

Borough of Matawan

Public Notice of Pending Ordinance 23-04

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Governing Body of the Borough of Matawan, in the County of Monmouth, State of New Jersey, on February 21, 2023. It will be further considered for final passage, after public hearing thereon, at a meeting of the Governing Body to be held at the Borough of Matawan, Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey 07747 on March 7, 2023 at 7:00 o'clock PM. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's Office for the members of the general public who shall request the same or on the Borough of Matawan website at www.matawanborough.com.

Karen Wynne, RMC
Municipal Clerk

**ORDINANCE 23-04
AMENDING AND SUPPLEMENTING THE CODE OF THE
BOROUGH OF MATAWAN CHAPTER 9 PERSONNEL POLICIES, ARTICLE 2
PERSONNEL POLICIES CONCERNING MEMBERS OF THE POLICE
DEPARTMENT, SECTION 9-26 PROMOTIONS**

WHEREAS, within its general powers as a municipality, the Borough of Matawan may make and enforce ordinances, rules and regulations not contrary to Federal or State law as it deems necessary and to protect the public safety and welfare of its residents; and

WHEREAS, the Mayor and Council of the Borough of Matawan support and encourage efficiency within the Matawan Police Department; and

WHEREAS, the Mayor and Council of the Borough of Matawan have determined that it would be in the best interest of the citizens of the Borough to establish a promotional practice based upon merit for the positions of Police Chief, Lieutenant and Sergeant when there are vacancies in said positions; and

WHEREAS, the Borough of Matawan desires to have a promotional practice for the positions of Police Chief, Lieutenant and Sergeant based upon merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions within the Matawan Police Department to better serve the residents of the Borough of Matawan; and

WHEREAS, the Borough of Matawan further desires to establish appropriate hiring criteria based on merit, experience, moral character and sufficient physical health when hiring police officers; and

WHEREAS, notwithstanding what is referenced in this Ordinance the education credit may only be applied if received in criminal justice or criminal science.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Matawan that Chapter 9, Article 2 of the Code of the Borough of Matawan entitled “Personnel Policies Concerning Members of the Police Department” is hereby amended as follows:

§ 9-26.1. Promotion to Rank of Police Chief

- a. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Police Chief. This subsection establishes the eligibility requirements and the process for promotion to Police Chief. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police Department. No person shall be eligible for promotion to Police Chief unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of 10 years or more. Promotions to the rank of Police Chief shall be open to members of the next lowest rank who have served at least two years in said rank, unless the Mayor and Council, in the best interest of the department, choose to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.
- b. The Borough Administrator shall announce the promotional process to members of the Department at least 30 days before any written examination is to be given. The announcement shall be posted in common areas of the Department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Borough Administrator of his or her interest in taking the examination by submitting a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- c. Promotional Testing Procedure. The promotional testing procedure for the Borough of Matawan Police Department may consist of the following: a written examination, an oral examination, a psychological examination, a record review and an interview with the Mayor and Council. The Mayor and Council reserve the right to waive the written examination and/or oral examination by the outside entity and shall so notify any applicant when the initial announcement for the promotional process is posted.
 1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of 70% on the written examination.
 2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee.

The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of 70%.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Mayor and Council. Candidates who successfully achieve a minimum score of 70% on the written examination and a minimum score of 70% on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council. The record review shall be conducted by the Borough Administrator and the Chief of Police.
 - (a) The interview with the Mayor and Council shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the police department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council shall grade each candidate on a 20 point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.
 - (b) The Borough Administrator shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a 20 point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy)	0 to 3 points
Each completed course +1 point to a total of 3 points.	
Performance Evaluations	0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	
Commendations	0 to 3 points

+1 point for each commendation up to maximum of 3points.	
Education	
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.	
Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points
Military Experience	
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).	
Rank of Sergeant or lower 1 point	

Any rank above Sergeant 2 points
Disciplinary Actions
Each major sustained discipline (more than 5 days) -2points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.

4. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	35%
Record Review	20%
Mayor and Council Interview	20%

d. (Reserved)

e. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Police Chief subject to satisfactory psychological examination and certification by a Borough selected physician stating that the candidate is able to perform the essential functions of the Police Chief title. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.

- f. 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 non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§ 9-26.2. Promotion to Rank of Captain.

- a. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Captain. This subsection establishes the eligibility requirements and the process for promotion to Captain. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police Department. No person shall be eligible for promotion to Captain unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of 10 years or more. Promotions to the rank of Captain shall be open to members of the next lowest rank who have served at least two years in said rank, unless the Mayor and Council, in the best interest of the Department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.
- b. The Police Chief shall announce the promotional process to members of the Department at least 30 days before the written examination is to be given. The announcement shall be posted in common areas of the Department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- c. Promotion Testing Procedure. The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.
 - 1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of 70% on the written examination.
 - 2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three examiners, at

least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of 70%.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Mayor and Council and Police Chief. Candidates that successfully achieve a minimum score of 70% on the written examination and a minimum score of 70% on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Mayor and Council and the Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.
 - (a) The interview with the Mayor and Council and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the Police Department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a 20 point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.
 - (b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a 20 point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy)	0 to 3 points
Each completed course +1 point to a total of 3 points.	
Performance Evaluations	0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	
Commendations	0 to 3 points
+1 point for each commendation up to maximum of 3 points.	
Education	

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.	
Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points
Military Experience	
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).	
Rank of Sergeant or lower 1 point	
Any rank above Sergeant 2 points	
Disciplinary Actions	
Each major sustained discipline (more than 5 days) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	

4. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	35%
Record Review	20%
Mayor, Council and Chief Interview	20%

- d. The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.
- e. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Captain subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the Captain title. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.
- f. 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 non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§ 9-26.3. Promotion to Rank of Lieutenant.

- a. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Lieutenant. This subsection establishes the eligibility requirements and the process for promotion to Lieutenant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, the promotion of any officer shall be made from the membership of the Matawan Police Department. No person shall be eligible for promotion to Lieutenant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of 7 years or more (5 years to be eligible for promotion to Sergeant followed by 2 years in the rank). Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two years in said rank, unless the Mayor and Council, in the best interest of the Department, chooses to test a wider pool of candidates, in which case they may open testing to the next lower rank and/or reduce the length of time requirement in rank.
- b. The Police Chief shall announce the promotional process to members of the Department at least 30 days before the written examination is to be given. The announcement shall be posted in common areas of the Department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- c. Promotion Testing Procedure. The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Mayor and Council and the Police Chief.
 1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of 70% on the written examination.
 2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Police Chief or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of

Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of 70%.

*The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Police Chief and shall not be revealed to the Mayor and Council until after the interview and record review of the applicants are complete.

3. Record Review and Interview by Police Committee and Police Chief. Candidates that successfully achieve a minimum score of 70% on the written examination and a minimum score of 70% on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Police Committee and the Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.
 - (a) The interview with the Police Committee and Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the Police Department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Police Committee and Police Chief shall grade each candidate on a 20 point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.
 - (b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a 20 point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy)	0 to 3 points
Each completed course +1 point to a total of 3 points.	
Performance Evaluations	0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	
Commendations	0 to 3 points

+1 point for each commendation up to maximum of 3 points.
Education

Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.	
Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points
Military Experience	
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).	
Rank of Sergeant or lower 1 point	
Any rank above Sergeant 2 points	
Disciplinary Actions	
Each major sustained discipline (more than 5 days) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	

4. The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	35%
Record Review	20%
Mayor, Council and Chief Interview	20%

- d. The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.
- e. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Lieutenant subject to satisfactory psychological examination and certification by a Borough- selected physician stating that the candidate is able to perform the essential functions of the Lieutenant title. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.
- f. 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 non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

§ 9-26.4. Promotion to Rank of Sergeant.

- a. The Borough of Matawan Governing Body desires to promote the most qualified candidate to the position of Sergeant. This subsection establishes the eligibility requirements and the process for promotion to Sergeant. The promotion process shall be on the basis of merit, experience, education, demonstrated ability, competitive examinations and competitive written submissions. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Matawan Police Department. No person shall be eligible for promotion to Sergeant unless he or she shall have served as a full-time police officer in the Borough of Matawan Police Department for a period of 5 years or more.
- b. The Police Chief shall announce the promotional process to members of the Department at least 30 days before the written examination is to be given. The announcement shall be posted in common areas of the Department accessible to all members. The announcement shall contain, at a minimum, the rank to be filled, the dates of the exams, source materials or reading lists from which exam questions will be taken or topics from which questions will be formulated. Candidates who qualify shall notify the Police Chief of his or her interest in taking the examination by submitting a letter of interest no later than 10 calendar days after the promotion announcement. Failure to do so shall render the officer ineligible to participate in the process.
- c. Promotion Testing Procedure. The promotion testing procedure for the Borough of Matawan Police Department shall consist of the following: a written examination, an oral examination, a psychological examination, a record review and interview with the Police Committee and Police Chief.
 1. Written Examinations*: The written examination shall be supplied by a professional testing company, professional law enforcement organization (e.g. State Chiefs of Police Association, International Chiefs of Police Association, etc.) To proceed to the oral examination of the examination procedure, a candidate must achieve a minimum score of 70% on the written examination.
 2. Oral Examinations*: Candidates will be notified, in writing, of their successful or unsuccessful completion of the written portion of the exam by the Borough Administrator or his designee. The oral examination shall take place after the receipt of the written examination results. A standardized interview will be conducted by an outside agency (e.g. Chiefs of Police Association, International Chiefs of Police Association, etc.) by a Board of three examiners, at least one of whom shall be a Personnel Evaluator from the outside testing agency. None of the evaluators shall be an officer, employee, resident or relative thereof, of the Borough of Matawan. To proceed to the record review and interview portion of the promotional process, a candidate must achieve a minimum score of 70%.

* The testing organization shall assign each candidate an identification number, which shall be the only identification used when the written and oral examination is graded. The identification numbers of all candidates for promotion shall be posted on a pass/fail basis only. A complete master list of the actual results of the written and oral examination shall be placed under seal and retained in the office of the Borough Administrator and shall not be revealed to the Police Committee until after the interview and record review of the applicants are complete.

3. Record Review and Interview by the Police Committee and the Police Chief. Candidates that successfully achieve a minimum score of 70% on the written examination and a minimum score of 70% on the oral examination and receive a satisfactory psychological examination shall proceed to the next step in the promotional process, the review of service record and interview. The interview shall be conducted by the Police Committee and Police Chief. The record review shall be conducted by the Borough Administrator and the Police Chief.
 - (a) The interview with the Police Committee and the Police Chief shall focus on, but not be limited to, leadership and management skills, knowledge of the Borough of Matawan's form of government, knowledge of the Police Department ordinances, familiarity with the municipal budget process, the Police Department budget in particular, manpower allocations, Attorney General Guidelines and knowledge of N.J.S.A. 40A:14-118. The Mayor and Council and Police Chief shall grade each candidate on a 20 point scale and shall ask each candidate the identical questions and the Borough Clerk will keep written records of each candidate's responses to same.
 - (b) The Borough Administrator and Police Chief shall examine the personnel jacket of each candidate and give specific weight to each category and grade each candidate on a 20 point scale. The weight of each category of the record review shall be the maximum of the following points in each of the enumerated categories as follows:

Specialized Training (e.g. FBI Academy)	0 to 3 points
Each completed course +1 point to a total of 3 points.	
Performance Evaluations	0 to 8 points
All previous performance evaluations shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	
Commendations	0 to 3 points
+1 point for each commendation up to maximum of 3 points.	

Education	
Candidate only gets the point(s) associated with the highest educational degree attained and not the point(s) for each separate education degree.	
Associate's Degree	1 point
Bachelor's Degree	2 points
Master's Degree	3 points
PhD (JD) Degree	4 points
Military Experience	
Active Duty or Reserve Duty-Candidate only gets the highest of the following point(s).	
Rank of Sergeant or lower	1 point
Any rank above Sergeant	2 points

Disciplinary Actions	
Each major sustained discipline (more than 5 days) -2 points. Each minor sustained discipline (5 day suspension or less including written reprimands) -1 point. All previous sustained disciplinary actions shall be considered and reviewed to achieve the broadest scope of review for the given candidate by his/her supervisors.	

The weight or percentage of each portion of the process shall be as follows:

Written examination	25%
Oral examination	35%
Record Review	20%
Mayor, Council and Chief Interview	20%

- d. The completion of the promotional testing process shall result in the creation of an eligible promotional list that will remain in effect for two years from the date all scores are tabulated. Candidates shall be ranked and eligible for promotion according to their overall score. Eligible candidates must have an overall score of 70% or greater to be included on the list.
- e. The candidate with the highest overall score shall be voted on by the Mayor and Council as the Sergeant subject to satisfactory psychological examination and certification by a Borough-selected physician stating that the candidate is able to perform the essential functions of the

Sergeant title. The Candidate's overall score must be 70% or greater to be considered for promotion by the Mayor and Council.

- f. 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 non-resident pursuant to N.J.S.A. 40A:14-122.6. Seniority shall prevail over residency in the case of candidates that are ranked equally.

BE IT FURTHER ORDAINED, by the Governing Body of the Borough of Matawan that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as to said inconsistencies and conflicts.

BE IT FURTHER ORDAINED, by the Governing Body of the Borough of Matawan that if any provision of this Ordinance or the application of such provision this Ordinance to any person or circumstances is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be give effect, and to this end, the provisions of this Ordinance are declared to be severable.

BE IT FURTHER ORDAINED, by the Governing Body of the Borough of Matawan that this Ordinance shall take effect immediately upon passage and adoption according to law.