as listed below:

[I] Attendance is averaged over the previous full three (3) calendar years, excluding severe illness or absence in compliance with the Family Medical Leave Act. If more than sixty (60) hours of sick leave is used annually, over a three year period, five (5) points will be deducted from the candidates overall score.

[II] Disciplinary actions:

[i] Each major sustained disciplinary action (suspension of more than five (5) days) will result in a deduction of five (5) points.

[ii] Each minor sustained disciplinary action (five (5) day suspension or less, including written reprimands) will result in a deduction of one (1) point.

[III] Years of law enforcement service: one (1) point of credit for each year of service after twelve (12) years of service with the Rumson Police Department, for a maximum of ten (10) points. For example, if a candidate has fifteen (15) years of service with Rumson Police Department, they are afforded three (3) points.

[IV] Education for degrees in Criminal Justice, Psychology, Government and/or Public Administration (point system is not cumulative):

[i] If completed bachelor's degree: a total of three (3) points.

[ii] If completed master's degree: a total of five (5) points.

(4) Each candidate shall be ranked based on the total score as outlined above. The candidates shall then be ranked from the highest to lowest based on score. The list shall include the candidates' names and final scores and shall be afforded to the Mayor and Borough Council. Thereafter, the Police Committee shall make their final recommendation to the Mayor and Council and the Borough Council shall make their appointment in accordance with §2-11.3.

(5) Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A 40A:14-129, or a resident over a nonresident pursuant to N.J.S.A 40A:14-122.6. Residency shall prevail over seniority in the case of candidates that are ranked equally.

D. Sergeant promotions.

(1) General requirements.

(a) Eligibility. The Borough of Rumson desires to promote the most qualified candidate to the position of Sergeant. This subsection establishes the eligibility requirements and the process for promotion to the rank of Sergeant. The promotion process shall be based on the process outlined below. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer to a superior officer position shall be made from the membership of the Department. To be considered for the position of Sergeant, the candidate must have previously been serving the Borough in the rank of Patrol Officer for a minimum of seven (7) years.

(2) Promotion process.

(a) Candidates for the position of Sergeant shall participate in a promotion process administered by the Borough's Police Committee and the Borough Administrator. The Borough Administrator shall announce the promotion process to members of the Police Department by posting the announcement in the common area of the Police Department and/or the Police Department bulletin board and by sending each eligible candidate written notification. The posting announcement shall contain, at a minimum, the rank to be filled, required current rank, and prospective dates for the interview. Candidates who qualify shall notify the Borough Administrator of his or her interest in the promotion process by

submitting a letter of interest no later than fourteen (14) calendar days after the date of the promotion process announcement. Failure to do so shall render the officer ineligible to participate in the promotion process.

(3) Promotion testing procedure. The promotion testing procedure for the Rumson Police Department shall consist of an oral interview before the Police Committee and Borough Administrator, a record review and Police Chief Recommendation.

(a) Oral Interview.

[1] The interview shall be conducted by the Police Committee and the Borough Administrator. The interview shall focus on, but not be limited to, the candidate's knowledge of the Borough of Rumson's form of government, police administration, leadership and management skills, municipal and police budget process, staffing, community policing, and other relative personal experience related to the promotion process and position to be filled.

[2] All candidates shall be given the same questions by the Police Committee and Borough Administrator. The Borough Administrator shall keep written records of the scoring for each of the candidate's responses to same.

[3] Each candidate shall be graded on the oral interview using a one hundred (100) point scale.

(b) Record Review.

[1] The review of personnel records shall be conducted by the Police Committee and the Borough Administrator. The candidate's personnel records will include but not be limited to sick leave, disciplinary actions, years of service, and education.

[2] The record review shall be graded as listed below:

[I] Attendance is averaged over the previous full three (3) calendar years, excluding severe illness or absence in compliance with the Family Medical Leave Act. If more than sixty (60) hours of sick leave is used annually, over a three year period, five (5) points will be deducted from the candidates overall score.

[II] Disciplinary actions:

[i] Each major sustained disciplinary action (suspension of more than five (5) days) will result in a deduction of five (5) points.

[ii] Each minor sustained disciplinary action (five (5) day suspension or less, including written reprimands) will result in a deduction of one (1) point.

[III] Years of law enforcement service: one (1) point of credit for each year

of service after seven (7) years of service with the Rumson Police Department, for a maximum of ten (10) points. For example, if a candidate has ten (10) years of service with Rumson Police Department, they are afforded three (3) points.

[IV] Education for degrees in Criminal Justice, Psychology, Government and/or Public Administration (point system is not cumulative):

[i] If completed bachelor's degree: a total of three (3) points.

[ii] If completed master's degree: a total of five (5) points.

(c) Police Chief Recommendation of promotion worth thirty (30) points.

(4) Each candidate shall be ranked based on the total score as outlined above. The candidates shall then be ranked from the highest to lowest based on score. The list shall include the candidates' names and final scores and shall be afforded to the Mayor and Borough Council. Thereafter, the Police Committee shall make their final recommendation to the Mayor and Council and the Borough Council shall make their appointment in accordance with §2-11.3.

(5) Where two or more candidates are ranked equally pursuant to the promotional procedure set forth herein, preference shall be given to the candidate with the most seniority in service pursuant to N.J.S.A 40A:14-129, or a resident over a nonresident pursuant to N.J.S.A 40A:14-122.6. Residency shall prevail over seniority in the case of candidates that are ranked equally.

SECTION 2

If any section, subsection, clause or phrase or this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3

This ordinance shall take effect upon final passage and publication according to law.

Introduced: January 9, 2024

Adopted: February 13, 2024

I hereby approve the passing
of this ordinance.

Joseph K. Hemphill
Mayor

Attest:

Thomas S. Rogers
Municipal Clerk/Administrator