

## **Borough of Matawan**

### **Notice of Pending Ordinance 18-18**

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 September 18, 2018. 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 October 2, 2018 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](http://www.matawanborough.com).

Karen Wynne, RMC  
Municipal Clerk

**ORDINANCE 18-18**  
**AMENDING ORDINANCE 09-26**  
**ORDINANCE SUPPLEMENTING THE CODE OF THE**  
**BOROUGH OF MATAWAN**  
**CHAPTER IX – PERSONNEL POLICIES**

**ARTICLE II – “PERSONNEL POLICIES CONCERNING MEMBERS OF**  
**THE POLICE DEPARTMENT,” ESTABLISHING PROMOTION**  
**PROCEDURES FOR THE RANKS OF POLICE CHIEF, CAPTAIN,**  
**LIEUTENANT AND SERGEANT, AND ESTABLISHING A PROCEDURE**  
**FOR ACTING APPOINTMENTS AND HIRING POLICE OFFICERS**

**WHEREAS**, the Borough of Matawan has determined that for the best management and administration of the Police Department to reinstitute the position of Captain in the Department for administrative efficiency; and

**WHEREAS**, on December 17, 2013 the Council amending Ordinance 13-21 did codify the practices and procedures for promotions and appointment to the Matawan Police Department administrative structure; and

**WHEREAS**, there is a need to amend same to conform to the table of administration.

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

1. In all places where the administrative personnel are referenced in Ordinance 9-26, the term Captain is included in the organizational structure, and;
2. The Council herewith amends Section 9-26 to include the procedure for the promotion to the rank of Captain as contained in new Section 9-26(B).

**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, Captain, 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, Captain, 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 IX, Article II of the Code of the Borough of Matawan entitled “Personnel Policies Concerning Members of the Police Department” is hereby amended as follows:

1) **Section 9-26** is repealed and replaced with the following Sections 9-26 (A) – (D):

**§9-26(A) 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 ordinance 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 ten (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 (2) 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 thirty (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 ten (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 seventy percent (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 (3) 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 seventy percent (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 seventy percent (70%) on the written examination and a minimum score of seventy percent (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.

(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 twenty (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 twenty (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 day) -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%

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.

F. Where two (2) 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(B) 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 ordinance 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 ten (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 (2) 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 thirty (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 ten (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 seventy percent (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 (3) 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 seventy percent (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 seventy percent (70%) on the written examination and a minimum score of seventy percent (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 twenty (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 twenty (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 day) -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%

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.

F. Where two (2) 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(C) 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 ordinance 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 ten (10) years or more. Promotions to the rank of Lieutenant shall be open to members of the next lowest rank who have served at least two (2) 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 thirty (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 ten (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 seventy percent (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 (3) 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 seventy percent (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 seventy percent (70%) on the written examination and a minimum score of seventy percent (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 twenty (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 twenty (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 day) -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% |

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.

F. Where two (2) 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(D) 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 ordinance 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 ten (10) years or more.

B. The Police Chief shall announce the promotional process to members of the department at least thirty (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 ten (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 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 seventy percent (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 (3) 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 seventy percent (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 and the Police Chief.

Candidates that successfully achieve a minimum score of seventy percent (70%) on the written examination and a minimum score of seventy percent (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 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 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 twenty (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 twenty (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 day) -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%

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 Lieutenant title.

F. Where two (2) 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(E) Acting Designation; No Office or Position Created**

A. The Mayor and Council of the Borough of Matawan have the discretion and authority to assign the functions and duties of superior officer ranks, once the Mayor and Council of the Borough of Matawan have certified by resolution that the position of any superior officer rank is vacant. Until a superior officer rank is filled, the Mayor and Council may designate an officer who is qualified to perform the functions and duties of any superior officer rank in an acting capacity.

B. It is explicitly understood that no office or position of any kind is created by the assignment of functions and duties of a higher rank to an officer of a lower rank on an acting basis. Such designation shall also not be considered an appointment to a position, nor constitute a promotion. Such designation shall not entitle the officer to any additional compensation or other emoluments of office unless specifically provided for in a collective bargaining agreement or the Borough of Matawan Personnel Policies and Procedures Manual. The officer fulfilling such assignment is not and is not intended to constitute the holding of a de facto office or position within the meaning of N.J.S.A. 40A:9-6 or any other law. The officer designated in an acting capacity shall continue to fulfill the assignment at the pleasure of the Mayor and Council.

- 2) **Section 9-29 et seq.** entitled, “Policy Concerning Initial Hiring of Police Officers,” is repealed and replaced with the following:

**§ 9-29 POLICY CONCERNING INITIAL HIRING OF POLICE OFFICERS:**

**I. FIRST PHASE**

A. When a vacancy exists, the Chief of Police shall forward a request to the Matawan Borough Council to hire a Police Officer. The Chief, after receiving approval to hire a new officer, shall fill the vacancy as follows:

1. Accept applications from trained officers with New Jersey Police Training Commission Certificates.

- (a) Sworn officers from other agencies.
- (b) Alternate route officers from police academies.

2. Accept applications from any individual interested in serving as a Police Officer.

3. Advertise in the local newspaper.

- (a) The advertisement shall be for a two-week period.
- (b) The advertisement will indicate the filing deadline.

B. All applications shall be given out and collected at police headquarters.

C. When a candidate is given an application, the time, date and location of the written test will be attached.

D. When the desk officer provides a candidate with an application, he/she shall complete the information on the applicant list form.

E. When the application is returned, the desk officer on duty shall:

- 1. Place a check in front of the applicant’s name on the applicant list.
- 2. Collect the application and attach a \$10.00 money order or a certified check that is made payable to the New Jersey State Association of Chiefs of Police.
- 3. Give the applicant a numbered test booklet after recording the booklet number next to the applicant’s name.
- 4. The desk officer shall place the application, with the money order or certified check attached, in the Chief’s office box.

F. When the applications are received by the Chief, he shall check to ensure that the appropriate fee has been rendered and attached to the application form.

1. He shall stamp the date that the application was received.
2. All original applications are to be forwarded to the Chief's office.
3. The Chief shall forward the checks or money orders to the appropriate Chief's Association.

G. The Chief, or his designee, shall arrange for the testing locations for the written, physical and oral testing phases.

1. The Chief, or his designee, will be responsible for making all the proper notifications to the applicants.

2. Applications will not be rejected because of omissions or deficiencies that can be corrected prior to the testing or interview process.

H. Eligibility

1. Must be a citizen of the United States.
2. Must possess a high school diploma, or equivalency.
3. Must be of good moral character.
4. Must be at least eighteen (18) years old.
5. Must not have been convicted of a crime.
6. Must possess a valid New Jersey driver's license.

## II. SECOND PHASE – WRITTEN EXAMINATION

A. Applicants shall submit to a written examination.

1. In order for an applicant to move on to Phase III, the applicant must attain a minimum score of 70% on the written examination.

B. The written examination shall be administered by the New Jersey State Association of Chiefs of Police.

C. The applicant must be present at the testing location on the date and time specified. If the applicant does not report to the testing location as specified, he shall be ineligible for further consideration for the current vacancy.

1. The applicants may apply their written test scores and be eligible when another vacancy exists within the appropriate time frame.

D. Written test scores shall be submitted to the designated representative and forwarded to the Chief of Police for review.

E. All applicants who do not qualify to participate in the next phase shall be notified in writing and their written test score shall be included.

F. If an applicant has taken the New Jersey Chief of Police examination for another agency, he may apply his test score and be exempt from taking the test again. The test score must be current.

1. For the purposes of this section, “current” shall mean that the applicant took the written examination within one (1) year of the posted test date.

G. Applicants possessing a valid New Jersey Police Training Commission Certificate will be subject to the departmental interview process and not required to take a written examination.

### **III. DEPARTMENT ORAL INTERVIEW PHASE**

A. The department interview shall be directed by the Chief of Police and/or an officer designated by the Chief of Police.

B. The Chief of Police shall appoint a department Oral Board committee. The Oral Board committee shall evaluate and rank the candidates. The committee shall consist of personnel representing different ranks within the organization.

C. The candidates will then be ranked and selected for the Background Investigation Phase.

### **IV. BACKGROUND INVESTIGATION**

A. When a candidate has successfully passed Phases I, II, and III of this process, a background investigation is to be initiated.

B. The completed background investigation shall be evaluated by the Chief of Police and the Investigative Division Commander.

### **V. MEDICAL EXAMINATION**

A. The Matawan Borough Police Department shall pay for the applicant to be examined.

1. The Chief of Police shall designate the physician and arrange for the appointment.

B. The physician shall be provided with the department Medical Examination Form and instructed to complete the appropriate sections.

C. Blood and urine analysis is to be conducted for every applicant examined.

1. A screen for drugs in the applicant’s system is to be conducted.

D. The completed medical form is to be picked up from the physician by the officer assigned and reviewed by the Chief of Police.



E. If a candidate's medical examination reflects that the applicant has traces of a controlled dangerous substance in their system, he is to be disqualified from the selection process.

F. Any other medical problem, other than traces of controlled dangerous substances in the applicant's system, is to be thoroughly reviewed by the physician and a determination made as to the applicant's fitness for police work.

## **VI. SUCCESSFUL CANDIDATE(S)**

A. The successful candidate or candidates, if more than one position, will be presented to the Mayor and Council for final approval and appointment. The initial year of employment is a one-year probationary period during which time the candidate may be removed for any cause, and without notice. Termination during the probationary period is not grievable. The successful candidate shall be subject to satisfactory completion of a psychological evaluation to be presented to him at least three (3) days in advance of the actual appointment, and he or she will be notified of the time, location, name of consultation team and date. The psychological evaluation is designed to provide the department with dimensional information about a successful candidate that will assist in the selection process. The Chief of Police shall interpret the psychological evaluation report. If a successful candidate does not successfully pass the psychological examination, he or she is disqualified from appointment. All medical records are to be treated as confidential with access limited in accordance with the HIPAA requirements; the medical records must be kept in a separate file.

## **VII. EXEMPTIONS**

A. A candidate for employment may be exempted from the selection process as set forth in Articles I through IV, herein above, if such a candidate has previously been certified by the New Jersey Police Training Commission as a law enforcement officer; and if that candidate is currently employed as a law enforcement officer with a bona fide law enforcement agency. Any such candidate will still be subject to the eligibility requirements set forth in Article I.

B. A candidate for employment may only be granted exemption status by action of the Governing Body upon the advice and recommendation of the Chief of Police. The Chief of Police shall recruit and interview qualified candidates and may reject any and all candidates prior to submission to the Governing Body.

C. Such candidate shall still be subject to the requirements of Article III, Department Oral Interview Phase, Article IV, Background Investigation, Article V, Psychological Evaluation, and Article VI, Medical Examination.

D. Once the Police Chief interview, the psychological testing and medical examination have been completed, the Chief shall present the candidate to the Governing Body for its consideration. The Governing Body may, in its discretion, either accept or reject any candidate recommended by the Chief of Police.

E. The Chief of Police may not interview any candidates under this Section until he has first received formal authorization from the Governing Body. When granting formal authorization to commence this process, the Governing Body shall set the salary range and benefits for any candidate to be hired under this Section.

## **VIII. SUMMARY**

A. All applicants shall be notified of the test date, time and place at least five (5) days prior to the test.

B. All applicants that are rejected at any phase of this testing process shall be notified in writing by the Chief of Police within fifteen (15) days after the testing date.

C. All testing results will remain confidential and will not be released to any person or agency unless specifically authorized by the individual applicant or required by law.

### **3) SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

### **4) REPEALER**

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

### **5) EFFECTIVE DATE**

This Ordinance shall take effect upon passage, adoption and publication, pursuant to law.